

**FLSA-333**

July 31, 1980

This is in reply to your letter of June 12, 1980, concerning the exempt status under section 13(a)(1) of the Fair Labor Standards Act, and 29 CFR Part 541.2, of the Coordinator of Community Education and Training employed by your organization.

The job description of the employee in question, enclosed with your letter, indicates that the coordinator is under the supervision of the director. The employee is responsible for the training of paralegals; for keeping relevant materials current (such as the Federal Register and materials from other agencies); for keeping training materials updated; for production and dissemination of the monthly newsletter and visual aids; and for the preparation of other community educational materials.

Section 13(a)(1) of the Act provides a complete minimum wage and overtime pay exemption for any employee employed in a bona fide executive, administrative, or professional capacity. The requirements for exemption are contained in Regulations, Part 541, a copy of which is enclosed. Section 541.2 of the regulations sets forth the duties, responsibilities, and salary tests required for exemption as a bona fide administrative employee.

From the information you have submitted, it is our opinion that the Coordinator of Community Education and Training would qualify for exemption as a bona fide administrative employee, provided the employee is employed on a salary basis of at least \$155 per week, as discussed in section 541.118 of the regulations.

If you have any further questions concerning the application of the Fair Labor Standards Act, you may find it more convenient to get in touch with our Area Office at the U.S. Custom House, Room 228, 721-19th Street, Denver, Colorado 80202 (Telephone: 303-837-4405), or our Field Station at 300 North Dakota Avenue, Sioux Falls, South Dakota 57102 (Telephone: 605-335-7557) (Mailing Address: P.O. Box 1067). Those offices are responsible for the administration of the Act in the State of South Dakota, and will be pleased to offer every possible assistance.

Sincerely,

Henry T. White, Jr.  
Deputy Administrator

Enclosure