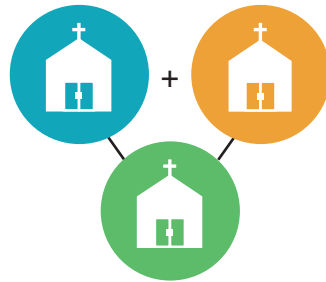




*Prayer - Planning - Possibilities*



Implementation Guide for Merged Parishes





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**Dear Brothers and Sisters in Christ,**

After a robust and thorough effort, I trust you are as pleased as I am that we are finally ready to implement the parish restructuring portion of pastoral planning for the Diocese of Erie.

While I am happy we have arrived at this point, I know we still have a long road ahead of us. Transitioning is not done with the flip of a switch. It's a process. I encourage you to be patient with yourselves and with each other as every parish and each parishioner navigates this path.

We gathered data and we studied it. We developed a preliminary plan and asked for feedback. The Presbyteral Council and I listened to that feedback and made significant adjustments before I announced my final decisions. And through it all, we prayed.



This *Implementation Guide for Merged Parishes* is designed to help make the process go as smoothly as possible for parishes that are merging, as well as for those that already have secondary churches. Obstacles are sure to appear and questions will arise. The Chancery, the Communications Office, the Finance Office and the Human Resources Office are all available to help.

Please remember this guide is designed to help you with logistics. I am relying on each pastor, with the assistance and ideas of staff members, volunteers and parishioners, to be intentional and creative in addressing the specific pastoral concerns that need to be met in each parish at this time.

I look forward to being with you in the coming months, and to learning of the “new paths of possibility” you are discovering.

*Sincerely yours in Christ,*

The Most Rev. Lawrence T. Persico  
Bishop of Erie

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## Forming a **TRANSITION TEAM**



Each pastor is asked to create a transition team to help carry out the many aspects of change involved as parishes merge. Giving thoughtful and prayerful attention to the membership of this team will pay dividends.

A trusted advisor or two from the parish staff, Parish Council, Finance Council or other parish organization can be extremely helpful working with the pastor to determine how the transition team can be used most effectively in each parish.

Once membership is established, consider bringing the entire team together for fellowship, discussion and brainstorming. Encourage members to read this guide, available at [www.ErieRCD.org/planning.htm](http://www.ErieRCD.org/planning.htm), prior to meeting so they are prepared to bring ideas to the table. Transition team members will have strong connections to other parishioners who can work on various aspects of the transition.

In addition to the logistics discussed in this guide, transition team members can be involved in a number of activities, including:

- +** **Communications:** What vehicles might be used to keep parishioners apprised of new initiatives and changes?
- +** **Ministries:** What is the best way for the parishes involved in the merger to share the outreach efforts they have offered and to brainstorm ways they can be brought together, refined or reinvented?
- +** **Worship:** How might the parishes involved in a merger express their new identity in prayer? What kinds of special events might be arranged? What might be adopted on an ongoing basis?

There is no set way to go about the transition. Each parish is unique, and as parishioners come together for discussion, new ideas will emerge.

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## PARISH FINANCE COUNCIL

Every parish is to have a Finance Council as stated in Canon 537. *The Parish Financial Practices Policy Manual for the Diocese of Erie*, which can be found at [www.ErieRCD.org/financemanual.htm](http://www.ErieRCD.org/financemanual.htm), includes a chapter with the diocesan norms that all parishes should review, whether they are updating membership in their Finance Councils or not. Among the topics are: membership requirements, meeting guidelines, a list of duties and responsibilities, the role of pastors and business managers, and recommended practices.



Once parishes have merged on Feb. 13, 2017, it will be necessary to reconstitute the parish Finance Council, since the parish will have acquired new assets as well as liabilities and will require members familiar with these. For this reason, the existing Finance Council is to be disbanded, and a new Finance Council is to be reconstituted no later than April 1, 2017. Members must be able to represent the interests of the enlarged parish. Efforts should be made to include a cross-section representing all of the pre-merger parishes, in order to have members knowledgeable about all of the enlarged parish's assets and liabilities, particular needs and strengths. Copies of the minutes for Finance Council meetings are to be retained for seven years.

In order to stagger the terms of membership, it is recommended that for the initial appointments, one-third of the members receive a one-year appointment, one-third receive a two-year appointment, and one-third receive the full three-year appointment. For this reason, a derogation from the diocesan norm requiring all members of parish Finance Councils to have a three-year term (cf. *The Parish Financial Practices Policy Manual for the Diocese of Erie*, chapter 5, section 3a) is hereby granted, and is in effect until Jan. 1, 2020. All subsequent appointments must be for the full three-year term.

## PARISH PASTORAL COUNCIL



By diocesan law, every parish in the diocese is to have a parish Pastoral Council (cf. can. 536 §§1-2). As with the parish Finance Council, once parishes have merged on Feb. 13, 2017, it will be necessary to reconstitute the parish Pastoral Council, since the parish membership will have increased significantly. The existing Pastoral Council is to be disbanded, and a new Pastoral Council is to be reconstituted, hopefully by July 1, 2017, with members who are able to represent the interests of the enlarged parish. As with the Finance Council, efforts should be made to include a cross-section representing all of the pre-merger communities.

It is recommended that for the initial appointments, one-third of the members receive a one-year appointment, one-third receive a two-year appointment and one-third receive a three-year appointment. As there are no diocesan norms specifically governing the term limits of pastoral council members, no derogation from any such norm is required.

Copies of the minutes for Pastoral Council meetings are to be retained for seven years.

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## From the OFFICE OF FINANCIAL SERVICES

Parish restructuring will result in many improvements and increased efficiency in the financial administration of parishes. Fewer office locations will be needed and the accounting duties and office functions will be streamlined. The number of annual reports will decrease by about 25 percent, and the more detailed tracking of church building costs will aid in future planning decisions. These and other economies will result in significant cost savings and quicker access to important data.

While we will note this elsewhere in the Financial Services portion of this implementation guide, remember that the assets and liabilities of all of the parishes involved in a particular merger will become the assets and liabilities of the parish into which the communities have been merged as of Feb. 13, 2017.

At the same time, parish communities that have merged are to maintain separate budgets for each of the former parishes through June 30, 2017, when a new fiscal year will begin.

Staffing is one of the major concerns of parishes that are merging. Keep in mind that decisions can be made over the next several months; budgets through June 30, 2017, allow for the newly-enlarged parish to maintain current staffing levels from all of the parishes involved in a merger.

The guidelines that follow will help your parish achieve a smooth financial and administrative transition. Questions can be addressed by emailing Tom Burik, director, Parish Financial Services, at [TBurik@ErieRCD.org](mailto:TBurik@ErieRCD.org), or by calling 1.800.374.3723, extension 185, or 814.824.1185.



*The Parish Financial Practices Policy Manual*  
developed for the Diocese of Erie,  
a valuable resource that addresses many questions,  
is available at [www.ErieRCD.org/financemanual.htm](http://www.ErieRCD.org/financemanual.htm).

## FINANCIAL REPORTING/DIOCESAN OBLIGATIONS

The parish and any of its merged parish communities or former missions which previously filed an annual report are to continue filing separate reports through June 30, 2017.

Beginning with the 2017-18 fiscal year, the parish will prepare a single budget report to include the full parish membership and all church locations. This report is to be filed by May 31, 2017.

Beginning with the 2017-18 fiscal year, on July 1, 2017, a single annual report should be filed under the parish name.

Separate financial reports are to be filed and maintained on an ongoing basis for each parish cemetery.



## CATHOLIC SERVICES APPEAL AND DIOCESAN ASSESSMENTS

**CSA:** The parish will have a single 2017 Catholic Services Appeal Goal based upon the combined goals of the parishes that have been merged.

**Assessments:** After the merger, the parish will receive the billing statements for all of the parishes involved in the merger through June 30, 2017.

As mentioned in the introduction, the assets and liabilities of all of the parish communities involved in a merger will become the assets and liabilities of the parish into which the communities have been merged, effective Feb. 13, 2017. However, because budgets for each of the parishes involved are being maintained separately through June 30, 2017, all assessments will continue to be billed and paid separately.

The 2017-18 assessments for the parish will be based on the combined 2015-16 taxable income of the parish and its secondary church(es).

## ACCOUNTING AND PAYROLL



The business manager should use a single accounting system, but maintain separate expense accounts for each of the church buildings. This should be implemented no later than July 1, 2017.

All building expenses of parishes that have been merged—including the salaries and benefits of maintenance personnel, plant maintenance/repairs, utilities, insurance, and real estate taxes—are to be accounted for separately, by location, on an ongoing basis.

Please consult the expanded chart of accounts on pages 4-20 of the *Parish Financial Practices Policy Manual* found at [www.ErieRCD.org/financemanual.htm](http://www.ErieRCD.org/financemanual.htm).

For the sake of efficiency, all existing payrolls are to be combined into a single parish payroll no later than July 1, 2017.

## BANK AND INVESTMENT ACCOUNTS



Legal ownership of the bank and investment accounts of parishes that are merging into a new parish, including any accounts in the name of their secondary churches, must be transferred to the new parish no later than July 1, 2017. Where possible, pastors should consider consolidating accounts.

The checking account of the enlarged parish will continue as the main operating bank account.

All financial obligations, including assessments and borrowings, of all of the parishes and secondary churches involved in a merger are now the responsibility of the enlarged parish.

All of the assets of the parish communities involved in a merger now belong to the enlarged parish.

The donor intent for all endowments and gifts for each of the parishes and secondary churches involved in a merger must be honored in perpetuity, and therefore become obligations of the enlarged parish. Parishes also must continue to adhere to any restrictions on financial assets established by donors. Special attention should be given to endowments or accounts (i.e. certain scholarships, etc.) for which a written document does not exist.

The health insurance invoices and the 401(k) Retirement Plan Contribution Report are to be combined under the enlarged parish.

Parish cemeteries are to continue with their own bank and investment accounts. The revenue and expenses of each cemetery must continue to be tracked and reported separately.



Organizations with bank accounts should be reviewed and possibly consolidated if similar parish organizations exist in more than one of the parishes involved in a merger. Please consult page 7-1 of the *Parish Financial Practices Policy Manual* for guidelines regarding parish organizations.

### **CENSUS AND CONTRIBUTION RECORD-KEEPING**

The parish must now use a single Parish Data System database to maintain the combined census and contribution records, including that of the Catholic Services Appeal. Please verify that, as per the early December letter from Bill Grant in Development Services, PDS has been contacted and the parish has scheduled a conversion date.

Beginning July 1, 2017, all offertory collections should be combined in the name of the enhanced parish community. All parishioners should be using the same offertory envelopes no later than Jan. 1, 2018.

### **STAFF**

Staffing is one of the major concerns of parishes that are merging. Remember that decisions can be made over the next several months, as budgets through June 30, 2017, allow all parishes involved in a merger to maintain current staffing levels. This should give pastors and parish administrators time to assess their needs and bring staffing in line with their new circumstances by the end of the fiscal year.

If staff changes or reductions need to be made, all job descriptions must be updated to reflect new staffing configurations and a selection process must be initiated. With regard to hiring, take steps to ensure that the hiring process complies with local, state and federal labor laws.

If a pastor chooses not to rehire any former staff members, he is encouraged to give the employees several months' notice before their positions are eliminated. Please refer to the section provided by the Human Resources Office for additional guidelines.

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## RECORD-KEEPING

### CHILD PROTECTION RECORDS

Please ensure that all records regarding child protection are in place for each of the parishes involved in a merger. They should be stored in a location at the parishes' discretion in a secure, locked file.

Records for all parish and school personnel, as well as regular and occasional volunteers, must be on file per the *Policy for the Protection of Children*, Sections IIIA/3 and IIIB:

*"Documentation for all compliance issues related to screening will be maintained by supervising personnel in a secure, locked file in the parish, school, agency or institution. Each person will have their own personnel file and files should be kept alphabetically so all documentation on a particular individual can be located in an efficient manner if necessary. These records must be kept indefinitely."*



### SACRAMENTAL RECORDS

The parish into which other parishes are merged is to receive all of the sacramental records from the merged parishes. All sacramental records for merged parishes should be archived appropriately. Going forth, records should be maintained in the name of the new parish community.

For the issuing of new baptismal and other sacramental certificates from parishes which were merged, the certificate should be issued under the name of the current parish while indicating the name of the actual church in which the sacrament was conferred. For example, if Saint Mary Parish was merged into Saint Joseph Parish in 2017, a newly-issued baptismal certificate for a baptism twenty years ago would bear the name of Saint Joseph Parish, but indicate that the person was actually baptized in Saint Mary Church.



### ADMINISTRATIVE RECORDS

All records such as Parish Council and Finance Council minutes, financial records, deeds and other administrative information for each of the parishes involved in a merger should be stored together in the new parish office. Copies of the Finance Council and Pastoral Council minutes are to be retained for seven years. **Please refer to page 3-3 of the *Parish Financial Practices Policy Manual* available at [www.ErieRCD.org/financemanual.htm](http://www.ErieRCD.org/financemanual.htm) for details regarding records retention.**

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## From the OFFICE OF HUMAN RESOURCES

Careful consideration of human resources is essential for parishes making changes as a result of parish restructuring. Treating parish staff and volunteers with sincere respect and pastoral care should remain a priority.

Parishes with secondary churches, as well as those that are now merging, need to give serious consideration to their staffing needs now that their circumstances have changed. Decisions can be made over the next several months; budgets through June 30, 2017, allow for all parishes to maintain current staffing levels.

Transition teams may offer suggestions to help your parish navigate ways to assess and determine staffing needs, as well as the best ways to achieve them in an equitable manner. Deacon Bill Saborsky, consultant to the Diocese of Erie for human resources, can assist with your questions and refer you to resources that will be helpful as you navigate changes. He can be reached by email at [WSaborsky@ErieRCD.org](mailto:WSaborsky@ErieRCD.org), or by phone at 800.374.3723, extension 189, or 814.824.1189.

### POSITION PROFILES

In the fall of 2016, all parishes received the *Parish Restructuring Preparation Guide*. The guide asked parishes involved in mergers to update all job descriptions and/or position profiles for every employee. Pastors should verify that this has been accomplished. If not, the preparation guide, along with sample job profiles, is still available at [www.ErieRCD.org/planning.htm](http://www.ErieRCD.org/planning.htm).

Since parishes that are merging are combining staffs and offices, please make sure all job profiles are updated and filed together.

Remember that all positions must now be designated as either exempt or non-exempt per the U.S. Dept. of Labor. A worksheet to help pastors and business managers determine this status is included at the end of this guide and available at [www.ErieRCD.org/hr.htm](http://www.ErieRCD.org/hr.htm).

### EMPLOYEE HANDBOOK



Do all parishes involved in the merger have employee handbooks? If so, they should be compared to determine whether one will suit the new circumstances best, or if a new handbook needs to be developed. This is an ideal assignment that could be overseen by a member of the transition team.

A model for a parish handbook can be found at [www.ErieRCD.org/hr.htm](http://www.ErieRCD.org/hr.htm) under the heading, *Developing a Parish Employee Handbook*. Example C includes a helpful tutorial.

### STAFFING

Staffing will need significant consideration as parishes come together in mergers. All of the parishes involved are fully budgeted through June 30, 2017; whether or not all staff remain employed until that time is at the discretion of the pastor.

If staff changes or reductions need to be made, all job descriptions must be updated to reflect new staffing configurations and a selection process must be initiated. With regard to hiring, take steps to ensure that the hiring process complies with local, state and federal labor laws. Again, please follow the guidelines as described in the *Parish Restructuring Preparation Guide*.

The Human Resources Office of the Diocese of Erie recommends this topic be addressed with staff from day one. Pastors should be open with staff members, letting them know that every position and every staff member’s role must be carefully evaluated in order to make the best, most efficient use of parish resources.

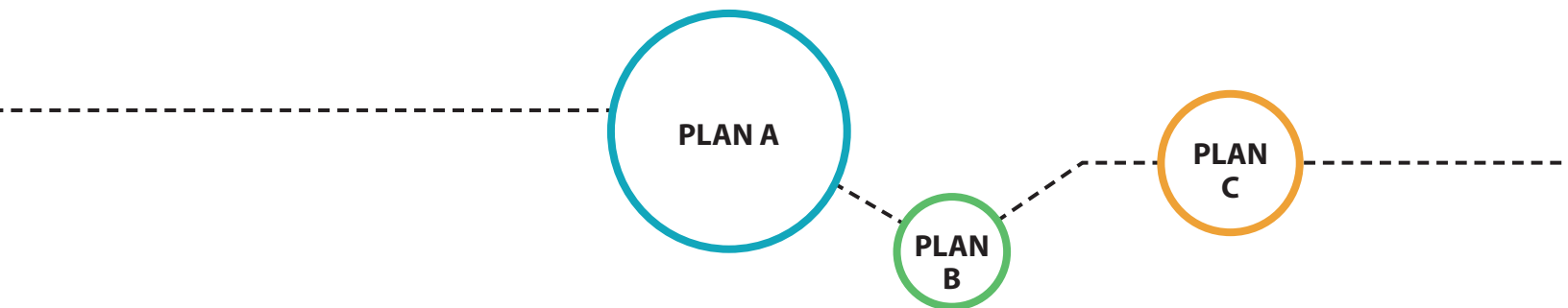
### **The Process**

Parishes need to consider their staffing needs in light of their new circumstances. The transition team might create a subcommittee or a task force—in some cases simply naming an individual to serve in an advisory capacity to the pastor—to help formulate a staffing plan.

During the first days and weeks after parish restructuring is implemented, pastors should make it a priority to systematically meet with each current staff member, gaining as much insight as possible from the people who have held positions in all of the parishes involved. The information will be helpful, but staff members also will benefit from having the opportunity to be heard.

The authority to hire staff rests with the pastor, and once a plan is developed, he needs to work with staff members, one-on-one, to develop plans for each individual. Having a plan in place early, and having met with all staff members to gather their insights, will facilitate this process. Some staff members may be preparing to retire; others may simply decide this is a good time to move on. In the case of those who will need to find employment elsewhere, the sooner they know, the more quickly they can begin looking for a new job.

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## From the **CHANCERY OFFICE**

### **PARISH ORGANIZATIONS AND MINISTRIES**

With the help of the members of the Pastoral Council, pastors will need to consider how the various ministries of the pre-merger parishes will blend together in the new, larger parish reality. Ministries such as that of lector, extraordinary minister of Communion, hospitality, and those who assist with RCIA will need to be blended together to reflect the larger parish family.

In particular, RCIA, youth ministry and religious formation programs should be merged. In some cases, it may be more prudent to take time to lay a solid foundation for these merged programs than to rush the process.

The same is true of other parish organizations and groups, whose members can be encouraged to seize the opportunity to update their mission and interaction within the new parish structure.

### **THE CELEBRATION OF SUNDAY, WEEKDAY, AND HOLY DAY MASSES**

In accord with diocesan law, parish Sunday Masses and holy day Masses, and Mass on the evenings preceding them, may only be celebrated in parish churches or mission churches, while funerals and weddings may take place in any church (parish, mission or other secondary church) at the request of the parishioners or the family. Baptisms may be celebrated in any church in which a baptismal font is already in place.

In accord with diocesan norms, Mass on the evening preceding Sundays and holy days of obligation is not to begin before 4:30 p.m. except with an indulgent granted by the diocesan bishop.

The number of parish Masses scheduled for Sundays and holy days of obligation is not to exceed the total number which the priests assigned to the parish are lawfully permitted to celebrate. As a rule, this means one Mass per priest on weekdays, and two on Sundays. Pastoral need may occasionally require additional Masses, but these should not be scheduled as a regular practice. The provision of the universal law remains in place by which priests are always permitted to celebrate three Masses on All Souls Day and on Christmas Day, provided that they keep the stipend for only one Mass. Additional stipends should be forwarded to the Chancery Office for deposit into the Priest Retirement Fund.

Unlike Sunday Masses, weekday Masses and public devotions (e.g., novenas, Stations of the Cross, etc.) in missions and other secondary churches are at the discretion of the pastor. The faithful are always free to offer private devotions or prayer, provided that the church is unlocked.

### **MASS INTENTIONS AND OTHER LITURGICAL REQUIREMENTS**

The following items are not new, but this is an opportune moment for calling them to everyone's attention.



## **Pro populo Mass requirements**

Every pastor is personally obliged to offer Mass for the people (*pro populo*) entrusted to his care on all Sundays and all holy days of obligation. He is not to receive a stipend for this Mass (cf. can. 534 §1).

Because this is a serious personal obligation of the pastor himself, arising from the spiritual relationship which he shares with his parishioners, he may not entrust the Mass to another priest, or celebrate it on a different day, *except when he is unable personally for some serious reason to celebrate the Mass himself* (cf. can. 534 §1). If multiple priests celebrate Sunday Masses in a parish, the pastor is to see to it that he personally always celebrates the *pro populo* Mass.

Parish administrators are bound by the same duties as pastors concerning the *pro populo* Mass (cf. can. 540 §1).

## **Satisfying multiple intentions in the same Mass**

It may happen that two parishes which have merged had Mass intentions previously scheduled for the same day, creating a conflict. When that happens, both Mass intentions can lawfully be satisfied within a single celebration of the Mass, provided that:

- The donors of the two intentions have been notified and agree to combine the intentions;
- The place and time of the Mass is publicly announced;
- The celebrant keeps only one stipend. As with any other bination stipend, the priest may not keep the second stipend, but instead must send it to the Chancery Office for deposit into the Priest Retirement Fund. (cf. can. 951 §1. Formerly, these were sent to the seminary, but are now to be sent to the Chancery).

The law does not permit such a combining of Mass intentions more than twice in a single week.

Pastors are to see to it that only single intentions are accepted for a given day from this point forward, so that all conflicts with previously scheduled Mass intentions should resolve themselves by Jan. 1, 2018.

## **Reservation of the Holy Eucharist**

The Eucharist *must* be reserved in all parish churches (cf. can. 934 §1, 1°).



The Eucharist *may* be reserved in another church (i.e., in a secondary church, whether it has mission status or not), but only with the permission of the diocesan bishop or episcopal vicar and provided that Mass is celebrated there at least twice a month (cf. can. 934 §1, 2° and can. 934 §2).

Churches in which the Eucharist is reserved are to be open for at least some hours each day, unless some grave reason (e.g., security concerns) intervenes (cf. can. 937). For churches in which the Eucharist is not reserved, pastors are encouraged to delegate deacons or trusted lay persons to unlock these churches occasionally to allow the faithful to enter for private prayer and devotion (cf. can. 1214).

Sacred objects and all items necessary for divine worship should remain in place within parish churches as well as mission and other secondary churches, for as long as the church remains in use, even in a limited way.



### **The titular solemnity of a church**

In every church, whether it be a parish, mission or other secondary church, Mass is always to be celebrated on the solemnity of the church's titular feast (i.e., the feast indicated by the title of the church building). The Holy See has indicated that churches which are simply titled "Saint Mary," without any other description, are to celebrate their titular feast on August 15.

(Note: This is often thought of as the patronal feast of the parish, but in truth, it is the titular feast of the church building and follows the title of the church, regardless of the name of the parish. By extension, the titular feast of the church building also celebrates the community that worships within it.)

This Mass is to be celebrated as a solemnity with three proper readings, proper orations, *Gloria*, and creed, using the texts for the feast day.

It takes precedence over every other liturgical celebration except the Easter Triduum; Christmas; Epiphany; Ascension; Pentecost; the Sundays of Advent, Lent, and Easter; other solemnities in the general calendar, All Souls Day, and the solemnity of the anniversary of the church's consecration.

The titular solemnity of a church is never suppressed. If it falls on one of these above-mentioned dates, then its observance is transferred to the first date thereafter which does not outrank it. In addition, if the titular feast occurs during Ordinary Time, its observance may be transferred to the nearest Sunday.

### **The solemnity of the anniversary of the consecration of a church**

In every consecrated church, whether it be a parish, mission, or other secondary church, Mass is always to be celebrated on the solemnity of the anniversary of the church's consecration, *but only if the church was truly consecrated*. Pastors may need to consult parish records or the Chancery to determine if a church was ever consecrated, i.e., if the altar and walls were anointed with chrism.

(Note: The anniversary of the consecration [now called dedication] of a church recalls that Christ is the true temple for every Christian, and we are the living stones of that temple. As a result, the anniversary is always observed as a Solemnity of the Lord Jesus, and not of any particular saint after whom the church is named.)

This Mass is to be celebrated as a solemnity with three proper readings, proper orations, *Gloria*, and creed, using the texts from the Common of the Dedication of a Church.

It takes precedence over every other liturgical celebration except the Easter Triduum; Christmas; Epiphany; Ascension; Pentecost; the Sundays of Advent, Lent, and Easter; other solemnities in the general calendar, and All Souls Day.

The anniversary of a church's consecration is never suppressed. If it falls on one of these above-mentioned dates, then its observance is transferred to the first date thereafter which does not outrank it. Also, if the anniversary occurs during Ordinary Time, its observance may be transferred to the nearest Sunday.

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## **C O N T A C T** us for more information

As parishes work through this guide, please remember the Chancery, the Communications Office, the Finance Office and the Human Resources Office are all available to help. Please begin by contacting the people listed below. If they cannot answer your questions, they will know who can.

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|------------------------------|--|
| <b>The Chancery</b>          | <b>MSGR. EDWARD LOHSE</b> Episcopal Vicar for Canonical Services<br>ELohse@ErieRCD.org<br>814.824.1135 |
| <b>Communications Office</b> | <b>ANNE-MARIE WELSH</b> Director<br>AMWelsh@ErieRCD.org<br>814.824.1167                                |
| <b>Finance Office</b>        | <b>TOM BURIK</b> Director of Parish Financial Services<br>TBurik@ErieRCD.org<br>814.824.1185           |
| <b>Human Resources</b>       | <b>DEACON BILL SABORSKY</b> Consultant<br>WSaborsky@ErieRCD.org<br>814.824.1189                        |



**Exempt/Non-Exempt Worksheet**

(to be completed for all non-teacher employees – keep in personnel file)

In order to clearly identify those employees who are, or are not, exempt from current regulations governing the Fair Labor Standards Act, it is necessary that a worksheet such as this be completed for every non-teacher employee. It is necessary to do this to make certain that your pay practices comply with current federal law. *The fact that you may presently be paying someone on a salaried basis does not mean that the person qualifies as an exempt employee. It is crucial that you complete this worksheet to ensure proper classification of employees.*

Employee: _____	Job Title: _____
<p><b>Salary Test:</b></p> <p>Annualized wages: _____</p> <p>Gross weekly wage: _____</p>	<p>If employee’s annualized wages total less than \$23,660 per year or \$455 per week and is not employed as a computer specialist, STOP HERE! This employee is NON-EXEMPT and is entitled to compensation of 1.5 times his or her standard hourly wage for all hours worked over 40 hours per week (Sunday through Saturday). If employee’s annualized wages total more than \$23,660 per year or \$455 per week, continue with the duties tests.</p>
<p><b>Note Regarding Blue Collar Workers</b></p>	<p>The exemptions provided by FLSA Section 13(a)(1) apply only to “white collar” employees who meet the salary and duties tests. The exemptions do not apply to manual laborers or other “blue collar” workers who perform work involving repetitive operations with their hands, physical skill and energy. Non-management employees in production, maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, longshoremen, construction workers and laborers are entitled to minimum wage and overtime premium pay and are not ever subject to an exemption under the FLSA.</p>
<p><b>Duties Tests:</b> If an employee meets the stated criteria in any one of these areas listed below, that person is exempt from receiving overtime pay.</p>	
<p><b>Executive Exemption</b></p> <p><b>Meets:</b> _____</p> <p><b>Does not meet:</b> _____</p>	<p>The employee’s primary duty must be managing the enterprise, or managing a customarily recognized department;</p> <p>The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and</p> <p>The employee must have the authority to hire or fire other employees, or recommend the hiring, firing, advancement, promotion or any other change of status of other employees.</p>
<p><b>Administrative Exemption</b></p>	<p>The employee’s primary duty must be the performance of office or non-manual work directly</p>

<p><b>Meets:</b> _____</p> <p><b>Does not meet:</b> _____</p>	<p>related to the management or general business operations of the employer or the employer's customers; and includes the exercise of discretion and independent judgment with respect to matters of significance.</p>
<p><b>Professional Exemption</b></p> <p><b>Meets:</b> _____</p> <p><b>Does not meet:</b> _____</p>	<p>The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;</p> <p>The advanced knowledge must be in a field of science or learning; and involve advanced knowledge customarily acquired by a prolonged course of specialized intellectual instruction.</p>
<p><b>Creative Professional Exemption</b></p> <p><b>Meets:</b> _____</p> <p><b>Does not meet:</b> _____</p>	<p>The employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.</p>
<p><b>Computer Employee Exemption</b></p> <p><b>Meets:</b> _____</p> <p><b>Does not meet:</b> _____</p>	<p>The employee must <b>either</b> meet the salary test (above) <b>or</b>, if compensated on an hourly basis, at a rate not less than \$27.63 an hour, or at least \$913 per week.</p> <p>The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below;</p> <p>The employee's primary duty must consist of:</p> <ol style="list-style-type: none"> <li>1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;</li> <li>2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications; or</li> <li>3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems.</li> </ol>