

Overtime Eligibility: Is an Employee Eligible for Overtime?

Four Common Scenarios

1

Teachers, Lawyers, and Doctors

Is the employee's primary duty teaching, or the practice of law or medicine?

If Yes, the employee is **EXEMPT** from overtime.

The \$844 weekly salary level and salary basis requirements do not apply to this category.

US DOL Fact Sheet 17D

2

Graduate Students

Is the individual a graduate student whose work is related to obtaining a degree?

If Yes, the individual is **EXEMPT** from overtime.

US DOL Fact Sheet 17S

3

Computer / IT - Related Occupations

Is the employee a computer systems analyst, computer programmer, software engineer, **or other similarly skilled** worker in the computer field?

And

Is the employee paid at least \$684* per week on a salary basis, OR paid \$27.63 on an hourly basis?

If Yes, the employee is **EXEMPT** from overtime.

US DOL Fact Sheet 17E

4

Executive, Administrative, or Professional

1. Is the employee paid at least **\$844* per week**?
2. Is the employee paid on a **salary** basis?
3. Are the employee's primary duties **executive, administrative** (with the exercise of discretion and independent judgment), **or professional**?

If **Yes to all 1-3**, the employee is **EXEMPT** from overtime.
If **No to any of 1-3**, the employee is **OVERTIME ELIGIBLE**.

US DOL Fact Sheet 17A

