



Municipal Technical Advisory Service
INSTITUTE *for* PUBLIC SERVICE

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Staff Professional Exemption

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 Professional Exemption

Reference Number: MTAS-1207

The employee must:

- Be paid on a salaried basis and meet the minimum salary test;
- Have a primary duty to perform work requiring advanced knowledge or invention, imagination, or originality;
- Work in a field of science or learning or talent in a recognized field of artistic or creative endeavor; and
- Use knowledge customarily acquired by a prolonged course of specialized intellectual instruction.

The professional exemption rarely applies in police departments. Some examples include police attorneys or police psychologists. 29 C.F.R. § 541.

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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