

Date: [Insert Date]

To: [Client Name/Company Board]

From: [Attorney Name/Legal Counsel]

Subject: Legal Opinion on Salary Basis Test Compliance

Dear [Name],

I have been requested to provide a legal opinion regarding whether the payment structures for [Position Name/Job Category] comply with the "Salary Basis Test" as defined by the Fair Labor Standards Act (FLSA) and relevant state regulations.

1. Scope of Review

In performing this analysis, I have reviewed the following:

- Employment agreements for the subject positions;
- Payroll records and deduction policies;
- Current Department of Labor (DOL) salary threshold regulations.

2. Legal Standards

To satisfy the Salary Basis Test, an employee must generally receive a predetermined amount of compensation each pay period that is not subject to reduction because of variations in the quality or quantity of work performed. Furthermore, the compensation must meet the minimum weekly salary threshold currently set at \$[Insert Amount] per week.

3. Legal Opinion

Based on the documentation provided, it is my professional opinion that the [Position Name] **[complies / does not comply]** with the Salary Basis Test for the following reasons:

- **Fixed Salary:** The employee receives a guaranteed minimum of \$[Amount] per week.
- **Improper Deductions:** [Analyze if any deductions for partial-day absences or disciplinary reasons violate the rules].
- **Threshold Status:** The annual salary of \$[Amount] meets the current federal exemption requirements.

4. Conclusion and Recommendations

[Insert specific recommendations, such as updating handbook policies or adjusting salary levels to meet new federal thresholds].

This opinion is based on current law and the facts provided. Should the duties of the position or federal regulations change, this opinion may require revision.

Sincerely,

[Signature]

[Printed Name]

[Law Firm/Legal Department]