

[Date]

[Client Name / Management Name]

[Company Name]

[Address]

[City, State, Zip Code]

RE: Legal Opinion Regarding FLSA Exemption Status for Associate Attorneys

Dear [Name],

You have requested a legal opinion regarding whether the position of Associate Attorney qualifies for the professional exemption from the minimum wage and overtime requirements of the Fair Labor Standards Act (FLSA).

Exemption Criteria

Under the FLSA, specifically 29 C.F.R. § 541.304, any employee who is the holder of a valid license or certificate permitting the practice of law and is actually engaged in the practice thereof is exempt from the Act's minimum wage and overtime provisions.

Analysis

Our analysis of the Associate Attorney position is based on the following facts:

- The employee holds a Juris Doctor (J.D.) degree from an accredited law school.
- The employee is an active member in good standing of the State Bar.
- The employee's primary duty is the practice of law, which includes [drafting legal documents, representing clients, providing legal advice, and conducting research].

Pursuant to 29 C.F.R. § 541.304(d), the salary level and salary basis tests do not apply to licensed practitioners of law. Therefore, the exemption applies regardless of the amount or method of compensation.

Conclusion

Based on the duties and licensing requirements described above, it is our professional opinion that the Associate Attorney position meets the criteria for the Learned Professional Exemption. Consequently, this position is classified as "Exempt" from overtime pay requirements.

Sincerely,

[Name of Signing Attorney/Firm]

[Title]