

FLSA EXEMPTION ANALYSIS – LEARNED PROFESSIONAL

Date:	Position Title:	Evaluator:	Exemption Determination

Exemption:	Yes:	No:	N/A:	Comments:
Professional Exemption – The learned professional exemption (teachers, registered nurses, athletic trainers, accounting, physical, chemical and biological sciences, law, medicine, theology, engineering, architecture) is restricted to professions where specialized academic training is a standard prerequisite for entrance into the profession. The best evidence of meeting this requirement is having the appropriate academic degree. This exemption does not apply to occupations in which most employees acquire their skill by experience rather than by advanced specialized intellectual instruction				
Salary of at least \$684 per week or \$35,568 for a full year worker. (If no, non-exempt, even if part-time.) (Teachers are exempt regardless of their salary (29 C.F.R. 541.303).)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Role:				
Elaborate on worker’s primary job duty (the principal, main, major, or most important duty the employee performs) (a good “rule of thumb” is that the worker must spend at least 50% of his/her time doing exempt work to qualify for this exemption –				
To qualify for the learned professional employee exemption, all of the following tests must be met:				
The employee’s primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

The advanced knowledge must be in a field of science or learning; and	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>If either one of the three primary duties is no, job is non-exempt or should be evaluated under another exemption. If yes to all three, job is exempt under the FLSA Learned Professional Exemption.</p>				

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