

Office of Human Resources 1400 N. Meridian St. Indianapolis, IN 46202

May 24, 2016

Dear Pastors, Parish Life Coordinators, High School Presidents, Principals, Agency Directors, Business Managers, and Bookkeepers,

### **New Department of Labor Regulations**

Today, the Department of Labor announced an increase in the salary required for a position to be exempt (meaning that overtime pay is <u>not</u> required for hours worked in excess of 40 per week). The salary required to be exempt will increase from \$\$23,660 per year to \$47,476 per year effective **December 1, 2016**. This letter and the accompanying Pay Compliance Manual will help you comply with this federal requirement.

### Are all salaried employees affected by this new minimum salary of \$47,476 per year?

No, according to the Fair Labor Standards Act (the federal law that primarily governs compensation), there are exceptions to the salary requirement, as shown below:

- **Teachers** Elementary and secondary school teachers, substitute teachers, and coaches are in this category and do <u>not</u> have a minimum salary in order to be considered exempt under federal law. Under certain circumstances, pre-school teachers and librarians may also be considered teachers, as explained in the Pay Compliance Manual.
- **Ministers** Employees who act as ministers also do <u>not</u> have a minimum salary in order to be exempt from overtime pay under federal law. Please also see the Pay Compliance Manual for details as to which positions can be considered to be ministers under federal law.

If a salaried employee does not meet one of the exemptions above and earns less than \$47,476 per year, what are our options? There are two options available, and the decision is made by the supervisor:

- Salary Increase The employee's salary can be increased to at least \$47,476 per year effective December 1, 2016. Please note that the minimum salary required for a position to be considered exempt will increase every 3 years at a rate established by the federal government.
- **Reclassification as Hourly** The employee can be re-classified as an hourly employee and would need to be paid time-and-a-half for all hours worked in excess of 40 per week. It is very important to document hours worked each week and to retain this documentation.

We highly encourage you or a member of your staff to read and apply the information in the Pay Compliance Manual to ensure that your parish, school, or agency is in compliance with federal and state regulations. If you have any questions, please contact Ginger Thomas, our Human Resources Field Representative, at <a href="mailto:gthomas@archindy.org">gthomas@archindy.org</a>. Ginger will also be reaching out to you to arrange a visit, but please feel free to e-mail her with the best times for you to meet with her if you would like to get on the calendar as soon as possible.

Thank you very much, and God bless you and your ministry to the Church.

Sincerely,

Ed Isakson Director, Human Resources

# Pay Compliance Manual Roman Catholic Archdiocese of Indianapolis Human Resources Office

This manual has been developed with the guidance of our Archdiocesan attorney to help you ensure that your parish, school, or agency is in compliance with federal and state laws governing compensation. Please refer any questions to the Human Resources Office.

# **Difference between Exempt and Non-Exempt Positions**

- For a position to be exempt from overtime (and usually paid on a salary basis), a two-part test must be met:
  - 1. The position must be paid a salary above the limit established by the Dept. of Labor, AND
  - 2. The duties of the position must fall into one of the categories established by the Dept. of Labor.
- Non-exempt positions must be paid overtime at a rate of 1 ½ times the hourly rate for all hours worked over 40 in a 7-day week. For the Archdiocese, the standard workweek is Sunday through Saturday.
- Non-exempt employees must be paid for all hours worked. Hours worked include activities such as taking phone calls
  over the lunch hour and checking voice mail or e-mail when away from work. Employees cannot "volunteer" to do
  their regular job or work off the clock.

### **Exemption for Teachers**

Teachers and substitute teachers in elementary, middle, and high schools will <u>continue to be exempt</u> without regard to a minimum salary. They are exempt under the Fair Labor Standards Act (FLSA) from overtime and from the minimum wage.

# **Pre-Schools and Day Care Ministries**

In order for a position to be classified as a "teacher" and exempt from the required minimum salary, the following conditions must be met:

- 1. The primary duties of the position must be <u>teaching</u>, <u>tutoring</u>, <u>instructing or lecturing in order to impart knowledge</u>, *AND*
- 2. The instruction must occur in an "educational establishment." An "educational establishment" means: "A day or residential school in an elementary or secondary school system as determined under state law, an institution of higher education or other educational institution (such as special schools for children with mental or physical disabilities or gifted children, whether classified as elementary, secondary or higher). Whether any particular introductory program (e.g., kindergarten or nursery school program) qualifies as an educational establishment depends upon whether the program is included in the curriculum for elementary education established by the applicable state law.

Employees of pre-schools and day care ministries that do not meet the definition of "educational establishment" must be paid on an hourly basis and are entitled to overtime pay. This is not part of the new rule, but it is important to look at the duties of teachers in pre-schools and day care ministries to determine if they meet the definition.

## Positions that are Always Non-Exempt

Secretaries, administrative assistants, receptionists, other administrative clerical positions, and nurses are examples of positions that are always non-exempt and must be paid on an hourly basis.

# **Ministerial Exemption**

Positions that fall under the Ministerial Exemption are also exempt from overtime and the minimum wage. It's not enough, however, to call a position a "ministry" position, even though we know that all employees of the Archdiocese contribute to the ministry of the Church. These positions are clearly within the Ministerial Exemption:

- Priest, Pastor, Associate Pastor
- Seminarian
- Deacon
- Parish Life Coordinator
- Pastoral Associate
- Director of Religious Education (or equivalent)
- School Presidents, Principals, Vice Principals, and the equivalent
- Liturgical Minister
- Director of Music or equivalent
- Youth, Family, and Campus Minister
- Catechist
- Sacristan

If the duties of the position are **primarily clerical**, even if the position supports a ministry, that position does <u>not</u> fall under the Ministerial Exemption. These positions might include Religious Education Assistant or Youth Ministry Assistant and other support positions.

# The Legal Definition of "Minister"

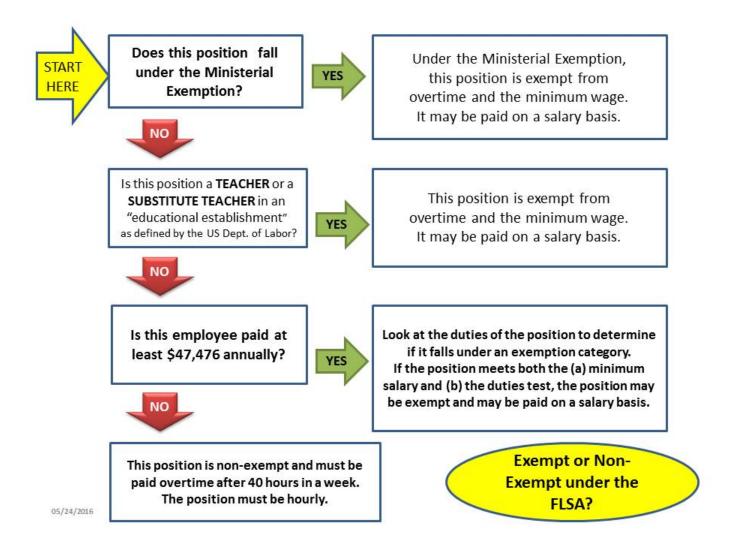
A "minister" is broadly defined in civil law as a person who functions in a significant religious capacity (even if not ordained) with regard to ministerial exemption legal cases.

The courts use a "totality of the circumstances" analysis to determine if a person is deemed a "minister". *Hosanna-Tabor Evangelical Lutheran Church & Sch. v. EEOC*, 132 S.Ct. 694 (2012). This is a multi-factor, fact-intensive examination of the duties of the position. Whether or not a person is considered a minister is based primarily on the individual's job description and function.

In analyzing the job duties, factors to be considered may include:

- 1) Are employment hiring decisions regarding the employee position at issue made largely on <u>religious criteria</u>? (e.g., does the employee need to be Catholic?)
- 2) Is the employee qualified and authorized to perform the <u>ceremonies of the church</u>?
- 3) Is the employee engaged in activities traditionally considered <u>ecclesiastical or religious</u>, including attending to the religious needs of the faithful? Examples: Teaching a religious course or curriculum as part of teaching duties; leading students in daily prayers and devotions. Key: Religious-based duties.
- 4) Did the employee <u>receive religious training</u> for the job and/or commissioning by the church?
- 5) Did the employee receive any benefits / perks commonly associated with ministers such as, for example, tax exempt housing or a housing allowance?
- 6) Does the employee's job title and/or job description: (1) Reflect a ministerial function or role? or (2) Reflect a role in conveying the Church's message and carrying out its mission? Key: Religious role
- 7) Does the religious organization sincerely in good faith believe that the employee is to function as a minister?
- 8) Are the job functions inextricably intertwined with the religious organization's <u>religious doctrine or standards</u>?
- 9) How much <u>time</u> did the employee spend in religious activities or functions? Key: Relevant but not to be considered in isolation of other factors.
- 10) Does the employee perform a religious function or serve as a messenger or teacher of the faith?

# To help you verify that you are in compliance with the FLSA, please take a look at this flow chart:

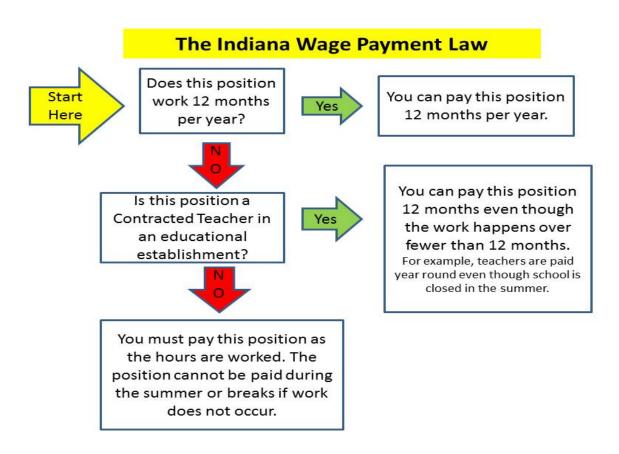


An "educational establishment" means "a day or residential school **in an elementary or secondary school system** as determined under state law, an institution of higher education or other educational institution (such as special schools for children with mental or physical disabilities or gifted children, whether classified as elementary, secondary or higher). Whether any particular introductory program (e.g., kindergarten or nursery school program) qualifies as an educational establishment depends upon whether the program is **included in the curriculum for elementary education established by the applicable state law**."

# **Indiana Wage Payment Law**

The Indiana Wage Payment Law requires that employees be paid for all hours worked within 10 days of the end of the pay period in which the hours were worked. Teachers are the only positions exempt from this law.

Please look at pay practices with this law in mind. Are school year employees other than teachers being paid year round when they don't work all year? The Indiana Wage Payment Law does not permit employees to be paid year round if they don't work year round



# **Independent Contractors**

The primary consideration of determining if a worker is an independent contractor is the economic independence of the worker. Several factors go into making this determination:

- 1) The extent to which the work performed is an integral part of the employer's business.
- 2) Whether the worker's managerial skills affect his or her opportunity for profit and loss.
- 3) The relative investments in facilities and equipment by the worker.
- 4) The worker's skill and initiative.
- 5) The permanency of the worker's relationship with the employer.
- 6) The nature and degree of control by the employer.

Most independent contractors have their own businesses, have other clients or customers, set their own hours and are not supervised by the employer.

POSITIONS CURRENTLY IN THE		Must meet			Minimum	
	Possible Exemption	minimum		Overtime	Wage	Salary or
ARCHDIOCESE OF INDIANAPOLIS	Category (if any)	salary?	Notes	Exempt?	Exempt?	Hourly?*
Anonbiocese of Industrial Gels	category (ii airy)	Sular y :	If provides instruction as primary duty in an	Excilipe	Excilipe:	riouriy.
Academic Support	IF Teacher	No	"educational establishment", is a teacher.	Yes	Yes	Salary
			Exempt if meets minimum salary and duties test. If			,
	1		does not meet minimum salary requirement, must be			
Accompanist	Professionalcreative	Yes	paid hourly.	No	No	Hourly
						Salary or
Accountant	Professional	Yes	If not paid minimum salary, must be paid hourly	Yes	No	Hourly
Accounting Assistant	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Accounting Clerk	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Accounts Payable	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Administrative Assistant	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Administrative Coordinator	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Administrator of Religious Educ.	Ministerial Exemption	No	Does not apply if duties are clerical or routine	Yes	Yes	Salary
Additional of Heilgroup Edde.	THE PROPERTY OF THE PROPERTY O	Depends on	bots not apply it duties are element or routine	Depends	Depends	Depends
	Depends on work	work		on work	on work	on work
Administrator*	performed	performed		performed	1	performed
Administratorclerical duties	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Administrator Cremed dates	Tronc	,	mast be para floarly and is engine for overtime.		<del></del>	Salary or
Administratorhead of dept/agency	Professional	Yes	If not paid minimum salary, must be paid hourly	Yes	No	Hourly
Adult Faith Formation	Ministerial Exemption	No	n not para minimum sarary, must be para nourly	Yes	Yes	Salary
ormation	sterior exemption	140		103	103	Salary or
Advocate	Professional	Yes	If not paid minimum salary, must be paid hourly	Yes	No	Hourly
Autocate	, roicasional	163	Must meet salary test and for duties, must supervise at	163	NO	Hourty
	Supervisor? Must	1	least 2 full-time equivalent staff (e.g., 2 full time or			i
	perform non-manual	1	more part time workers whose hours average to 2 full			Salary or
After Care Manager	·	Vos	time workers)	Vac	No	
After Care Manager After Care Worker	work as primary duty. None	Yes n/a	Must be paid hourly and is eligible for overtime.	Yes No	No No	Hourly Hourly
Archives Assistant	None			No		Hourly
Assistant Chef		n/a	Must be paid hourly and is eligible for overtime.  Must be paid hourly and is eligible for overtime.		No	
ASSISTANT CHEF	None	n/a	iviust be paid nourly and is eligible for overtime.	No	No	Hourly
	- 1 (0 1			.,		Salary or
Assistant Coach	Teacher/Coach	No	Exempt under coach/teacher exemption	Yes	Yes	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Assistant Director	Professional	Yes	paid hourly.	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			_
			does not meet minimum salary requirement, must be			Salary or
Assistant Principal	Professional	Yes	paid hourly.	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Assistant Superintendent	Professional	Yes	paid hourly.	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Associate Archivist	Professional	Yes	paid hourly.	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Associate Director	Professional	Yes	paid hourly.	Yes	No	Hourly
Associate Pastor	Ministerial Exemption	No	i i	Yes	Yes	Salary
Athletic Assistant	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
			Exempt if meets minimum salary and duties test. If			,
			does not meet minimum salary requirement, must be			Salary or
Athletic Director	Professional	Yes	paid hourly.	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Auditor	Professional	Yes	paid hourly.	Yes	No	Hourly
Bookkeeper	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Bookstore worker	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
DOUGLOTE WOLKEL	- Itolic	11/4	Exempt if meets minimum salary and duties test. If	110		ricarry
			does not meet minimum salary requirement, must be		1	Salary or
Broadcast Engineer	Professionalcreative	Yes	paid hourly.	Yes	No	Hourly
Bus Driver	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
DUS DI IVEI	INUITE	n/a	Exempt if meets minimum salary and duties test. If	INO	NO	Hourty
					1	Salames
Business Manager	Professional	Vac	does not meet minimum salary requirement, must be paid hourly.	Vac	No	Salary or
Business Manager	Professional Must perform pop-	Yes		Yes	No	Hourly
	Must perform non-		Must supervise at least 2 full-time equivalent staff		1	Calanter
Cafataria Managa-	manual work as	V	(e.g., 2 full time or more part time workers whose hours	V	N	Salary or
Cafeteria Manager	primary duty.	Yes	average to 2 full time workers)	Yes	No	Hourly
	Must perform non-		Must supervise at least 2 full-time equivalent staff		1	
	manual work as		(e.g., 2 full time or more part time workers whose hours		1 !	Salary or
Cafeteria Supervisor	primary duty.	Yes	average to 2 full time workers)	Yes	No	Hourly
	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Cafeteria Worker	Ministerial Exemption	No		Yes	Yes	Salary
Campus Minister			1		1 34	Salary
	Ministerial Exemption	No		Yes	Yes	Jaiary
Campus Minister		No	Exempt if meets minimum salary and duties test. If	Yes	Yes	Salary
Campus Minister		No	Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be	Yes	Yes	Salary or
Campus Minister	Ministerial Exemption Professional	No Yes		Yes	No	
Campus Minister Cantor	Ministerial Exemption		does not meet minimum salary requirement, must be			Salary or

POSITIONS CURRENTLY IN THE ARCHDIOCESE OF INDIANAPOLIS	Possible Exemption Category (if any)	Must meet minimum salary?	Notes	Overtime Exempt?	Minimum Wage Exempt?	Salary or Hourly?*
Chancellor	Ministerial Exemption	No	Notes	Yes	Yes	Salary
Chef	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Child Care Worker	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
			, , ,			Salary or
Coach	Teacher/Coach	No	Exempt under coach/teacher exemption	Yes	Yes	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be		1	Salary or
College Advisor	Professional	Yes	paid hourly.	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be		1	Salary or
Computer Technician	Professional	Yes	paid hourly.	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be		1	Salary or
Consultant	Professional	Yes	paid hourly.	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If		1	
			does not meet minimum salary requirement, must be		1	Salary or
Controller	Professional	Yes	paid hourly.	Yes	No	Hourly
Cook	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Coordinator of Religious Education	Ministerial Exemption	No		Yes	Yes	Salary
			Exempt if meets minimum salary and duties test. If		1	
		1	does not meet minimum salary requirement, must be			Salary or
Coordinator*	Professional	Yes	paid hourly.	Yes	No	Hourly
		1	Exempt if meets minimum salary and duties test. If			
		1	does not meet minimum salary requirement, must be			Salary or
Counselor	Professional	Yes	paid hourly.	Yes	No	Hourly
Counter	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Custodian	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
	Supervisor? Must	1	Must supervise at least 2 full-time equivalent staff			
	perform non-manual		(e.g., 2 full time or more part time workers whose hours		1	Salary or
Day Care Manager	work as primary duty.	Yes	average to 2 full time workers)	Yes	No	Hourly
Day Care Teacher	None	n/a	Childcare worker providing supervision of children.	No	No	Hourly
Day Care Worker	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Deacon	Ministerial Exemption	No		Yes	Yes	Salary
			Exempt if meets minimum salary and duties test. If		1	
			does not meet minimum salary requirement, must be		1	Salary or
Dean of Students	Professional	Yes	paid hourly.	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If		1	
			does not meet minimum salary requirement, must be		1	Salary or
Decorator	Professionalcreative	Yes	paid hourly.	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Deputy Defender of the Bond	Professional	Yes	paid hourly.	Yes	No	Hourly
Development Associate	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
			Exempt if meets minimum salary and duties test. If			_
			does not meet minimum salary requirement, must be			Salary or
Director of agency or department	Professional	Yes	paid hourly.	Yes	No	Hourly
Director of Music	Ministerial Exemption	No		Yes	Yes	Salary
Director of Religious Education	Ministerial Exemption	No		Yes	Yes	Salary
		Depends on		Depends	Depends	Depends
	Depends on work	work		on work	on work	on work
Director*	performed	performed		performed		performed
Dishwasher	None	n/a	Must be paid hourly and is eligible for overtime.			
				No	No	Hourly
Driver	None	n/a	Must be paid hourly and is eligible for overtime.	No No		Hourly
		n/a	Must be paid hourly and is eligible for overtime.	No	No No	Hourly Salary or
EC Coach	Teacher/Coach	n/a No		No Yes	No No Yes	Hourly Salary or Hourly
		n/a	Must be paid hourly and is eligible for overtime.  Exempt under coach/teacher exemption	No	No No	Hourly Salary or
EC Coach	Teacher/Coach	n/a No	Must be paid hourly and is eligible for overtime.  Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If	No Yes	No No Yes	Hourly Salary or Hourly Salary
EC Coach Ecclesial Notary (Tribunal)	Teacher/Coach Ministerial Exemption	n/a No No	Must be paid hourly and is eligible for overtime.  Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be	Yes Yes	No No Yes Yes	Hourly Salary or Hourly Salary
EC Coach	Teacher/Coach	n/a No	Must be paid hourly and is eligible for overtime.  Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.	No Yes	No No Yes	Hourly Salary or Hourly Salary
EC Coach Ecclesial Notary (Tribunal)	Teacher/Coach Ministerial Exemption	n/a No No	Must be paid hourly and is eligible for overtime.  Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very	Yes Yes	No No Yes Yes	Hourly Salary or Hourly Salary Salary or Hourly
EC Coach Ecclesial Notary (Tribunal) Editor	Teacher/Coach Ministerial Exemption Professional	n/a No No Yes	Must be paid hourly and is eligible for overtime.  Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and	Yes Yes Yes	No No Yes Yes	Hourly Salary or Hourly Salary Salary Salary or Hourly Salary or
EC Coach Ecclesial Notary (Tribunal)	Teacher/Coach Ministerial Exemption	n/a No No	Must be paid hourly and is eligible for overtime.  Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.	Yes Yes	No No Yes Yes	Hourly Salary or Hourly Salary Salary or Hourly
EC Coach Ecclesial Notary (Tribunal) Editor	Teacher/Coach Ministerial Exemption Professional	n/a No No Yes	Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If	Yes Yes Yes	No No Yes Yes	Hourly Salary or Hourly Salary Salary  Salary or Hourly  Salary or Hourly
EC Coach Ecclesial Notary (Tribunal) Editor Executive Assistant	Teacher/Coach Ministerial Exemption Professional Administrative	n/a No No Yes	Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be	No Yes Yes Yes Yes	No No Yes Yes	Hourly Salary or Hourly Salary Salary or Hourly Salary or Hourly Salary or
EC Coach Ecclesial Notary (Tribunal) Editor	Teacher/Coach Ministerial Exemption Professional	n/a No No Yes Yes	Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If	Yes Yes Yes Yes	No No Yes Yes No No	Hourly Salary or Hourly Salary Salary or Hourly Salary or Hourly Salary or Hourly
EC Coach Ecclesial Notary (Tribunal) Editor Executive Assistant	Teacher/Coach Ministerial Exemption  Professional  Administrative  Professional	n/a No No Yes  Yes  Yes  Depends on	Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be	Yes Yes Yes Yes Yes Depends	No No Yes Yes No No No Depends	Hourly Salary or Hourly Depends
EC Coach Ecclesial Notary (Tribunal)  Editor  Executive Assistant  Executive Director	Teacher/Coach Ministerial Exemption  Professional  Administrative  Professional  Depends on work	n/a  No  No  Yes  Yes  Yes  Depends on work	Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be	Yes Yes Yes Yes Depends on work	No No Yes Yes No No Depends on work	Hourly Salary or Hourly Depends on work
EC Coach Ecclesial Notary (Tribunal) Editor Executive Assistant	Teacher/Coach Ministerial Exemption  Professional  Administrative  Professional  Depends on work performed	n/a No No Yes  Yes  Yes  Depends on	Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be	Yes Yes Yes Yes Yes Depends	No No Yes Yes No No No Depends	Hourly Salary or Hourly Depends
EC Coach Ecclesial Notary (Tribunal) Editor Executive Assistant Executive Director	Teacher/Coach Ministerial Exemption  Professional  Administrative  Professional  Depends on work performed  Administrativeif	n/a  No  No  Yes  Yes  Yes  Depends on work performed	Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be	Yes Yes Yes Yes Depends on work	No No Yes Yes No No Depends on work	Hourly Salary or Hourly Depends on work
EC Coach Ecclesial Notary (Tribunal)  Editor  Executive Assistant  Executive Director	Teacher/Coach Ministerial Exemption  Professional  Administrative  Professional  Depends on work performed	n/a  No  No  Yes  Yes  Yes  Depends on work	Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.	Yes Yes Yes Yes Depends on work	No No Yes Yes No No Depends on work	Hourly Salary or Hourly Depends on work
EC Coach Ecclesial Notary (Tribunal) Editor Executive Assistant Executive Director	Teacher/Coach Ministerial Exemption  Professional  Administrative  Professional  Depends on work performed  Administrativeif	n/a  No  No  Yes  Yes  Yes  Depends on work performed	Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. If the paid hourly.	Yes Yes Yes Yes Depends on work	No No Yes Yes No No Depends on work	Hourly Salary or Hourly pepends on work performed
EC Coach Ecclesial Notary (Tribunal)  Editor  Executive Assistant  Executive Director  Facilitator  Facilities Manager	Teacher/Coach Ministerial Exemption  Professional  Administrative  Professional  Depends on work performed Administrativeif duties are non-manual	n/a No No No Yes  Yes  Yes  Depends on work performed  Yes	Exempt under coach/teacher exemption  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary requirement, must be paid hourly.	Yes Yes Yes Yes Depends on work performed	No No Yes Yes No No No pepends on work performed	Hourly Salary or Hourly Depends on work performed
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EC Coach Ecclesial Notary (Tribunal)  Editor  Executive Assistant  Executive Director  Facilitator  Facilities Manager  Field Representative	Teacher/Coach Ministerial Exemption  Professional  Administrative  Professional  Depends on work performed  Administrativeif duties are non-manual  Professional	n/a  No  No  Yes  Yes  Depends on work performed  Yes  Yes	Exempt if meets minimum salary and duties test. If does not meet minimum salary and duties test. If salary if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If does not meet minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. If does not meet minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.	Yes Yes Yes Yes Depends on work performed	No No Yes Yes No No No No Depends on work performed	Hourly Salary or Hourly Depends on work performed  Salary or Hourly Salary or
EC Coach Ecclesial Notary (Tribunal)  Editor  Executive Assistant  Executive Director  Facilitator  Facilities Manager	Teacher/Coach Ministerial Exemption  Professional  Administrative  Professional  Depends on work performed Administrativeif duties are non-manual	n/a No No No Yes  Yes  Yes  Depends on work performed  Yes	Exempt if meets minimum salary and duties test. If does not meet minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions. Exempt if meets minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions. Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary requirement, must be paid hourly. Exempt if meets minimum salary requirement, must be paid hourly.	Yes Yes Yes Yes Depends on work performed	No No Yes Yes No No No pepends on work performed	Hourly Salary or Hourly Depends on work performed
EC Coach Ecclesial Notary (Tribunal)  Editor  Executive Assistant  Executive Director  Facilitator  Facilities Manager  Field Representative	Teacher/Coach Ministerial Exemption  Professional  Administrative  Professional  Depends on work performed  Administrativeif duties are non-manual  Professional	n/a No No No Yes  Yes  Depends on work performed  Yes  Yes	Exempt if meets minimum salary and duties test. If does not meet minimum salary and duties test. If salary if meets minimum salary and duties test. Very specific differences between Exec. Asst. position and Admin. Asst. positions.  Exempt if meets minimum salary and duties test. If does not meet minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary requirement, must be paid hourly.  Exempt if meets minimum salary and duties test. If does not meet minimum salary and duties test. If does not meet minimum salary requirement, must be paid hourly.	Yes Yes Yes Yes Depends on work performed	No No Yes Yes No No No No Depends on work performed	Hourly Salary or Hourly Depends on work performed  Salary or Hourly Salary or

		Must meet			Minimum	
POSITIONS CURRENTLY IN THE	Possible Exemption	minimum		Overtime	Wage	Salary or
ARCHDIOCESE OF INDIANAPOLIS	Category (if any)	salary?	Notes	Exempt?	Exempt?	Hourly?*
Groundskeeper	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
	Must perform non-	·	Must supervise at least 2 full-time equivalent staff			
	manual work as		(e.g., 2 full time or more part time workers whose hours			Salary or
Groundskeeping Supervisor	primary duty.	Yes	average to 2 full time workers)	Yes	No	Hourly
Guidance Assistant	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
	Administrativeif	.,, -	The state of the s			,
Gym Manager	duties are non-manual	Yes				
Head Cook	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Tiedd Cook	-110112	.,, 0	Exempt if meets minimum salary and duties test. If			nouny
			does not meet minimum salary requirement, must be			Salary or
Head of School	Professional	Yes	paid hourly.	Yes	No	Hourly
	None		Non-exempt under the FLSA		NO	
House Parent		n/a	·	No		Hourly
Housekeeper	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
	Must perform non-		Must supervise at least 2 full-time equivalent staff			
	manual work as		(e.g., 2 full time or more part time workers whose hours			Salary or
Housekeeping Manager	primary duty.	Yes	average to 2 full time workers)	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Institutional Advancement	Professional	Yes	paid hourly.	Yes	No	Hourly
Intern	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
			If Teacher, see Teacher. If not, see if professional			
Interventionist	Professional	Yes	exemption applies.	Depends	Depends	Depends
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
IT Support	Professional	Yes	paid hourly.	Yes	No	Hourly
Janitor	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
		/u	Exempt if meets minimum salary and duties test. If	.10		. iourry
			does not meet minimum salary requirement, must be			Salary or
ludes.	Professional	V	paid hourly.	V	No	
Judge	Professional	Yes	·	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
<u>                                       </u>			does not meet minimum salary requirement, must be			Salary or
Judge Instructor	Professional	Yes	paid hourly.	Yes	No	Hourly
	Must perform non-		Must supervise at least 2 full-time equivalent staff			
	manual work as		(e.g., 2 full time or more part time workers whose hours			Salary or
Kitchen Manager	primary duty.	Yes	average to 2 full time workers)	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Librarian	Professional	Yes	paid hourly.	Yes	No	Hourly
Liturgical Ministry	Ministerial Exemption	No		Yes	Yes	Salary
	Must perform non-		Must supervise at least 2 full-time equivalent staff			
	manual work as		(e.g., 2 full time or more part time workers whose hours			Salary or
Maintenance Manager	primary duty.	Yes	average to 2 full time workers)	Yes	No	Hourly
	Must perform non-		Must supervise at least 2 full-time equivalent staff			
	manual work as		(e.g., 2 full time or more part time workers whose hours			Salary or
Maintenance Supervisor	primary duty.	Yes	average to 2 full time workers)	Yes	No	Hourly
Maintenance Technician	None None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Wantenance recimician	Must perform non-	11/4	Must supervise at least 2 full-time equivalent staff	140	140	Hourry
	manual work as					Calamia.
		W	(e.g., 2 full time or more part time workers whose hours	W	N-	Salary or
Manager	primary duty.	Yes	average to 2 full time workers)	Yes	No	Hourly
Master of Ceremonies	Ministerial Exemption	No	Mark and DOL defended of the Control	Yes	Yes	Salary
			Must meet DOL definitions of teacher in "educational			Salary or
Master Teacher	Teacher	No	establishment."	Yes	Yes	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Media Specialist	Professional	Yes	paid hourly.	Yes	No	Hourly
		Depends on		Depends	Depends	Depends
	Depends on work	work		on work	on work	on work
Monitor	performed	performed		performed	performed	performed
Musician	Ministerial Exemption	No		Yes	Yes	Salary
		Depends on	Being a nun does not affect the FLSA status. The E/NE	Depends	Depends	Depends
	Depends on work	work	status is assigned based on the job the nun is	on work	on work	on work
Nun	performed	performed	performing.	performed	performed	performed
	1		Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Nurse	Professional	Yes	paid hourly.	Yes	No	Hourly
Office Assistant	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
OTTICE POSISionic		11/4	Must supervise at least 2 full-time equivalent staff	140	140	ricarry
	Supervisor? If not, non-					Salanzar
		l	(e.g., 2 full time or more part time workers whose hours	l	NI-	Salary or
Office Manager		N/				Hourly
Office Manager	exempt.	Yes	average to 2 full time workers)	Yes	No	Hourry
	exempt. Administrativeif		average to 2 full time workers)	Yes	NO	Hourry
Office Manager Operations Manager	exempt.	Yes Yes		Yes	NO	ricuriy
	exempt. Administrativeif		Exempt if meets minimum salary and duties test. If	Yes	No	
	exempt. Administrativeif			Yes	NO	Salary or
	exempt. Administrativeif		Exempt if meets minimum salary and duties test. If	Yes	No	
Operations Manager	exempt.  Administrativeif duties are non-manual	Yes	Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be			Salary or
Operations Manager Organist	exempt.  Administrativeif duties are non-manual  Professional	Yes Yes	Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be	Yes	No	Salary or Hourly

		Must meet			Minimum	
POSITIONS CURRENTLY IN THE	Possible Exemption	minimum		Overtime	Wage	Salary or
ARCHDIOCESE OF INDIANAPOLIS	Category (if any)	salary?	Notes	Exempt?	Exempt?	Hourly?*
			Exempt if meets minimum salary and duties test. If does not meet minimum salary requirement, must be			Salary or
Pianist	Professional	Yes	paid hourly.	Yes	No	Hourly
Playground Monitor	None	N/A	Childcare worker providing supervision of children.	No	No	Hourly
Preschool Aide	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
President	Professional	Yes	paid hourly.	Yes	No	Hourly
Priest	Ministerial Exemption	No		Yes	Yes	Salary
			presumed to work year round so may be paid year	.,	.,	
Principal	Ministerial Exemption	No	round under the Indiana Wage Payment Law	Yes	Yes	Salary
			Does not apply if duties are strictly clerical or routine. Must have decision making authority over matters of	yes if		Salary or
Purchasing	Administrative	Yes	significance.	exempt	No	Hourly
Receptionist	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Religious Education Assistant	Ministerial Exemption	No	Does not apply if duties are clerical or routine	Yes	Yes	Salary
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Reporter	Professionalcreative	Yes	paid hourly.	Yes	No	Hourly
			Must meet DOL definitions of teacher in "educational			Salary or
Resource	Teacher	No	establishment."	Yes	Yes	Hourly
	L .		Must meet DOL definitions of teacher in "educational			Salary or
ResourceTeacher	Teacher	No	establishment."	Yes	Yes	Hourly
Sacristan	Ministerial Exemption	No n/a	Must be paid hously and in aliable for acceptant	Yes	Yes	Salary
Secretary Security	None None	n/a n/a	Must be paid hourly and is eligible for overtime.  Must be paid hourly and is eligible for overtime.	No No	No No	Hourly Hourly
Seminarian	Ministerial Exemption	No	Must be paid nourly and is eligible for overtime.	Yes	Yes	Salary
Seminarian	winnsterial Exemption	NO	Exempt if meets minimum salary and duties test. If	163	163	Jaiary
			does not meet minimum salary requirement, must be			Salary or
Senior Accountant	Professional	Yes	paid hourly.	Yes	No	Hourly
Sexton	Ministerial Exemption	No		Yes	Yes	Salary
	May be exempt if		Must supervise at least 2 full-time equivalent staff			
	supervises work of		(e.g., 2 full time or more part time workers whose hours			Salary or
Shift Supervisor	others	Yes	average to 2 full time workers)	Yes	No	Hourly
			Exempt if meets minimum salary and duties test. If			
			does not meet minimum salary requirement, must be			Salary or
Social Worker	Professional	Yes	paid hourly.	Yes	No	Hourly
	Dancarda an accusado	Depends on	16 T	Depends	Depends	Depends
Consistint	Depends on work performed	work performed	If Teacher, see Teacher. If not, see if professional exemption applies.	on work	on work performed	on work performed
Specialist	- Iperiorined	periornea	jexemption applies.	periorineu	periorined	periormed
			Exempt if meets min. salary and duties test. If does not			Salary or
Staff Therapist	Professional	Yes	meet min. salary requirement, must be paid hourly.	Yes	No	Hourly
Stall Merapist	FIGIESSIGNAL	163	Must meet DOL definitions of teacher in "educational	163	NO	Salary or
Substitute Teacher	Teacher	No	establishment."	Yes	Yes	Hourly
			Must meet DOL definitions of teacher in "educational			Salary or
Substitute Teacher - Licensed	Teacher	No	establishment."	Yes	Yes	Hourly
				Special	Special	Special
		Special Rules		Rules	Rules	Rules
Summer Camp Worker	Special Rules apply.	apply.	Special Rules apply.	apply.	apply.	apply.
	May be exempt if		Must supervise at least 2 full-time equivalent staff			
	supervises work of		(e.g., 2 full time or more part time workers whose hours	l		Salary or
Supervisor	others	Yes	average to 2 full time workers)	Yes	No	Hourly
Teacher	Teacher	No	Must meet DOL definitions of teacher in "educational establishment."	Vac	Voc	Salary or
Teacher	reacties	No	Must meet DOL definitions of teacher in "educational	Yes	Yes	Hourly Salary or
Teacher - Licensed	Teacher	No	establishment."	Yes	Yes	Hourly
Teacher's Aide	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
Teacher's Assistant	None	n/a	Must be paid hourly and is eligible for overtime.	No	No	Hourly
						,
			Exempt if meets min. salary and duties test. If does not			Salary or
Technology Support	Professional	Yes	meet min. salary requirement, must be paid hourly.	Yes	No	Hourly
			Exempt if meets min. salary and duties test. If does not			Salary or
Translator	Professional	Yes	meet min. salary requirement, must be paid hourly.	Yes	No	Hourly
L			Exempt if meets min. salary and duties test. If does not	.,	l	Salary or
Tuition Manager	Professional	Yes	meet min. salary requirement, must be paid hourly.  Must be paid hourly and is eligible for overtime.	Yes	No No	Hourly
Typist	None	n/a	Exempt if meets min. salary and duties test. If does not	No	No	Hourly Salary or
Vice President	Professional	Yes	meet min. salary requirement, must be paid hourly.	Yes	No	Hourly
	,		Exempt if meets min. salary and duties test. If does not			Salary or
Vice Principal	Professional	Yes	meet min. salary requirement, must be paid hourly.	Yes	No	Hourly
			Exempt if meets min. salary and duties test. If does not			Salary or
			I management and a management of the control of the	Yes	No	Hourly
Web Designer	Professional	Yes	meet min. salary requirement, must be paid hourly.	103		
			Exempt if meets min. salary and duties test. If does not			Salary or
Web Master	Professional	Yes		Yes	No	Hourly
			Exempt if meets min. salary and duties test. If does not			