



# Human Resources Committee

January 2014

Palm Springs, California

Let's play....

*Is it legal?*

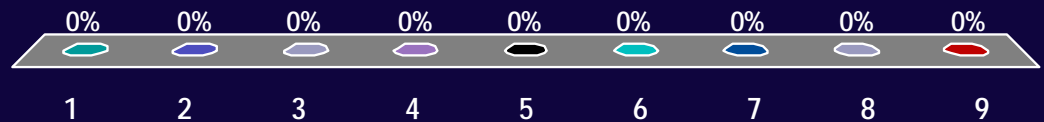
# Please indicate which stakeholder group you represent.

1. Repairer
2. Insurance
3. OEM
4. Supplier
5. Salvage
6. Consultant
7. Education
8. Associations
9. Other

0 of 300

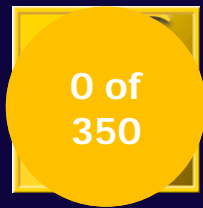
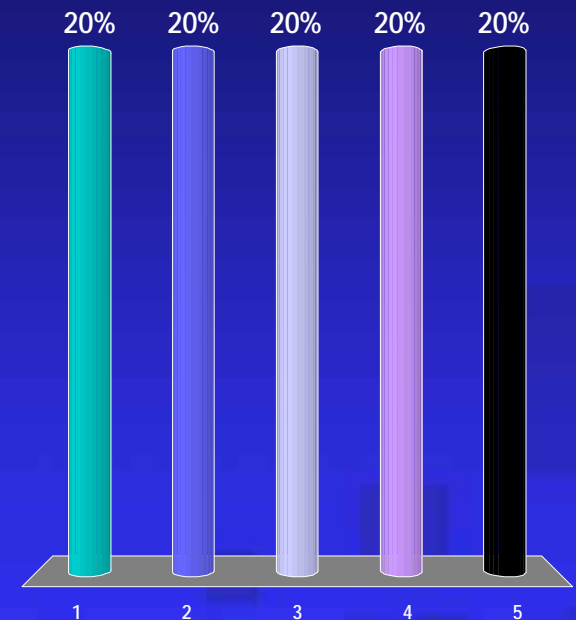


## Audience Re



# The Minimum Wage just increased in your state. Which Compensation Plans are affected?

1. Hourly
2. Flat Rate
3. Commission
4. Salary (Exempt)
5. All of the above



Audience Response Template



# Correct Answer

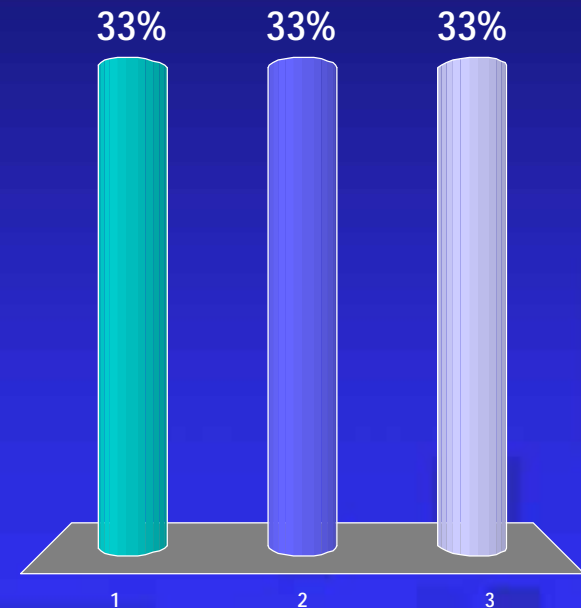
## 5. All of the Above.

- ✓ ALL – Minimum Wage Compliance
- ✓ Flat Rate / Commission – Federal 7(i) Exemption requires wages of “at least 1.5 x Minimum Wage for all hours worked.”
- ✓ Salary (Exempt) – Check State Laws, for example, in some states the “salary test” for exemption requires guaranteed wages of “at least 2 x minimum wage based on a 40 your workweek” to maintain the exemption.

“My estimators are on salary. They are exempt and don’t get overtime.”

Is this legal?

1. Yes
2. No
3. It Depends



Audience Response Template



# “3. It Depends”

## Two Tests for Executive Exemption

(Don't even think about the professional or administrative exemptions...)

1. Salary Test -- Must make at least \$455/week (Fed.)

## 2. Duties Test (Fed.)

Primary Duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise; “Primary duty” means the principal, main, major or most important duty that the employee performs.

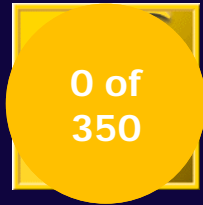
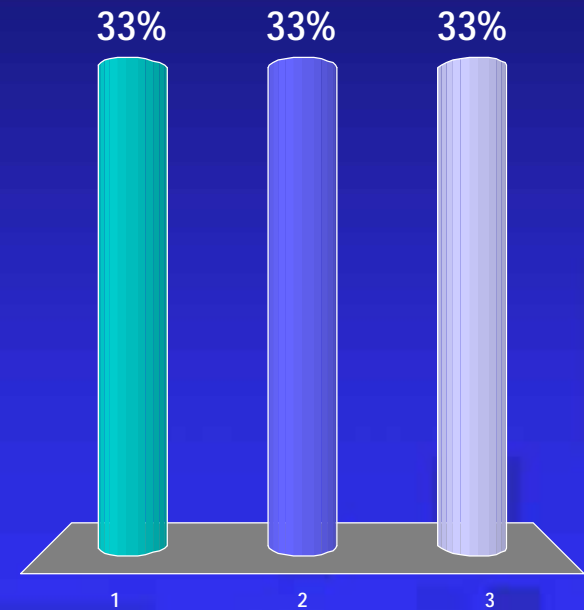
Customarily and regularly direct the work of at least two or more other full-time employees; and

Authority to hire or fire other employees, or suggestions and recommendations must be given particular weight.



I have a 3 shops and about 60 employees.  
A 5 year has been on disability for over a  
year now. Can I stop paying for his  
medical benefits?

1. Yes
2. No
3. It Depends



Audience Response Template



“1. Yes....but.....”

Has the EE used up all FMLA  
leave?

Let's talk about COBRA  
triggering events...

Thank You!  
Human Resources  
Committee

Cory King – Chair

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