

This fact sheet has an example of an employee who would likely meet or not meet the computer professional Minimum Wage Act exemption requirements. This example is provided for illustrative purposes only. If other information is presented throughout the course of an investigation, an employee's exemption status determination could change.

## Computer professional exemption

### Example

Brenda and Maddie started as software engineers at the same company in August 2027. They both work on a team of 12 people, although the company has more than 200 workers, and each makes \$84,280 a year. Brenda and Maggie were both hired on to create a group of computer programs for a machine operating system.

This past month, one of the computer programs' operating systems failed while being tested. It was all hands on deck to rewrite the failed code and get the system back up and running. Both Brenda and Maddie had to help perform systems analysis and modification procedures, which meant long hours, even into the weekend. After a long, exhausting day of work on a Saturday, Brenda tells Maddie "at least we get time and a half!" Maddie confused asks, "We do?" They both looked at their job contracts again and found out that Brenda was hired on as a non-exempt employee and Maddie as exempt. They go to their boss with their concern but he tells them very vaguely that it is based on the specific "job duties" they each have.

Brenda and Maddie both agree that one of them is misclassified, so they call L&I on their break. The industrial relations agent they speak to informs them that L&I cannot make a determination outside of an investigation. Maddie decides to file a complaint in order to find out if she was correctly classified as exempt or if she is owed overtime. Her complaint is for August-December 2027.

### Case analysis

**1. Is the employee employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field?**

Yes. Maddie is working as a software engineer.

**2. Does the employee's primary duty must consist of:**

- **The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications?**
- **The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications?**
- **The design documentation, testing creation or modification of computer programs related to machine operating systems?**
- **A combination of the aforementioned duties, the performance of which requires the same level of skill?**

Yes. Maddie's job duties are creating computer programs related to machine operating systems, and testing and modifying such programs.

**3. Is the employee paid on a salary or fee basis equal to or greater than the required threshold, or be compensated on an hourly basis equal to or greater than the required hourly threshold?**

Yes. Maddie is paid a yearly salary of \$84,280. Since the employer has more than 50 employees, the projected state salary threshold is \$1,482 per week in 2027. Maddie has a calculated weekly salary of \$1,620.77, which is more than the projected salary threshold.

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### Probable finding

Based on the information above, Maddie likely meets the requirements to be classified as an exempt computer professional employee. Although Maddie likely meets the exemption requirements, employers are not required to claim an exemption. So, Maddie could also be classified as non-exempt like Brenda. If other information is presented throughout the course of an investigation, an employee's exemption status determination could change.