

5200.0190 EXECUTIVE TESTS.**Subpart 1. Executive test I.** Executive test I:

- A. receives at least \$250 per week in salary;
- B. manages the enterprise by which the person is employed or a recognized department or subdivision thereof; and
- C. customarily directs the work of two or more other employees.

Subp. 2. Executive test II. Executive test II:

- A. receives at least \$155 per week in salary;
- B. manages and supervises a department of at least two other full-time people (a full-time employee is defined as one who works at least 35 hours in a workweek);
- C. has authority to hire or fire or suggest changes in employees' status;
- D. regularly exercises discretionary powers; and
- E. either:
 - (1) devotes less than 20 percent of time worked, or 40 percent in retail or service establishments, to nonexempt work;
 - (2) owns 20 percent or more of the business; or
 - (3) has sole charge of an independent or branch establishment.

Statutory Authority: *MS s 177.28*

History: *17 SR 1279*

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