

Executive Exemption

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By Russell B. Berger

Welcome to One Minute of Overtime, where I will share insights on Labor and Employment Law topics, mostly related to minimum wage and overtime compliance issues.

Compliance in this area of law is nuanced and technical, so it is critical for employers to audit and adjust their practices to remain compliant, so stop by to stay up-to-date and in-the-know.

The image is a screenshot of a presentation slide. At the top left, it says 'Russell Berger | rberger@offitkurman.com | 410.209.6449'. At the top right is the 'Offit | Kurman' logo. The slide has a dark blue background. On the left side, there is a vertical image of a clock face with the text 'ONE MINUTE OF OVERTIME' and 'presented by russell berger' below it. In the center, there is a circular portrait of Russell Berger next to the title 'Executive Exemption'. Below the title, there is a white text box with the following text: 'An employee is exempt pursuant to the administrative exemption, and not subject to the minimum wage and overtime requirements, if the employee is paid consistent with the salary basis test and their primary duty is managing the enterprise, or division thereof, where the employee customarily and regularly directs the work of at least two or more other full-time employees and has the authority to hire or fire or the employee's suggestions and recommendations as to hiring, firing, etc. is given particular weight.'

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