

\* Date request received: \_\_\_\_\_

# State of Minnesota Job Audit (2012)

\* Removed from active file

\* optional fields / see back for FLSA compliance checklist

Agency/ * Other:	Position #:	* Auditor:
<input type="checkbox"/> New <input type="checkbox"/> Vacant <input type="checkbox"/> Occupied by:	Employee ID #:	* Position reports to:

<b>CURRENT</b>	<u>Class Title:</u>				<b>Classified</b>	<input type="checkbox"/> <b>Unclassified</b> <input type="checkbox"/> Temp uncl – 43A.08, 2a <input type="checkbox"/> Academic uncl – 43A.08, 1(9) <input type="checkbox"/> Student Wkr – 43A.08, 1(15) <input type="checkbox"/> Other Uncl – 43A.08.1a <input type="checkbox"/> Other statutory:
	Option Code:	* Option Title:				
	<u>Class Code:</u>	<u>Comp Code:</u>	<u>Barg Unit/Plan:</u>	* <u>FLSA Status:</u> <input type="checkbox"/> Non-exempt <input type="checkbox"/> Exempt		

<b>PROPOSED</b>	<u>Class Title:</u>				<b>Classified</b>	<input type="checkbox"/> <b>Unclassified</b> <input type="checkbox"/> Temp uncl – 43A.08, 2a <input type="checkbox"/> Academic uncl – 43A.08, 1(9) <input type="checkbox"/> Student Wkr – 43A.08, 1(15) <input type="checkbox"/> Other Uncl – 43A.08.1a <input type="checkbox"/> Other statutory:
	Option Code:	* Option Title:				
	<u>Class Code:</u>	<u>Comp Code:</u>	<u>Barg Unit/Plan:</u>	* <u>FLSA Status:</u> <input type="checkbox"/> Non-exempt <input type="checkbox"/> Exempt		

**COMMENTS:**

<b>FINAL</b>	<u>Class Title:</u>			<input type="checkbox"/> New job	<input type="checkbox"/> Down	Date of Hay rating, if applicable:
	Option Code:	* Option Title:		<input type="checkbox"/> Up	<input type="checkbox"/> No change	
	<u>Class Code:</u>	<u>Comp Code:</u>	<u>FLSA Status</u> (include FLSA checklist for exempt positions):	<input type="checkbox"/> Non-exempt	<input type="checkbox"/> Exec exempt	<input type="checkbox"/> Admin exempt
	<u>Barg Unit/Plan:</u>	<input type="checkbox"/> Initial barg unit designation	<input type="checkbox"/> Change – from _____ to _____	<input type="checkbox"/> Sent to MMB LR for temp BU and BMS order (date):		

<input type="checkbox"/> <b>CLASSIFIED FINAL DETERMINATION</b> <input type="checkbox"/> Vacant, whether new or established (V) <input type="checkbox"/> Reallocation (R) <input type="checkbox"/> Change in allocation / occupied (C) <input type="checkbox"/> Change in class; no change in duties (*) <input type="checkbox"/> No class change (=) <input type="checkbox"/> <b>Previously Unclassified</b> <input type="checkbox"/> Gradual (R) <input type="checkbox"/> Change in class; no change in duties (*) <input type="checkbox"/> No class change (=)	<div style="border: 2px solid black; padding: 5px; margin-bottom: 5px;"><b>Date properly documented request received:</b></div> <hr/> HR approval by: _____ Date _____ LR approval by: _____ Date _____ Notice sent by: _____ Date _____ <b>* Not eligible for back pay because:</b> <input type="checkbox"/> New position <input type="checkbox"/> Change in allocation <input type="checkbox"/> Transfer or demotion <input type="checkbox"/> Reallocation approved fewer than 15 days from properly documented date <input type="checkbox"/> No class change (=) <b>* Eligible for back pay as of this date:</b>
<input type="checkbox"/> <b>UNCLASSIFIED FINAL DETERMINATION</b> <input type="checkbox"/> <b>TEMPORARY UNCLASSIFIED APPROVAL</b> Initial designation? <input type="checkbox"/> Yes <u>or</u> * Extension? <input type="checkbox"/>  Start/end dates: _____	

**NOTE:** Where the incumbent of any reclassified position is ineligible to continue in the position and is not transferred, promoted or demoted, the layoff provisions of applicable collective bargaining agreements, the Commissioner's Plan or the Managerial Plan shall apply.

**NOTICE:** An appointing authority or an incumbent of a position affected by a classification determination may appeal in writing to the Commissioner of MMB (*Human Resources Director for agencies with Delegated Authority for classification decisions*) stating reasons for the protest and a rationale for any alternative proposed. To warrant reconsideration, an appeal must include new material and exhibits relevant to the classification of the position. If new information causes a change in determination, the date of receipt of that information will be used in determining back pay eligibility under collective bargaining agreements and plans.

**Alternative formats available by calling 651-259-3637 or TTY user call MN Relay 711**



**STATE OF MINNESOTA  
MINNESOTA MANAGEMENT & BUDGET  
FLSA COMPLIANCE CHECKLIST**

- EXECUTIVE EXEMPTION
- PROFESSIONAL EXEMPTION
- ADMINISTRATIVE EXEMPTION
- OUTSIDE SALES EXEMPTION
- NON-EXEMPT

<b>Job Class Title:</b>	<b>Agency:</b>
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Employees must meet both the salary and duties tests to be exempted from the overtime provisions of the Fair Labor Standards Act (FLSA). Employees who do not meet the duties tests or do not meet the salary test will be assigned an exemption status of non-exempt.

**Salary Test Section**

If no employee within a class meets the salary test, the class will be designated as non-exempt.

If some employees do not meet the salary test (due to part-time employment status), these employees will be classified as non-exempt. However, if the duties tests are met by all and some employees meet the salary test, the class will be assigned one of the exempt options on this form.

Employees are compensated on a salary basis at a rate of not less than **\$455** per week exclusive of board, lodging or other facilities.

- Yes, Some or All Employees
  No Employees (Class will be assigned as non-exempt, no need to complete duties test section)

**Duties Test Section**

Employees must meet the duties test requirements as specified below to be considered exempt from the Fair Labor Standards Act (FLSA) and assigned to one of the exemption types indicated below. Where **“and”** is indicated after a statement, all statements within that section must be checked to meet the duties requirements.

<p align="center"><b>EXECUTIVE EXEMPTION DUTIES TEST</b> <i>(Check all that apply)</i></p> <p><input type="checkbox"/> Manages and supervises a department of at least two full-time people; <b>AND</b></p> <p><input type="checkbox"/> Has authority to hire or fire or suggest changes in employees' status; <b>AND</b></p> <p><input type="checkbox"/> Regularly exercises discretionary powers; <b>AND</b></p> <p>Either:</p> <p><input type="checkbox"/> Devotes less than 20 percent of time worked to nonexempt work; <b>OR</b></p> <p><input type="checkbox"/> Has sole charge of an independent or branch establishment.</p>	<p align="center"><b>PROFESSIONAL EXEMPTION DUTIES TEST</b> <i>(Check all that apply)</i></p> <p>Either:</p> <p><input type="checkbox"/> Performs work requiring advanced knowledge in a field of learning customarily acquired by prolonged specialized intellectual study, not a general academic education, an apprenticeship, or training in routine mental or physical processes; <b>OR</b></p> <p><input type="checkbox"/> Performs original work dependent on the person's own creativeness in a recognized field of artistic endeavor.</p> <p><b>AND:</b></p> <p><input type="checkbox"/> Consistently exercises judgment and discretion; <b>AND</b></p> <p><input type="checkbox"/> Performs predominately intellectual work so varied that the output cannot be standardized by time necessary for accomplishment; <b>AND</b></p> <p><input type="checkbox"/> Devotes less than 20 percent of the hours worked to activities not essential to the person's professional work.</p>
<p align="center"><b>ADMINISTRATIVE EXEMPTION DUTIES TEST</b> <i>(Check all that apply)</i></p> <p><input type="checkbox"/> Either performs office or non-manual work directly related to business operations or management policies, <b>or</b> administers an educational system or subdivision thereof, in work relating to academic instruction; <b>AND</b></p> <p><input type="checkbox"/> Regularly exercises discretion and independent judgment and makes important decisions; <b>AND</b></p> <p><input type="checkbox"/> Devotes less than 20 percent of time worked to nonexempt work; <b>AND</b></p> <p>Either:</p> <p><input type="checkbox"/> Directly assists owner or bona fide executive or administrative employee; <b>OR</b></p> <p><input type="checkbox"/> Performs supervised work only along lines requiring special training or experience; <b>OR</b></p> <p><input type="checkbox"/> Executes special assignments.</p>	<p align="center"><b>OUTSIDE SALES EXEMPTION DUTIES TEST</b> <i>(Check all that apply)</i></p> <p align="center"><b>NO SALARY TEST REQUIRED</b></p> <p><input type="checkbox"/> "Salesperson" is defined as one who makes sales of, or obtains orders or contracts for, materials, services or the use of facilities for which payment will be made. Incidental deliveries, collections, and other non sales or non solicitation work that is directly related to the primary sales duties shall be considered the work of a salesperson.; <b>AND</b></p> <p><input type="checkbox"/> An outside salesperson is hired for the express purpose of performing such duties away from the Employer's place(s) of business and conducts no more than 20 percent of sales on those premises. The hours of non outside sales work may not exceed 20 percent of the hours worked by employees who are not outside salespersons.</p>

**COMMENTS:**

MMB SIGNATURE \_\_\_\_\_ EFFECTIVE DATE OF DESIGNATION \_\_\_\_\_