

# FLSA REVIEW REFERENCE SHEET

## **When a Full FLSA Review Is Needed**

A full review is required when a flagged position results in a change to FLSA status, including:

- Duties, authority, or scope have changed enough to impact exemption
- Structural/classification inconsistencies affect FLSA designation
- Correcting OT/FLSA misalignment forces a change in exemption

If a position has missing, incomplete, or misaligned data *and* possible exemption issues:

1. Correct all foundational data first (FLSA, OT, classification, SR, representation)
2. Reassess FLSA alignment
3. Select the correct response in the spreadsheet:
  - Data Corrected (no FLSA change)
  - FLSA Change Requested (full review required)
  - Status Confirmed (correct but appears unusual)

## **How to Conduct the FLSA Review**

1. Identify Position Purpose  
What core function the role performs
2. Identify the Primary Duties  
The most important duty—not a task list.
3. Compare the Primary Duty to Exemption Tests  
Does it align with Executive, Administrative, Professional, or Computer criteria?
4. Determine Required Action
  - Confirm (status appropriate)
  - Correct (data only)
  - Complete full review (if status would change)

## **How to Complete the FLSA Review Template**

Section A: Position Data

Agency completes fields exactly as listed in the template (current and recommended FLSA, OT, service type, union, etc.).

## Section B: Background & Business Need

This is the narrative explaining why the FLSA must change. Agencies should explain:

Why the position was flagged

What has changed in duties, authority, scope, or structure

Why the current FLSA designation is no longer appropriate

## Section C: Recommended FLSA Justification

Aligned to the checkbox section of your template. This is where agencies explain how the updated duties now align with the exemption criteria.

Agency should:

1. Select the correct exemption box and delete the others.
2. Provide PD-based examples that show:
  - the primary duty
  - discretion/independent judgment
  - authority or decision-making
  - specialized knowledge or skills (if applicable)

This section must include specific, concrete examples from the Position Description; general statements are not accepted.

## **Submitting the FLSA Review**

Agencies must submit:

1. Updated agency spreadsheet (Confirm/Correct/Change selection)
2. Completed review template
3. Current Position Description
4. Submit all complete FLSA change packets to DAS