



OVERTIME SALARY THRESHOLD INFO SESSION

December 7, 2023

In this webinar, Julia Hunter from the Nonprofit Association of Washington (NAWA) gave an overview of overtime exempt and non-exempt requirements and ways to navigate them as a small nonprofit. **Watch the recording [here](#).**

Helpful Links

The Workers in Nonprofits (WiN) toolkit provides information customized to nonprofits to help employers navigate the lifecycle of their workers: <https://nonprofitwa.org/learning-library/workers-in-nonprofits/>. This includes the guide, tools and activities, recordings on HR topics, and samples/templates.

The Workers in Nonprofits (WiN) guide follows the worker lifecycle:

<https://nonprofitwa.org/download/workers-in-nonprofits-guide/>

Case studies for identifying job types:

- Understanding the Executives Job Duties Test: https://lni.wa.gov/workers-rights/_docs/fact-sheet-executive.pdf
- Exempt Case Studies: Executive: https://lni.wa.gov/workers-rights/_docs/ExecutiveCaseExample.pdf
- Understanding the Administrative Job Duties Test: https://lni.wa.gov/workers-rights/_docs/fact-sheet-administrative.pdf
- Exempt Case Studies: Administrative: https://lni.wa.gov/workers-rights/_docs/AdministrativeCaseExample.pdf
- Understanding the Professional Job Duties Test: https://lni.wa.gov/workers-rights/_docs/fact-sheet-professional.pdf
- Exempt Case Studies: Professional: https://lni.wa.gov/workers-rights/_docs/ProfessionalCaseExample.pdf

Planning tools:

- Salary threshold implementation schedule: <https://lni.wa.gov/forms-publications/F700-207-000.pdf>
- L&I Overtime Exempt Salary Budget Tool: <https://lni.wa.gov/workers-rights/wages/overtime/overtime-exempt-salary-budget-tool>
- NAWA's Overtime Salary Threshold Tool: <https://nonprofitwa.org/download/overtime-salary-threshold-tool/>

Notes from the Q+A

Q: How do the job duty tests work?

A: You must meet each of the bullet points for a job test to pass it, but you only need to pass one of the job duties tests — not all three.

Q: My organization does not have any other employees (or I'm not sure if I supervise 2.0 FT employees), so I don't meet the executive job duty test — am I overtime non-exempt?

A: While you don't pass the executive job duties test, you likely pass the administrative (or professional) job duties test based on the scope of your role, so you can still be overtime exempt.

Q: If an employee passes the job duties test, do they have to be overtime-exempt?

A: Nope! You can only be overtime-exempt if your job duties and your salary pass the threshold. If you only pass one (or none) of those, then you are hourly by default.

Q: Is there a separate threshold for part-time employees?

A: No, overtime rules kick in at 40 hours for any employee. Any employee who is not eligible for overtime exemption (i.e., does not meet the current salary threshold) must be non-exempt. In other words, unless an employee is making at least \$67,724.80 in 2024, they cannot be exempt.

Q: One of my employees currently works at least 40 hours per week, especially with weekend events, but I can't increase their pay to match the exempt threshold (or they don't pass the job duties test). How do I navigate this?

A: There are a few main strategies for addressing this: (1) Have them take time off toward the beginning of the week and concentrate their 40 hours on the day(s) of the event and event prep. (2) Plan for this in your budget by building in overtime pay or hiring another part-time employee. (3) You may need to scale down your work plan or programs to match the amount of time you have available as an organization.

Contact Information

L&I is a great resource, and you can ask them questions without fear of recourse—they're friendly and there to help!

L&I Small Business Liaisons

Email: smallbusiness@LNI.wa.gov

Phone: 1-800-987-0145

L&I Employment Standards Program

Email: EAPrules@LNI.wa.gov

Phone: 1-866-219-7321

You can also reach out to NAWA with questions at learning@nonprofitwa.org