

5200.0211 SALARY.

Subpart 1. **Predetermined weekly wage.** A salary is not an hourly rate. An employee is paid a salary if the employee, through agreement with an employer, is guaranteed a predetermined wage for each workweek. An employee may still be salaried even if complete days absent are deducted from salary for reasons other than no work available. Should those deductions reduce the salary for the workweek below the minimum salary required by Minnesota Statutes, section 177.23, subdivision 7, clause (2), or parts 5200.0190 to 5200.0210, the employer will lose the exemption in that workweek.

Subp. 2. **Weeks of no work.** Complete weeks in which an employee performs no work may be deducted from salary.

Statutory Authority: *MS s 177.28; 181A.12*

History: *11 SR 1740*

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