

**(Effective until July 1, 2020)**

**WAC 296-128-500 Purpose.** This regulation is adopted in accordance with chapter 49.46 RCW to define the terms "bona fide executive, administrative, or professional capacity or in the capacity of outside salesman," to define salary basis and to establish a procedure for computing overtime pay.

An employee who meets the definitions of executive, administrative, or professional and who is paid on a salary basis (except as provided for in WAC 296-128-530(5)) is considered exempt from the requirements of chapter 49.46 RCW. Payment of a salary does not in and of itself exempt a worker from the minimum wage and overtime requirements.

[Statutory Authority: RCW 49.46.005, 49.46.010, 49.46.120, and chapter 49.46 RCW. WSR 03-03-109, § 296-128-500, filed 1/21/03, effective 2/21/03; Order 76-5, § 296-128-500, filed 2/24/76.]

**(Effective July 1, 2020)**

**WAC 296-128-500 Purpose.** (1) This regulation is adopted in accordance with chapter 49.46 RCW to define the terms "bona fide executive, administrative, or professional capacity or in the capacity of outside salesperson," to define salary basis and to establish a procedure for computing overtime pay.

(2) An employee who meets the definitions of executive, administrative, or professional and who is paid on a salary basis (except as provided for in WAC 296-128-510 (2)(b), 296-128-520 (1)(c) and (2)(b), 296-128-530 (1)(b), (2)(b) and (3)(d), or 296-128-535 (1)(c)) is considered exempt from the requirements of chapter 49.46 RCW. A job title, or payment of a salary, does not in and of itself exempt a worker from these requirements.

[Statutory Authority: RCW 49.46.010 (3)(c). WSR 20-01-063, § 296-128-500, filed 12/10/19, effective 7/1/20. Statutory Authority: RCW 49.46.005, 49.46.010, 49.46.120, and chapter 49.46 RCW. WSR 03-03-109, § 296-128-500, filed 1/21/03, effective 2/21/03; Order 76-5, § 296-128-500, filed 2/24/76.]