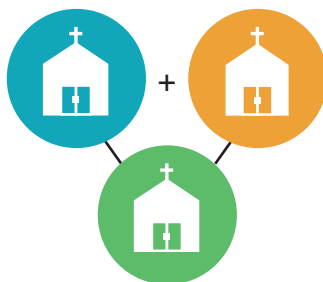




## *Prayer - Planning - Possibilities*

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### Implementation Guide for Merged Parishes





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## *Dear Brothers and Sisters in Christ,*

Thank you for taking the time to review this implementation guide.

Creating and finalizing a new configuration for parishes involves a significant process. But as the planning process transitions into implementation, a completely new journey begins. Whether your parish is part of a new partnership, a merger, or perhaps welcoming new parishioners who join your parish due to changes at their own, these guides are designed to help you consider the many aspects of the experience that need to be taken into consideration.

These moments are very important for both parishioners and parishes. While there are many logistics to address, we must begin by ensuring that all parishioners, old and new, feel a sense of welcome and belonging. Pastors, pastoral teams and parishioners should all be involved in the process, sharing insights and ideas about ways to make transitions not only manageable, but also life-giving.



Generosity and patience as well as honest, charitable discussions will help us to live out the Pastoral Planning Prayer created for the Diocese of Erie:

“...for the vision to see new paths of possibility; for a spirit of mission that invigorates our every effort; and for the strength to be unafraid of what is new.”

*Sincerely yours in Christ,*

The Most Rev. Lawrence T. Persico  
Bishop of Erie

## + Forming a **TRANSITION TEAM**



Each pastor is invited to create a transition team. While not every pastor will find it necessary, a transition team can help to 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 of great assistance to the pastor in determining how a 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.html](http://www.ErieRCD.org/planning.html), 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 methods 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?

**Staffing:** 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.

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.

## + 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/finance/financemanual.html](http://www.ErieRCD.org/finance/financemanual.html), includes a chapter with the diocesan norms that all parishes should review. 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, 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 within three months.** 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, newly merged parishes are automatically granted, for the first three years after the merger, 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). 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), which is an advisory body to the pastor. As with the parish Finance Council, once the parishes have merged 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 within six months, 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.

## + From the OFFICE OF FINANCIAL SERVICES

Parish mergers will result in increased efficiency in the financial administration of the new parish. Fewer office locations will be needed, and the accounting duties and office functions will be streamlined. Only one annual report will be needed, and 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 the parishes involved in a particular merger will become the assets and liabilities of the parish into which the communities have been merged.

The guidelines that follow will help your parish achieve a smooth financial and administrative transition. If you have questions, they can be addressed to:

Patrick Barron, Director of Parish and School Financial Services, [pbarron@ErieRCD.org](mailto:pbarron@ErieRCD.org) or by calling 814.824.1168.



*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/finance/financemanual.html](http://www.ErieRCD.org/finance/financemanual.html)**

## FINANCIAL REPORTING AND DIOCESAN OBLIGATIONS

**CRITICAL MERGER DATES:** In this guide we will refer to two different merger dates: the Canonical Merger date and the Operational Merger date.

When the Diocese announces a merger of parishes, the Chancery will state the effective date of the merger. This is called the Canonical Merger date. The Operational Merger date will take place at the end of the **appropriate** calendar quarter following the Canonical Merger date.

If the canonical merger occurs near the **beginning** of a calendar quarter, the operational merger will take place at the end of the same calendar quarter. For example, if a canonical merger occurred on April 15, 2024, the operational merger would take place on June 30, 2024.

If the canonical merger occurs near the **end** of a calendar quarter, the operational merger will take place at the end of the next calendar quarter. For example, if a canonical merger occurred on June 15, 2024, the operational merger would take place on September 30, 2024.

Any clarifications or exceptions to this policy will be communicated by the diocesan Finance Office or the Chancery.



## ANNUAL REPORTS AND BUDGET REPORTS

**UP TO THE OPERATIONAL MERGER DATE:** Each parish involved in a merger will prepare its own partial-year Annual Report and Budget Report that runs from the beginning of the fiscal year up to and including the date of the operational merger.

**AFTER THE OPERATIONAL MERGER DATE:** Effective the day after the operational merger, the newly enlarged parish will prepare a single Annual Report and a single Budget Report to include the full parish membership and all merged church locations.

**Example:** Parish A is merging into Parish B. Parish B will be the newly enlarged parish. The Canonical Merger date is July 15, 2024. The Operational Merger will take place on September 30, 2024. Parish A and parish B will both close their books by the end of business on September 30, 2024. Each parish will prepare its own partial-year Annual Report and Budget Report from 7/1/24 to 9/30/24. Starting 10/1/24, the newly enlarged parish will prepare a single Annual Report and a single Budget Report to include the full parish membership and all merged church locations. The newly enlarged parish's Annual Report and Budget Report will run from 10/1/24 to 6/30/25. Going forward into the first full fiscal year after the merger (7/1/25 to 6/30/26), the newly enlarged parish will go back to its normal report filing deadlines for the Annual Report and Budget Report.

## CEMETERIES

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

## CATHOLIC SERVICES APPEAL, MINISTRY PLATFORM AND DIOCESAN ASSESSMENTS

**CSA:** Effective the day after the operational merger, the newly enlarged parish's Catholic Services Appeal Goal will be based upon the combined goals of the parishes that have merged. Pledges formerly made to the different parishes before the operational merger will be moved to the campaign for the newly enlarged parish.

**MINISTRY PLATFORM:** Effective the day after the operational merger, active and inactive contacts from the merging parishes will be consolidated into the newly enlarged parish. **This process will be done at the Diocesan level!**

**ASSESSMENTS:** Effective the day after the operational merger, the newly enlarged parish will begin receiving unified assessment statements based upon the combined assessments of the parishes that have merged. Beginning in the first full fiscal year after the operational merger, assessments for the parish will be based on the combined assessable income of the parish and its secondary church(es).

## PAYROLL AND ACCOUNTING

**PAYROLL:** Effective the day after the operational merger, all existing payrolls are to be combined into a single parish payroll.

**ACCOUNTING:** The business manager should use a single accounting system but maintain separate expense accounts for each of the church buildings. 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/finance/financemanual.html](http://www.ErieRCD.org/finance/financemanual.html).

## BANK AND INVESTMENT ACCOUNTS

**BANK/INVESTMENTS:** 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 newly enlarged parish. Where possible, pastors should consider consolidating accounts. The checking account of the enlarged parish will continue as the main operating bank account. This policy should be implemented no later than six months after the date of the operational merger.



**FINANCIAL OBLIGATIONS:** All financial obligations, including assessments and debts, of all the parishes and secondary churches involved in a merger are now the responsibility of the newly enlarged parish. All of the assets of the parish communities involved in a merger now belong to the enlarged parish.

**DONORS/ENDOWMENTS:** 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.

**HEALTH INSURANCE:** The health insurance invoices, and the 401(k) Retirement Plan Contribution Report are to be combined under the newly enlarged parish.

**CEMETERIES:** 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.

**ORGANIZATION BANK ACCOUNTS:** 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.

## + 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. All records must be kept from every site, including old records from secondary or former churches that no longer have any programs. All Safe Environment Training for Youth records must be kept on file indefinitely.



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 and IIIB. Documentation to be kept on file includes applications, clearances, trainings, compliance forms, etc. Complete lists of required records can be found in Section III. A. of the Policy.

Questions can be addressed to:  
Cindy Zemcik, Coordinator of the Office for the Protection of Children and Youth,  
czemcik@ErieRCD.org or by calling 1.800.374.3723 ext. 195, or 814.824.1195.

## 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 forward, records should be maintained in the name of the new parish community. Please remember that all official sacramental records must be kept in written form in the official sacramental books. Sacramental records may also be kept electronically, but only as a backup to the hard-copy version.



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 in 2000 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/finance/financemanual.html](http://www.ErieRCD.org/finance/financemanual.html) for details regarding records retention.**

## + 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.

The transition team, should you choose to form one, 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. Jim Tometsko, director of Human Resources for St. Mark Catholic Center, 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 [jtometsko@ErieRCD.org](mailto:jtometsko@ErieRCD.org) or by phone at 814.824.1189.

## POSITION PROFILES

Pastors should verify that parishes involved in mergers have updated all job descriptions and/or position profiles for every employee. More information, along with sample job profiles, is available at [www.ErieRCD.org/Human-Resources.html](http://www.ErieRCD.org/Human-Resources.html).

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/Human-Resources.html](http://www.ErieRCD.org/Human-Resources.html).

## 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 for a member of the transition team.

A model for a parish handbook can be found at [www.ErieRCD.org/Human-Resources.html](http://www.ErieRCD.org/Human-Resources.html) under the heading, *Developing a Parish Employee Handbook*.

## STAFFING

Staffing is one of the major concerns of parishes that are merging. Remember that decisions do not need to be made immediately. In many cases, pastors and parish administrators may want to take several months to assess their needs. However, staffing decisions should be finalized before the next budget is prepared. Whether or not all staff remain employed until that time is at the discretion of the pastor.



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. 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.

All job descriptions must be updated to reflect new staffing configurations. If staff changes or reductions need to be made, a selection process must be initiated. Regarding 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 authority to hire staff rests with the pastor. 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. 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.

## **+ 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 OCIA will need to be blended together to reflect the larger parish family.

As a general rule, OCIA, youth ministry and faith formation programs should be merged. There may be certain circumstances where the merger of these ministries is impractical. 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 4:00 p.m. except with an indult 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.

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. Efforts to accommodate reasonable requests for this purpose should be made.

### **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 within a year.

## **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).



(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.

## **CONTACT 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.

<b>The Chancery</b>	<b>REV. CHRISTOPHER SINGER</b> Chancellor CSinger@ErieRCD.org 814.824.1130
<b>Communications Office</b>	<b>ANNE-MARIE WELSH</b> Director AMWelsh@ErieRCD.org 814.824.1167
<b>Finance Office</b>	<b>PAT BARRON</b> Director of Parish and School Financial Services PBarron@ErieRCD.org 814.824.1168
<b>Human Resources</b>	<b>JAMES TOMETSKO</b> Director JTometsko@ErieRCD.org 814.824.1189
<b>Vicar General</b>	<b>VERY REV. NICHOLAS ROUCH</b> Vicar General NRouch@ErieRCD.org 814.824.1144

## Exempt/Non-Exempt Worksheet

(to be completed by all not-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:
<b>Salary Test:</b>  Annualized wages: _____  Gross weekly wages: _____	If employee's annualized wages total less than <b>\$35,568</b> per year or <b>\$684</b> 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 hourly wage for all hours worked over 40 hours per week (Sunday through Saturday) If the employee's annualized wages total more than <b>\$35,568</b> per year or <b>\$684</b> per week, continue with the duties test.
<b>Note regarding Blue Collar Workers</b>	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, craftsman, operating engineers, dock workers, construction workers, and laborers are entitled to minimum wage and overtime premium pay and are not ever subject to an exemption under the FLSA.
<b>Duties Test:</b> If an employee meets the stated criteria in any one of these areas listed below, that person is exempt from receiving overtime pay.	
<b>Executive Exemption</b>  <b>Meets:</b> _____  <b>Does not Meet:</b> _____	The employee's primary duty must be managing the enterprise, or managing a customarily recognized department;  The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and  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.
<b>Administrative Exemption</b>  <b>Meets:</b> _____  <b>Does Not Meet:</b> _____	The employee's primary duty must be the performance of office or non-manual work directly 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><b>Professional Exemption</b></p> <p>Meets: _____</p> <p>Does Not Meet: _____</p>	<p>The employee’s primary duty must be the performance of work regarding advanced knowledge, defined as work which is predominantly intellectual in character, and which includes work requiring the consistent exercise of discretion and judgement;</p> <p>The advanced knowledge must be in the 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>Meets: _____</p> <p>Does Not Meet: _____</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>Meets: _____</p> <p>Does Not Meet: _____</p>	<p>The employee’s primary duty must be the performance of work as a computer systems analyst, programmer, software engineer or similarly skilled work in the computer field performing a) application of systems analysis techniques and procedures, including consulting with users to determine hardware, software or system functional specifications; or b) design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specification; or c) design, documentation, testing, creation or modification of computer programs based on and related to user or system design specifications; or a combination of the duties described above, the performance of which requires the same level of skills. Examples: system analyst, database analyst, network architect, software engineer, programmer.</p>
<p><b>Outside Sales Exemption</b></p> <p>Meets: _____</p> <p>Does Not Meet: _____</p>	<p>The employee’s primary duty must be the performance of sales work off the company’s premises and whose primary duties include making sales or obtaining order or contracts for services or for the use of facilities for which the client or customer pays. This employee is customarily and regularly away from the company’s place of business while performing such duties. Examples: sales representative, account manager, business development representative.</p>