

TABLE 2.—THE CURRENT AND PROPOSED DUTIES TESTS FOR EXECUTIVE EMPLOYEES

Current long test (salary and duties)	Current short test (salary and duties)	Proposed standard test (salary and duties)
<p>\$155 per week</p> <p>Primary duty of the management of the enterprise or a recognized department or subdivision.</p> <p>Customarily and regularly directs the work of two or more other employees.</p> <p>Has authority to hire or fire other employees (or recommendations as to hiring, firing, promotion or other change of status of employees is given particular weight).</p> <p>Customarily and regularly exercises discretionary powers.</p> <p>Does not devote more than 20 percent (40 percent in retail or service establishments) of time to activities that are not directly and closely related to exempt work.</p>	<p>\$250 per week</p> <p>Primary duty of the management of the enterprise or a recognized department or subdivision.</p> <p>Customarily and regularly directs the work of two or more other employees.</p>	<p>\$425 per week.</p> <p>Primary duty of management of the enterprise or a recognized department or subdivision.</p> <p>Customarily and regularly directs the work of two or more other employees.</p> <p>Has authority to hire or fire other employees (or recommendations as to hiring, firing, promotion or other change of status of other employees is given particular weight).</p>

TABLE 3.—THE CURRENT AND PROPOSED DUTIES TESTS FOR ADMINISTRATIVE EMPLOYEES

Current long test (salary and duties)	Current short test (salary and duties)	Proposed standard test (salary and duties)
<p>\$155 per week</p> <p>Primary duty of performing office or non-manual work directly related to management policies or general business operations of the employer or the employer's customers.</p> <p>Customarily and regularly exercises discretion and independent judgment.</p> <p>Regularly and directly assists a proprietor, or exempt executive or administrative employee; or performs specialized or technical work requiring special knowledge under only general supervision; or executes special assignments under only general supervision.</p> <p>Does not devote more than 20 percent (40 percent in retail or service establishments) of time to activities that are not directly and closely related to exempt work.</p>	<p>\$250 per week</p> <p>Primary duty of performing office or non-manual work directly related to management policies or general business operations of the employer or the employer's customers.</p> <p>Customarily and regularly exercises discretion and independent judgment.</p>	<p>\$425 per week.</p> <p>Primary duty of performing office or non-manual work directly related to the management or general business operations of the employer or the employer's customers.</p> <p>Holds a "position of responsibility" with the employer, defined as either (1) performing work of substantial importance or (2) performing work requiring a high level skill or training.</p>

TABLE 4.—THE CURRENT AND PROPOSED DUTIES TESTS FOR LEARNED PROFESSIONAL EMPLOYEES

Current long test (salary and duties)	Current short test (salary and duties)	Proposed standard test (salary and duties)
<p>\$170 per week</p> <p>Primary duty of performing work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study.</p> <p>Consistently exercises discretion and judgment.</p> <p>Performs work that is predominantly intellectual and varied in character and is of such character that the output produced or result accomplished cannot be standardized in relation to a given period of time..</p> <p>Does not devote more than 20 percent of time to activities that are not an essential part of and necessarily incident to exempt work.</p>	<p>\$250 per week</p> <p>Primary duty of performing work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study</p> <p>Consistently exercises discretion and judgment.</p>	<p>\$425 per week.</p> <p>Primary duty of performing office or non-manual work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction, but which also may be acquired by alternative means such as an equivalent combination of intellectual instruction and work experience.</p>

TABLE 5.—THE CURRENT AND PROPOSED DUTIES TESTS FOR CREATIVE PROFESSIONAL EMPLOYEES

Current long test (salary and duties)	Current short test (salary and duties)	Proposed standard test (salary and duties)
<p>\$170 per week</p>	<p>\$250 per week</p>	<p>\$425 per week.</p>