



Municipal Technical Advisory Service  
INSTITUTE *for* PUBLIC SERVICE

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## Staff Administrative Exemption

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Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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## Staff Administrative Exemption

**Reference Number:** MTAS-1206

The employee must:

- Be paid on a salaried basis and meet the minimum salary test;
- Perform office or non-manual work in management or operations of the employer or employer's customers; and
- Have a primary duty that includes exercising discretion and independent judgment on matters of significance.

This class of exempt employee may include administrative officers who do not directly supervise other employees. Some factors to consider in determining whether an employee meets these tests include:

- Work must be directly related to assisting with the running of the business;
  - Discretion and independent judgment must be exercised with respect to "matters of significance";
  - The employee must have authority to formulate, affect, interpret, or implement management policies or operating procedures.
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*DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.*

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