

5200.0261 SPECIFIED DEFINED.

For purposes of Minnesota Statutes, section 177.23, subdivision 7, clause (1), the term "specified" shall be applied on a workweek-to-workweek basis and means all employees paid a salary where the employer has two or fewer employees paid a salary. Where employees paid a salary exceed two in any given workweek, the employer must designate in the payroll records which two are exempt and notify the employees concerned. The burden of proof will be on the employer should an employee claim nonnotification.

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

History: *11 SR 1740*

Published Electronically: *June 11, 2008*