The University of Southern Mississippi  
The Department of Human Resources  

Fair Labor Standards Act Exemption Questionnaire  
For  
Professional Employees  

(April 1998)

Part A - Short Test

1. Is the employee guaranteed a salary of $250 or more per week?  
   ____ Yes  ____ No

2. Do the primary duties of the job (at least 50% of work time) require either:  
   a. advanced scientific, academic, or other specialized knowledge, including work that calls for consistent exercise of discretion and judgement; or  
   b. invention, imagination, or talent in a recognized field of artistic endeavor?  
   ____ Yes  ____ No

* If the answer to both of the questions in Part A is "Ayes", then the employee is exempt as a "professional employee". If not, then complete the following:

Part B - Long Test

1. Is the employee guaranteed a salary of at least $170 per week?  
   ____ Yes  ____ No

2. Do the primary duties of the job require either:  
   a. advanced scientific, academic, or other specialized knowledge that customarily is acquired in a prolonged course of specific intellectual instruction and study (as distinguished from a general academic education, and apprenticeship, and training for routine mental, manual, or physical processes); or  
   b. work that is original and creative in character in a recognized artistic field (as opposed to work that can be produced by a person with general manual or intellectual training), and whose result depends primarily on the invention, imagination, and/or talent of the employee?  
   ____ Yes  ____ No

3. Does the employee customarily and regularly exercise discretion and independent judgment?  
   ____ Yes  ____ No

4. Is the employees work predominantly intellectual and varied in character (as opposed to routine mental, manual, mechanical, or physical work); and is it of such a character that the output or the result accomplished cannot be standardized in relation to a given period of time?  
   ____ Yes  ____ No

5. Does the employee devote at least 80% of the hours in the workweek to activities that are an essential part of, and necessarily incidental to, his or her professional duties?  
   ____ Yes  ____ No

If the answer to all of the questions in Part B is "AYes", then the employee is exempt as a "professional employee." An "ANo" answer implies non-exempt.