

<h1>Regulatory Analysis Form</h1> <p>(Completed by Promulgating Agency)</p> <p>(All Comments submitted on this regulation will appear on IRRC's website)</p>		<p>INDEPENDENT REGULATORY REVIEW COMMISSION</p>
<p>(1) Agency Department of Labor and Industry</p>		<p>IRRC Number: 3202</p>
<p>(2) Agency Number: 12 Identification Number: 106</p>		
<p>(3) PA Code Cite: 34 Pa. Code Chapter 231</p>		
<p>(4) Short Title: Overtime Pay <i>or</i> Amendments to 34 Pa. Code Chapter 231 regarding Overtime Pay</p>		
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: Jennifer Berrier, Deputy Secretary for Safety and Labor-Management Relations, jeberrier@pa.gov, (717) 787-8665</p> <p>Secondary Contact: Kelly Martini, Policy Director, kemartini@pa.gov, (717) 787-5294</p>		
<p>(6) Type of Rulemaking (check applicable box):</p> <p> <input type="checkbox"/> Proposed Regulation <input checked="" type="checkbox"/> Final Regulation <input type="checkbox"/> Final Omitted Regulation </p>		<p> <input type="checkbox"/> Emergency Certification Regulation; <input type="checkbox"/> Certification by the Governor <input type="checkbox"/> Certification by the Attorney General </p>
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>The Department of Labor and Industry (Department) is amending Chapter 231 of 34 Pa. Code to clarify the definitions of Executive, Administrative, and Professional (EAP) salaried workers who are exempt from receiving minimum wage and overtime pay. The final regulation updates the duties test to qualify for the EAP exemptions to be more consistent with current Federal regulations interpreting the Fair Labor Standards Act (FLSA). In addition, the Department is updating the salary threshold to qualify for the EAP exemptions. Finally, the final regulation allows incentive pay to count toward 10 percent of the salary threshold and includes a mechanism for the salary threshold to be adjusted on a triennial basis.</p>		
<p>(8) State the statutory authority for the regulation. Include <u>specific</u> statutory citation.</p> <p>The Department proposes these rules under the authority contained in sections 5(a)(5) and 9 of the Minimum Wage Act of 1968 (MWA) (43 P.S. §§ 333.105(a)(5) and 333.109).</p>		
<p>(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.</p>		

The MWA requires the Department to issue and update regulations defining the EAP exemptions from the minimum wage and overtime provisions of the MWA. The update is not mandated by federal law or any federal or state court order.

More specifically, the MWA provides, “Employment in the following classifications shall be exempt from both the minimum wage and overtime provisions of this act: In a bona fide executive, administrative, or professional capacity... (as such terms are defined and delimited from *time to time* by regulations of the secretary.)” 43 P.S. § 333.105(a)(5) (emphasis added). In addition, section 9 of the MWA provides, “The secretary shall make and, from *time to time*, revise regulations, with the assistance of the board, when requested by the secretary, which shall be deemed appropriate to carry out the purposes of this act and to safeguard the minimum wage rates thereby established. Such regulations may include, but are not limited to, regulations defining and governing bona fide executive, administrative, or professional employees.” 43 P.S. § 333.109 (emphasis added). Although the Department is required to update the regulations, that has not occurred since 1977 as the MWA does not prescribe a specific deadline to Act.

In addition to the MWA, the requirement to pay employees a minimum wage and overtime is found in the FLSA, 29 U.S.C. § 201, *et. seq.* The FLSA also contains the same EAP exemptions from its minimum wage and overtime provisions. 29 U.S.C. § 213(a)(1). The United States Department of Labor (USDOL) has also issued regulations defining these exemptions, 29 C.F.R. §§ 541.100 – 541.304, which creates a dual regulatory scheme. On September 27, 2019, USDOL published a final rule updating the FLSA’s EAP exemptions and effective January 1, 2020, the salary thresholds to qualify for the FLSA’s EAP exemptions will rise from \$455 to \$684 per week. 84 Fed Reg. 51230, 51306 (2019 (to be codified at 29 C.F.R. pt. 541)).

The FLSA permits states to adopt laws that provide employees greater protection: “No provision of this chapter or of any order thereunder shall excuse noncompliance with any Federal or State law or municipal ordinance establishing a minimum wage higher than the minimum wage established under this chapter or a maximum work week lower than the maximum workweek established under this chapter.” 29 U.S.C. § 218(a). “It is permissible for a state to enact more beneficial wage and hour laws. Indeed, the federal statute establishes only a national floor under which wage protections cannot drop, but more generous protections provided by a state are not precluded.” *Bayada Nurses, Inc. v. Dep’t of Labor and Indus.*, 8 A.3d 866, 883 (Pa. 2010). *See also Anderson v. Sara Lee Corp.*, 508 F.3d 181 (4th Cir. 2007) (FLSA contains a savings clause that allows states to adopt laws to provide a more generous minimum wage); *Rogers v. City of Richmond*, 851 F.Supp. 2d. 983 (E.D. Va.) (the more generous overtime policy embedded in the Virginia Law falls squarely within the “savings clause” of the FLSA); *Pacific Merchant Shipping Assoc.*, 918 F.2d 1409 (9th Cir. 2012) (the purpose behind the FLSA is to establish a national floor under which wage protections cannot drop, not to establish absolute uniformity in minimum wage and overtime standards nationwide at levels established in the FLSA).

There is one important Federal decision pertinent to this regulation. In *Nevada v. United States Department of Labor*, 275 F.Supp.3d 795 (E.D.Texas 2017), there was challenge to USDOL’s 2016 final rulemaking which purported to raise the weekly salary threshold to qualify for the EAP exemption to \$913. While the federal district court found nothing objectionable in the use of a salary threshold to identify those persons serving in executive, administrative or professional capacities, the Court held that USDOL raised the salary threshold to such an extent that large numbers of people performing exempt duties would nevertheless be non-exempt based solely on their salary.

The Department does not anticipate a similar legal challenge to its regulation, as its regulation differs from the rule struck down by the Texas federal district court in three significant ways: 1) the Department's increase in the salary threshold is smaller than the 2016 USDOL rulemaking and is phased in over two years; 2) the Department's increase in the salary threshold is part of a comprehensive effort to update the duties test to qualify for the EAP exemption, including eliminating the "long" and "short" tests; and 3) the Department used a different methodology specific to Pennsylvania to calculate the salary threshold than the federal government used to calculate its salary threshold.

Additionally, the decision of the Texas federal district court is inherently flawed. The standard imposed by the court in that case created a standard that would invalidate nearly any regulation that relied on a salary threshold. An examination of the decision shows that the judge not only misunderstood the operation of the rule at issue, but also based his decision on the fact that the regulation gave new overtime protections to workers whose jobs had not changed. The decision ignored the fact that the 2004 amendment to the federal rule similarly extended overtime protections to workers whose jobs had not changed. There is no precedent for deciding that a rule is invalid based solely on its impact.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The final regulation is needed because Pennsylvania's current regulation is obsolete and no longer is relevant to provide guidance to employers to properly classify employees as exempt, and to protect employees from employers who improperly misclassify them as exempt. The regulation is obsolete for two reasons. First, the duties test in the MWA's current regulation is out of date and no longer aligns with the USDOL duties test. Two different duties tests make it difficult for employers to accurately determine which employees are exempt from receiving overtime. Second, the salary threshold in the current regulation is obsolete as it has failed to keep pace with wage growth and thus applies to very few of the salaried employees it was intended to protect. The final rule is intended to update these regulations for easier comprehension and compliance by Pennsylvania's business community, and to provide protections to certain white-collar employees as per the intent of the MWA.

The duties and salary threshold tests in the MWA have not been updated since 1977. At that time, the duties and salary threshold aligned with the USDOL rules. Since 1977, the USDOL has updated the federal regulation twice, in 2004 and in 2019, and has significantly changed both the duties and salary threshold tests for the FLSA's salary exemptions

Updating Pennsylvania's duties test and the salary threshold is essential to meet the intent of the overtime exemption regulation. As the Department discovered during its stakeholder outreach, both employers and employees often misunderstand this regulation. There is confusion around Pennsylvania's antiquated use of both a short and long test for the Executive, Administrative, and Professional exemptions. Further, most individuals understand only the salary threshold portion of the regulation, and mistakenly assume that if they make over \$23,660 (USDOL's current threshold until the updated USDOL regulation takes effect on January 1, 2020), they are ineligible for overtime. However, under both the Department's regulation and USDOL's regulation, the individual must make over the salary threshold AND meet the duties test. The increase in the salary threshold will make employers and employees aware of the average salaries paid for employees who perform EAP duties; aligning Pennsylvania's duties test with the federal duties test will assist employers with compliance.

Updating the Duties Test for Easier Compliance for Employers and Employees

Pennsylvania's current regulation aligns with the federal law as it existed in 1977, and currently include a "long test" with a more restrictive duties test and a lower salary threshold, and a "short test" with a less stringent duties test and a higher salary threshold. In 2004, the USDOL simplified its duties test to reflect the less stringent duties in the "short test" and eliminated the "long test". However, no change was made to Pennsylvania's regulation. As such, the discrepancies between Pennsylvania's regulation and USDOL's regulation make it difficult for Pennsylvania employers to know if white-collar salaried employees are entitled to receive overtime. This was expressed by businesses during the ten roundtable discussions the Department organized in Spring 2019 and in various formal comments submitted. Aligning the duties test in the final regulation to duties test in the federal regulation will eliminate this burden, making it easier for employers to comply with the law and for employees to know if they should be classified as an exempt or non-exempt EAP employee.

Updating the Salary Threshold to Better Reflect Salaries of Bona Fide EAP Employees in Pennsylvania

Pennsylvania's EAP salary threshold has failed to keep pace with economic growth and the rising nominal salaries of exempt salaried workers, and no longer protects most EAP workers intended by this regulation to receive minimum wage and overtime pay. The salary threshold has not been updated since 1977 and is currently \$8,060 per year for Executive and Administrative employees under the long test. For Professional employees, the salary threshold is \$8,840 per year for the long test. For all the EAP exemptions, the annual salary threshold is \$13,000 per year for the short test. The purpose of the salary threshold is such that non-exempt workers should be unlikely to make more than the threshold, and exempt workers should be unlikely to make less than the threshold. Today in Pennsylvania, the average yearly salary of individuals in exempt occupations is \$82,480. As such, the current salary thresholds are irrelevant because virtually all white-collar workers make a higher salary than the salary threshold. This rulemaking sets the salary threshold for all EAP exemptions at the weighted average of 10th percentile wages for exempt occupations (the Department's methodology for determining salary threshold) and would be \$45,500 per year. This will act as a real threshold to ensure that salaried workers are properly classified.

According to the Economic Policy Institute (EPI), 82,000 Pennsylvania workers will be impacted by the final rule to raise the annual salary threshold to \$45,500. These workers could see average estimated increased earnings between \$20,257,417 - \$22,639,208 per year after full implementation of the salary threshold increase. Furthermore, the increase in pay of directly impacted salaried workers will increase consumer demand, create more jobs, and increase the economic multiplier effect on local economies in the Commonwealth. A positive unintended consequence of the expansion of overtime to additional lower-salaried employees is a reduction on the use of public assistance; a family of four with a sole earner and an annual income of \$35,568 or less qualifies for several public-assistance benefits including SNAP, free or reduced school lunch, WIC, and TANF.

<https://www.compass.state.pa.us/Compass.Web/Screening/DoIQualify#/SelectBenefits>

Income gains seen by lower-wage workers could lead to a reduction in use of public benefits.

Many workers could see their pay remain the same, but their hours capped at 40 per week, ending uncompensated time spent at work. The Department received comments citing examples of low-level supervisors in the retail, hospitality, and food service industries working 60 – 80 hours per week without any overtime pay, while making less than a living wage in a low-salary occupation. More free time for individuals can simply mean more for relaxation or time with family, but can also mean time for pursuing education goals or even a second job. Indeed, a potential opportunity cost not calculated by the

Department is individuals who may wish to work an additional job to supplement income but cannot because of required overtime for which they are not compensated.

Finally, raising the salary threshold extends protections to lower-paid salaried individuals as the MWA intended; without overtime protections, hours worked over 40 are essentially free to employers, which can substantially lower an employee's real hourly pay. For example, a salaried retail supervisor making \$36,000 per year has an hourly pay rate of \$17.31 per hour; if this employee works a 60-hour week during the holiday season, actual hourly pay drops to \$11.54 an hour. For context, \$11.45 is considered the living wage for a single adult residing in Pennsylvania. As one individual stated during the Department's stakeholder roundtables, "You're selling an hour of your life. What is it worth to you?"

Use of Bonus Language

The Notice of Proposed Rulemaking proposed to allow up to 10 percent of the salary threshold to be satisfied by nondiscretionary bonuses, incentives, and commissions, paid quarterly or more frequently. In its final rule, the Department's proposal regarding the percentage of the salary threshold remains at 10 percent; however, the final rule states that the payment may be an annual payment.

The intent of the Department in allowing a certain percentage of salary to be payable by bonus or other incentive payment was meant to reflect the way that certain industries, business models, and/or occupations structure their compensation package to employees, while at the same time not creating an undue hardship on employees, especially lower-salaried employees. For instance, an individual making \$36,000 a year would have a gross weekly salary of \$692; allowing 10 percent of that salary to be paid in a lump sum reduces weekly salary to \$623, a reduction of \$276 a month. For lower-income workers, any reduction in wages results in hardship.

While quarterly payments are the most beneficial to employees while still allowing the use of bonus/incentive payments to be counted towards the salary threshold, this creates an unnecessary administrative burden for employers and may not take into account certain sales occupations that rely on "busy seasons" for a majority of earnings. As such, allowing bonus or incentive pay to be calculated on a yearly basis is more appropriate. It is also more appropriate to allow the employer to choose whether a year is a calendar, fiscal or work anniversary year to provide employers with more flexibility. In addition, allowance of up to 10 percent of the salary threshold to be satisfied by a bonus or other incentive payment, to be paid annually, aligns with USDOL's 2019 rulemaking.

Inclusion of an Automatic Adjustment

As mentioned previously, the salary threshold has not been updated since 2004; prior to the USDOL's 2004 increase, Pennsylvania's workers have not enjoyed a salary threshold update since 1977. Today, the salary threshold stands at \$23,660, an amount that does not accurately reflect the 10th percentile of exempt worker wages. These sporadic increases in the past have led to comparatively large increases each time the salary threshold has been raised to meet the intent of the regulation. For example, in 2004, the increase in USDOL's salary threshold to \$23,660 represented an 82% increase from the short test and a 192% increase from the long test as used in 1975.

A failure to update the salary threshold dilutes the purpose of the regulation, namely, that individuals performing actual executive, administrative, or professional duties are exempt, while lower-paid white-collar workers are extended overtime protections. As discussed previously, a common misconception is that any individual making over the salary threshold is ineligible for overtime; therefore, the

effectiveness of the regulation is eroded when the salary threshold fails to be updated to reflect actual wages paid to executive, administrative, and professional employees.

As the effectiveness of the salary threshold erodes over time, workers may be mistakenly misclassified as exempt solely based on salary alone and not in concert with the duties test. Thus, when the salary threshold is again adjusted in a regulatory update, employers are faced with a situation in which a large number of previously exempted employees may not be non-exempt, either due to initial misclassification or due to the salary threshold being updated to reflect wages being paid to employees in the current labor market.

The Department has therefore indexed the adjustment of the salary threshold to the weighted average 10th percentile wage of all exempt occupations in Pennsylvania and will adjust the salary threshold in 2023 and then every three years thereafter. This measure meets the intent of the regulation, prevents future large increases that may be disruptive to employers, and in turn provides greater predictability for employers.

Methodology to Calculate the Automatic Adjustment

Using Pennsylvania's Occupational Employment Statistics (OES) data for 2018, the most recent year for which this data is available, the Department's Center for Workforce Information and Analysis (CWIA) identified the employment volume and 10th percentile wage for each exempt occupation. The 10th percentile wage was multiplied by total employment to create a weighted 10th percentile wage for each exempt occupation. CWIA then aggregated total employment across all exempt occupations, aggregated the weighted 10th percentile wages across all exempt occupations, and divided the aggregated weighted 10th percentile wage by aggregated employment to determine the average 10th percentile wage of all exempt wages, the lowest percentile for exempt occupations, which is \$45,533. This has been rounded to \$45,500 to allow a whole number for the weekly salary threshold (\$875).

Future adjustments will be calculated from the weighted average 10th percentile of wages from exempt occupations in 2023 and every three years thereafter, and therefore cannot be presently calculated. The Department did review this data set for previous years to determine what the change has been over time. The weighted average 10th percentile of all exempt wages in 2012 was \$41,491. Looking at the same data set in 2015 and 2018, the Department determined that this realized a 2.8% gain from 2012- 2015 and a 6.4% gain from 2015-2018.

The purpose of the adjustment is not to create a new pool of newly-exempt workers with each adjustment; rather, the salary threshold adjustment should continue to reflect the intent of the regulation and continue providing protections to non-exempt workers, while continuing to exempt those executive, administrative, and professional employees that the General Assembly intended to exempt.

	2015	% change from 2012	2018	% change from 2015
\$41,491 starting wage, adj. for wage increases	\$42,640	2.8%	\$45,533	6.4%

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

There are provisions in the Department's final regulation that are more stringent than federal standards. In one year, Pennsylvania will have a higher salary threshold than is required in USDOL's final rule. USDOL will require a minimum salary of \$684 to qualify for an EAP exemption. One year after publication in the *Pennsylvania Bulletin*, the minimum salary threshold to qualify for an EAP exemption will be \$780 per week; two years after publication the minimum salary threshold to qualify for an EAP exemption will be \$875 per week. Then, unlike USDOL's rule, the salary threshold will update three years after publication in the *Pennsylvania Bulletin* and every third year thereafter.

There is a compelling reason that the Department has a higher threshold than the federal regulation. Namely, the data underlying the regulation demands a higher salary threshold. In the final rulemaking, the Department appropriately used a different data methodology than USDOL used for its final rule. USDOL arrived at its salary threshold by setting it at 20% of the average wages paid to all salaried workers in its poorest geographic region, the South.

The Department rejects USDOL's methodology to set the salary threshold for two reasons. First, the Department uses data based on *exempt* full-time workers, rather than USDOL's methodology of using data based on *all* full-time salaried workers. Using wage data for only exempt classifications rather than all classifications more accurately sets a threshold for workers to qualify for an EAP exemption. The setting of the salary threshold at the lower end of the range of salaries for exempt occupations cannot be accurately carried out if the data used to determine a lower range includes data on all salaries. During the Department's review of 800 Standard Occupational Classification codes, 300 were deemed to have duties that meet the definition of exempt, while 500 were deemed to be potentially non-exempt. Further, exempt occupations, especially the "executive" category, employ fewer people than non-exempt occupations, as non-management employees generally outnumber management employees in most establishments. Therefore, including data on all salaried employees will water down the data set, providing a skewed lower end of the range of salaries than would be provided by considering only data on exempt occupations.

Second, the Department uses wage information that is specific to Pennsylvania to determine the salary threshold, rather than USDOL's methodology of setting the threshold using the 20th percentile of salaried workers in the nation's lowest wage region. USDOL's use of income percentile in the lowest wage region ensures the federal salary threshold meets the intent of the salary level test nationwide; that is, that the threshold, even if used in the lowest wage areas of the country, would be highly unlikely to include actual executive, administrative, and professional employees. However, the use of USDOL's threshold in Pennsylvania does not allow the Commonwealth to fulfill the intent of the salary level test, as it is not indicative of the wages paid to exempt Pennsylvania workers.

The Department has attached a list of the occupations considered including exempt and non-exempt titles.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

The Department compared this final rulemaking with several other states. This rulemaking will positively affect the Commonwealth's ability to compete with other states because other states have lower salary thresholds for their white-collar workers.

Only New York and California have overtime thresholds above the federal level. New York is implementing a phased-in overtime threshold between \$48,750 and \$58,500, depending on region. California's threshold is currently \$49,920 for businesses with at least 26 employees and \$45,760 for those with fewer; both rates will increase to \$54,080 and \$49,920, respectively, on January 1, 2020. <https://www.shrm.org/resourcesandtools/legal-and-compliance/state-and-local-updates/pages/employers-must-review-state-overtime-exemption-rules.aspx>. Other states, including Colorado and Washington, are considering similar proposals to raise their overtime salary thresholds. <https://www.npr.org/2019/09/24/763723397/1-3-million-more-workers-eligible-for-overtime-pay-but-some-say-rules-fall-short>

Increasing the overtime salary thresholds will allow Pennsylvania to attract and retain talent. Unemployment is at historic lows in Pennsylvania (3.9%) and nationally (3.7%). Meanwhile, employers across all industries in the Commonwealth continue to struggle to fill job openings with qualified workers. According to the Pennsylvania Chamber of Commerce's 2019 Pennsylvania Economic Survey, 22% of surveyed employers cited the lack of qualified applicants to fill job openings as the "single most important issue" impacting businesses today, a jump from 14% the previous year, as they also concurrently report record sales' growth. https://www.pachamber.org/assets/pdf/annual_economic_survey_2019.pdf In short, Pennsylvania-based companies are experiencing demand for their services and products but do not have the workforce capacity to fully meet that demand.

At the same time, salaried workers making at or below \$45,500, which is the salary threshold which will take effect in two years from the date of publication in the *Pennsylvania Bulletin* – represent a segment of the US labor market that is especially sensitive to small wage differences. As such, these workers are more likely to move to different employers, even for minimal pay differences. <https://www.cnn.com/2016/12/26/obamas-overtime-law-failed-but-still-helped-thousands.html> Given these conditions, Pennsylvania's proposed overtime salary threshold would result in Pennsylvania's increased ability to compete for talent. Moreover, Pennsylvania will also be able to better compete for a skilled labor pool shared with states like New York that promises an overtime threshold of \$48,750 state-wide and \$58,500 within the New York City metropolitan area. Of the many proven strategies that employers can deploy to increase employer retention, providing better compensation, however small, has proven to be essential to retaining talent, especially for this segment of the market. <https://hbr.org/2017/03/why-do-employees-stay-a-clear-career-path-and-good-pay-for-starters>

Workers whose wages increase will contribute to expanding the size of the state's economy by spending their extra pay on Pennsylvania goods and services and producing direct, indirect, and induced benefits for the state's economy. This increase spending will increase tax revenue and put Pennsylvania in a better position to compete with other states.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This final rulemaking will not affect any other regulations of the Department or other commonwealth agencies.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

Prior to filing its proposed EAP rulemaking, the Department monitored USDOL's 2016 proposed rule to increase the salary threshold of its EAP exemptions and the public comments. In drafting the rulemaking, the Department sought the expertise of outside legal counsel, economists and policy analysts with extensive experience on the issue of overtime regulations. Among those who provided input were the former chief economist at USDOL from 2014 to 2017 and the former solicitor of labor at USDOL from 2010 to 2017. The Department also presented its proposal at a January 10, 2018 public meeting of the Minimum Wage Advisory Board and gave the Board members the opportunity to comment.

When the Department filed its proposed rulemaking on June 12, 2018, it acknowledged its intent to use the public comment period to solicit further input from the public. In fact, the Department extended its public comment period for an additional 30 days. The public comment period resulted in 917 unique comments from 898 commentators, including individuals, businesses, non-profits, schools, political subdivisions and various trade associations. The Department carefully reviewed each comment and took note of the points being made.

A general theme that arose from the public comment period was that the EAP exemptions are commonly misunderstood and misapplied. Political subdivisions provided comments despite not being subject to the MWA. Various businesses, non-profits, and organizations alluded to misapplying the EAP exemptions by solely considering an employee's salary and not the daily duties an employee performed. It was clear from the public comments that the Department needed to engage in active educational and regulatory outreach on its proposal to eliminate confusion, ensure compliance with the existing regulation, and to guarantee that the Department was receiving accurate and constructive feedback on its proposal.

In September 2018, the House Labor & Industry Committee held a public hearing on the topic of the Department's proposed regulation. The Secretary of Labor & Industry and the Deputy Secretary for Safety & Labor Management Relations, which oversees the program area that administers and enforces Pennsylvania's labor laws, participated in this public hearing by offering oral and written testimony and answering questions asked by committee members. Moreover, the public hearing offered a valuable opportunity to hear from a range of stakeholder groups. A significant takeaway from this public hearing was that many employers and individuals indicated a fundamental misunderstanding of eligibility and applicability of overtime exemptions for workers.

As a result of the known misapplication of the EAP exemptions and IRRC's request to engage in more stakeholder outreach, the Department worked closely with the Pennsylvania Chamber of Business & Industry (PA Chamber) and the Pennsylvania American Federation of Labor and Congress of Industrial Organizations (PA AFL-CIO) to organize 10 stakeholder roundtables (five business and five labor) across the state with the dual purposes of providing education concerning the current EAP exemptions and to solicit meaningful feedback on the proposed rulemaking's impact and gather suggestions to improve the proposal. Outside of the stakeholder roundtables, the Department contacted statewide associations that represent political subdivisions to advise them of their exclusion from the Act's requirement, including overtime standards.

In coordination with the PA Chamber, the Department sent an invitation to the following to participate at five business roundtables located in the regions of Erie, Pittsburgh, Harrisburg, Scranton and Philadelphia: Associated Builders and Contractors, Association of Independent Colleges and Universities of Pennsylvania, Hospital and Healthsystem Association of Pennsylvania, Insurance & Brokers Association, LeadingAge PA, National Federation of Independent Business, Pennsylvania Association of Community Banks, Pennsylvania Association of Community Health Centers, Pennsylvania Association of Nonprofit Organizations, Pennsylvania Bankers Association, Pennsylvania Builders Association, Pennsylvania Credit Union Association, Pennsylvania Food Merchants Association, Pennsylvania Homecare Association, Pennsylvania Institute of Certified Public Accountants, Pennsylvania Manufacturers' Association, Pennsylvania Restaurant and Lodging Association, Pennsylvania Retailers Association, and Rehabilitation & Community Providers Association. The Department, with the assistance of the PA Chamber, made arrangements with five regional chambers to host the roundtables and invite interested members of their respective chambers.

The business roundtables were hosted and held at the following dates and locations:

Harrisburg Regional Chamber & Capital Region Economic Development Corporation (3211 North Front Street, #201, Harrisburg)-May 21, 2019 at 8:15-10:15 a.m.

Erie Regional Chamber and Growth Partnership (208 East Bayfront Parkway, #100, Erie)-May 22, 2019 at 8:30-10:30 a.m.

Chester County Chamber of Commerce (1600 Paoli Pike, Malvern)-May 28, 2019 at 4-6 p.m.

Greater Pittsburgh Chamber of Commerce (11 Stanwix Street, 17th Floor, Pittsburgh)-June 5, 2019 at 9-11 a.m.

Scranton Chamber of Commerce (222 Mulberry Street, Scranton)-June 6, 2019 at 8:30-10:30 a.m.

Participants at these events included individuals representing the PA Chamber, Harrisburg Regional Chamber, PA Association of Community Bankers, Army Heritage Foundation, Ned Smith Nature Center, Skarlatos Zonarich, HACC, Perfectly Pennsylvania, RETTEW, Capital Blue Cross, Greater Reading Chamber Alliance, York County Economic Alliance, Hampton Inn, Herbert, Rowland, & Grubic, Inc., Insurance Agents and Brokers, Hershey Entertainment and Resorts, Dickinson College, PA Consortium for Liberal Arts, Erie Regional Chamber and Growth Partnership, County of Erie, Family House, Inc., Community Health Net, Knox Law, Erie Federal Credit Union, Community Resources for Independence, Achievement Center, North Country Brewing Company, Mercyhurst University, Abel Brothers Towing & Automotive, Inc., East Goshen Township, Aqua America, Miller's Insurance Agency, Inc., Chester County Chamber of Business & Industry, Endo International, Chester County Economic Development Council, Sojourn Philly, Desmond Hotel & Conference Center, Community Action Partnership of Lancaster County, Cozen O'Connor, Exton Regional Chamber of Commerce, Post & Schell, Wawa, Inc., Gawthrop Greenwood, P.C., Germantown Cricket Club, West Chester University, Greater Pittsburgh Chamber of Commerce, Allie Kiski Chamber of Commerce, Sodini & Company, African American Chamber of Commerce of Western Pennsylvania, Keep It Simple Training, Eat'N Park, SMC Business Controls, North Side/ North Shore Chamber of Commerce, Priory Hospitality, FamilyLinks, Duquesne University, Robert Morris University, Community Care Connect, MHY Family Services, Community Human Services, Standard Bank, Littler Mendelsohn, Greater Scranton Chamber of Commerce, Ufberg and Associates, Advocacy Alliance, Fidelity Bank, Commonwealth Health, Moses Taylor Hospital, Girl Scouts in the Heart of PA, Allied Services, Scranton Lackawanna Human Development Agency, UFCW Federal Credit Union, Institute for Human Resources and Services, Needle Law, Ben Franklin Technology Partners, Cori's Place, Pennsylvania Credit Union Association,

Franklin and Marshall College, and the offices of State Representatives Christina Sappey, Carolyn Commita, Danielle Friel, Robert Merski and State Senator Katie Muth.

In coordination with the PA AFL-CIO, the Department sent an invitation to the following groups to participate at five labor roundtables located in the regions of Erie, Pittsburgh, Harrisburg, Scranton, and Philadelphia: Keystone Research Center, SEIU 668, SEIU Healthcare, AFSCME Council 90, Communication Workers of America, Northwest Area Labor Federation, IBEW Local 56, Steamfitters Local 449, UFCW 1776, SEIU 32, Unite Here Local 54, AFSCME NUHHCE Local 1199, Philadelphia AFL-CIO, AFSCME Council 84, Allegheny County Central Labor Council, AFSCME Council 87, Community Legal Services, National Employment Law Project, Pathways PA, Women's Law Project, The Union News, PA Council of Churches, and UE Local 506. The Department, with the assistance of the PA AFL-CIO, made arrangements to host the roundtables at various labor organization headquarters.

The labor roundtables were hosted and held at the following dates and locations:

PA AFL-CIO Headquarters (600 North 2nd Street, Harrisburg)-May 21, 2019 at 6-8 p.m.

IBEW Local 56 Headquarters (185 Pennbriar Drive, Erie)-May 22, 2019 at 3-5 p.m.

UFCW Local 1776 Headquarters (3031-A Walton Road, Plymouth Meeting)-May 29, 2019 at 8:30-10:30 a.m.

AFSCME Council 84 Headquarters (680 Andersen Drive, Pittsburgh)-June 4, 2019 at 6-8 p.m.

AFSCME Council 87 Headquarters (1258 O'Neill Highway, Dunmore)-June 6, 2019 at 3-5 p.m.

Individuals from the labor organizations mentioned above attended these roundtables.

During the 10 roundtables, the Department provided a PowerPoint presentation that discussed the current EAP overtime exemption requirements, the proposed federal EAP overtime exemption rulemaking, and the Department's proposed EAP overtime exemption regulation. There was open discussion amongst the Department and the stakeholders. The Department listened, asked questions, took notes, answered any questions, and ultimately, took the feedback it received from the sessions into consideration when it re-evaluated its proposal to be submitted in its final form.

In addition to the stakeholder roundtables, in March 2019, the Department updated information on its website and created a fact sheet on the EAP overtime exemption as part of its initiative to educate the public and ensure that the exemption is being applied properly. Furthermore, the Department engaged in a social media campaign to disperse this information. EAP overtime exemption information was shared on posts on the Department's Facebook, Twitter and LinkedIn pages. This information received nearly 4,000 views.

Lastly, a Department Deputy Secretary wrote an article for the Manufacturer & Business Association magazine that discussed the proposed EAP overtime exemption rulemaking and stakeholder outreach roundtables. This was published on August 29, 2019. Website information for the Department was provided in the article.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

Persons:

Pennsylvania's overtime salary threshold for salaried workers has not kept up with wages currently being paid by employers and, therefore, protects very few employees that the regulation intended to

include in overtime protections. While the USDOL 2019 final rule will affect 61,000 Pennsylvanians, the Department has not estimated the cost or impact of the Federal increase, as that increase will be effective independent of this rule-making. As noted in question 10, approximately 82,000 workers statewide will benefit from this updated regulation by January 1, 2022, by becoming newly eligible for overtime protections.

Depending on how their employer reacts to this regulation, these individuals and their families could benefit from increased income due to being paid for hours worked over 40 each week, and/or improved quality of work/family balance due to having hours worked capped at 40. However, business response to the regulation will vary depending on the characteristics of the business operations, current staffing structure, and current scheduling practices. To manage the potential increase in payroll costs, some employers may adjust their scheduling and compensation packages to allow affected workers to earn overtime but reduce their base pay or benefits. It is unlikely that employers will react to this regulation by reducing base pay or benefits; Pennsylvania currently has a 3.9% unemployment rate, which is considered by many economists to be full employment, and employers are competing to keep and attract employees. Indeed, some employers in Pennsylvania such as Sheetz - <https://www.ydr.com/story/news/2019/10/06/sheetz-increasing-minimum-wage-pay-rates-all-employees/3892636002/> and Target <https://corporate.target.com/article/2019/04/wage-update> are increasing wages to attract and retain workers.

Businesses including small businesses:

According to CWIA, Pennsylvania is home to 282,911 private employers. According to the U.S. Small Business Administration, 99.9% of businesses in the country are considered to be “small businesses.” <https://www.sba.gov/sites/default/files/advocacy/2018-Small-Business-Profiles-US.pdf> A small business is frequently defined as a business that employs fewer than 500 employees depending on the industry. https://www.sba.gov/sites/default/files/2019-08/SBA%20Table%20of%20Size%20Standards_Effective%20Aug%2019%2C%202019_Rev.pdf

CWIA created the following chart depicting the number of Pennsylvania businesses that employ workers in each employee size range. As indicated by the chart, an overwhelming majority of businesses in Pennsylvania are considered to be a small business. In fact, only one half of one percent (0.5%) of businesses in Pennsylvania employ 500 or more employees.

	Employee Size Range per Employer										
	Total	0	1-4	5-9	10-19	20-49	50-99	100-249	250-499	500-999	1000 & Over
Total	282,911	25,411	146,999	45,071	28,951	20,828	7,617	4,777	1,778	860	619
Agriculture, Forestry, Fishing and Hunting	2,217	187	1,086	426	259	169	59	24	5	2	0
Mining	1,002	85	386	161	127	117	61	48	8	7	2
Utilities	951	30	396	235	128	91	29	15	9	11	7
Construction	28,303	3,222	14,983	4,661	2,836	1,789	506	230	60	9	7
Manufacturing	13,193	481	3,737	2,299	2,146	2,226	1,042	807	294	107	54
Wholesale Trade	20,855	1,859	12,564	2,698	1,783	1,235	391	226	67	24	8
Retail Trade	24,640	1,511	12,170	5,162	2,732	1,697	713	384	129	62	80
Transportation and Warehousing	7,924	660	3,809	1,078	903	821	322	202	63	36	30
Information	4,043	442	2,095	563	364	321	115	89	37	14	3
Finance and Insurance	10,952	803	6,620	1,724	748	522	209	164	74	45	43
Real Estate Rental and Leasing	8,014	665	5,047	1,119	618	368	113	59	14	6	5
Professional, Scientific, and Technical Services	38,312	4,913	23,105	4,688	2,772	1,752	605	320	89	45	23
Management of Companies and Enterprises	2,559	241	1,405	290	230	202	90	53	27	12	9
Admin. & Support & Waste Mgmt & Remediation Services	15,285	2,334	7,054	2,477	1,434	1,078	407	282	121	60	38
Educational Services	4,879	476	1,687	607	490	495	333	336	226	157	72
Health Care and Social Assistance	39,459	2,779	22,648	5,204	3,492	2,635	1,076	944	372	158	151
Arts, Education, and Recreation	4,921	871	1,927	727	626	468	171	85	22	14	10
Accommodation and Food Services	22,576	1,852	7,199	4,495	4,193	3,386	963	313	86	48	41
Other Services (except Public Administration)	29,705	1,958	18,229	5,570	2,500	1,043	236	111	38	12	8
Public Administration	3,121	42	852	887	570	413	176	85	37	31	28

All businesses will have to become familiar with the new regulation. Regulatory familiarization costs have been calculated to determine the cost for all businesses in Pennsylvania to review the regulation, and are estimated at a one-time cost of \$13,922,050, at an average cost of \$49.21 per business. Costs are more fully described in question 19.

As there are 6.2 million Pennsylvanians in the labor force with 82,000 total affected individuals, and as there are over 280,000 business in Pennsylvania, there will be businesses that do not employ non-exempt employees and are therefore not affected by this regulation. In addition, certain employer types are exempt from the overtime regulation, including: federal entities; commonwealth agencies; cities, boroughs, and townships; state-related schools; public schools; conservation districts; port authorities; weekly, semiweekly, or daily newspapers with a circulation of less than four thousand, the major part of which circulation is within the county where published or counties contiguous thereto; and public amusement or recreational establishments, organized camps, or religious or nonprofit educational

conference centers, if they do not operate for more than seven months in any calendar year, or if during the preceding calendar year, their average receipts for any six months of such year were not more than thirty-three and one-third percent of its average receipts for the other six months of such year.

As not all Pennsylvania business entities will adjust operations to implement the regulation. Adjustment costs for initial implementation and ongoing managerial costs to adjust operations as needed have been calculated using the total number of affected workers, rather than the total number of Pennsylvania businesses. Adjustment costs are estimated to be \$2,091,425 in FY 2020-2021 and \$2,952,600 in FY 2021-2022 (average of \$61.51 per employee across two fiscal years). Managerial costs are estimated to be \$1,697,216 in FY 2020-2021, \$5,790,503 in FY 2021-2022, and \$8,186,574 (average of \$99.83 per employee) each year thereafter. Costs are more fully described in question 19.

The approximate increase in payroll cost to Pennsylvania businesses will be between \$3,565,467-\$3,984,681 in FY 2020-2021; between \$13,211,856-\$14,765,256 in FY 2021-2022; between \$19,871,561-\$22,207,985 in FY 2022-2023; and between \$20,450,344-\$22,854,819 in FY 2023-2024 and after, or an average of \$209.73 - \$278.72 per affected worker per year. Again, depending on how an employer reacts to this regulation, the cost per business will vary. Affected businesses will likely adapt to the regulation in the most cost neutral way possible. Small business response to the regulation will vary depending on the characteristics of the business operations, current staffing structure, and current scheduling practices. To adjust for the rule, employers may pursue one or a combination of several options:

- Pay non-exempt employees overtime;
- Limit non-exempt employee hours to 40 hours a week to avoid overtime costs;
- Allow for some overtime but reducing base pay or benefits;
- Raise non-exempt employee salaries to above the threshold.

In addition to changing the salary threshold, the regulation updates Pennsylvania's duties test to align with USDOL's language. Commentators and roundtable attendees expressed that the current discrepancies between Pennsylvania's long and short duties test and USDOL's single test make it difficult for employers to understand who is truly an exempt employee. Aligning the duties test in Pennsylvania's regulation to the federal regulation will eliminate this burden, making it easier for employers to comply with the law and for employees to know if they should be classified as an exempt or non-exempt executive, administrative, or professional employee.

Non-profit organizations:

There are approximately 113,676 non-profit organizations within Pennsylvania; nonprofits employing individuals are included in the data for Pennsylvania employers.

<https://www.taxexemptworld.com/organizations/pennsylvania-counties.asp> Currently, the statistically significant data does not exist to accurately calculate the number of nonprofit organizations with non-exempt EAP employees at a state-level. There will be many nonprofits not be affected by this regulation as they do not employ any of the 82,000 non-exempt EAP employees.

During round table discussions, several non-profits indicated support for an increase to the overtime threshold, although they also expressed concerned about increased payroll costs. The two-year phase-in period provides nonprofits with the ability to plan and make necessary adjustments.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

Approximately 82,000 EAP workers statewide will benefit from this updated regulation by January 1, 2022. Depending on how their employer reacts to this regulation, these individuals and their families could benefit from increased income and/or improved quality of work/family balance. However, business response to the regulation will vary depending on the characteristics of the business operations, current staffing structure, and current scheduling practices. To manage the potential increase in payroll costs, some employers may adjust their scheduling and compensation packages to allow affected workers to work overtime but reduce their base pay or benefits.

All of the approximately 277,992 non-exempt private employers within Pennsylvania will be required to comply with the regulation. According to the U.S. Small Business Administration, 99.9% of businesses in the country are considered to be “small businesses.”

<https://www.sba.gov/sites/default/files/advocacy/2018-Small-Business-Profiles-US.pdf> All businesses will have to become familiar with the new regulation, however, most of these entities will not be affected by the proposed rules because they do not employ one of the 82,000 salaried white-collar employees who earn more than \$35,568 but less than \$45,500 per year.

As indicated in question 15, affected businesses will likely adapt to the regulation in the least costly way possible. Small business response to the regulation will vary depending on the characteristics of the business operations, current staffing structure, and current scheduling practices. To adjust for the rule, employers may pursue one or a combination of several options:

- Pay non-exempt employees overtime;
- Limit non-exempt employee hours to 40 hours a week to avoid overtime costs;
- Pay some overtime but reduce base pay or benefits;
- Raise non-exempt employee salaries to above the threshold.

Employers are not expected to react to this regulation by reducing base pay or benefits. Pennsylvania is currently experiencing 3.9% unemployment; employers are competing to attract and keep employees. Many employers, such as Sheetz <https://www.ydr.com/story/news/2019/10/06/sheetz-increasing-minimum-wage-pay-rates-all-employees/3892636002/> and Target <https://corporate.target.com/article/2019/04/wage-update> are increasing wages to attract and retain workers. The current salary threshold in Pennsylvania’s overtime regulation has not kept up with the salaries currently being paid by employers and, therefore, does not currently protect salaried employees working fulltime in the Commonwealth.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

The Department’s updates to the overtime exemption regulation will align the duties test with the federal duties test and will increase the salary threshold. Approximately 82,000 working Pennsylvanians earn more than \$35,568 but less than \$45,500 per year and are therefore eligible for overtime protections.

Individuals
Financial Impact

The Department estimates that 82,000 workers will be newly eligible for overtime. Approximately 34,000 workers will be affected in FY 2020-2021, and an additional 48,000 will be affected in FY 2021-2022. The average income increase per affected worker is \$209.73 - \$278.72 per year, or a total each year as follows:

FY 2020-2021: \$3,565,467 - \$3,984,681 in increased worker wages
FY 2021-2022: \$13,211,856 - \$14,765,256 in increased worker wages
FY 2022-2023: \$19,871,561 - \$22,207,985 in increased worker wages
FY 2023-2024: \$20,450,344 - \$22,854,819 in increased worker wages
FY 2024-2025: \$20,450,344 - \$22,854,819 in increased worker wages

As stated previously, how employers respond – including choosing to pay overtime, choosing to cap hours at 40 per week, reducing pay and benefits but allowing for overtime, or raising salaries to ensure workers are exempt from overtime – will have a direct effect on how and if workers benefit from this regulation.

Additional financial gain may be realized by working Pennsylvanians who are currently non-exempt employees and therefore eligible for overtime, but who have been misclassified due to their employers misunderstanding of the duties test and salary threshold. The confusing long and short test in Pennsylvania have led many employers to believe that, regardless of duties, any employee making a salary over \$23,660 is automatically ineligible for overtime. The higher salary threshold will likely result in employers reviewing the duties of employees making at or below \$45,500, and therefore potentially paying workers overtime who have in fact already been non-exempt.

Economic Impact

CWIA uses the Impact Analysis for Planning (IMPLAN) tool to measure economic activity. IMPLAN is economic analysis system that analyzes inter-industry supply chains and linkages at the nation, state and county level using input-output accounting (I-O). The system is designed to assess the effects of a real or hypothetical economic event in a region. An economic event is a condition or initiative that increases or declines economic activity in a region as measured in output (sales), income, employment and taxes. Economic activity may be the creation or loss of jobs from a business opening or closing, or the increase or reduction of capital spending by a government grant or policy, or the setting up of a business incubator, to name a few examples.

The idea behind IMPLAN is that an initial change in economic activity results in other rounds of spending—for example, building a new road will lead to increased production of asphalt and concrete. The increased production of asphalt and concrete will lead to more mining. Workers hired due to the increase in economic activity will spend more in the region.

According to CWIA's IMPLAN model, for every \$1,000,000 in increased payroll to employees, \$549,000 in induced spending is created. This is consumer spending, including retail, restaurants, and goods and services. The estimated payroll increases will yield \$1,957,441 - \$2,187,590 in induced spending in FY 2020-2021; between \$7,253,309 - \$8,106,125 in FY 2021-2022; between \$10,909,487 -

\$12,192,184 in FY 2022-2023; and between \$11,227,239 - \$12,547,296 in FY 2023-2024 and each year after.

This induced spending can also be conveyed in number of jobs created, rather than total amount of induced spending. The IMPLAN model estimates that, for every \$1,000,000 in additional worker income, 6.3 jobs are created in Pennsylvania. Based on payroll increases, between 22 – 25 jobs would be created in FY 2020-2021; between 83-93 jobs in FY 2021-2022; between 125-140 in FY 2022-2023; and between 129-144 in FY 2023-2024 and each year after.

FY 2020-2021 Economic Impact: \$1,957,441 - \$2,187,590 in induced spending or 22 – 25 jobs created
FY 2021-2022 Economic Impact: \$7,253,309 - \$8,106,125 in induced spending or 83-93 jobs created
FY 2022-2023 Economic Impact: \$10,909,487 - \$12,192,184 in induced spending or 125-140 jobs created

FY 2023-2024 Economic Impact: \$11,227,239 - \$12,547,296 in induced spending or 129-144 jobs created

FY 2024-2025 Economic Impact: \$11,227,239 - \$12,547,296 in induced spending or 129-144 jobs created

Social Impact

The EPI estimates that, of the 82,000 workers affected by Pennsylvania's regulation, 51,000, or 63%, are women, and 15.8% are minorities. Beyond demographics, being paid fairly for hours worked beyond 40 hours a week is a positive social impact felt by all affected workers. Without overtime protections, hours worked after 40 hours per week are essentially free to employers. Several individuals from the banking, retail, and food services industries provided comments that, as a supervisory employee, they were paid a salary above the new federal threshold of \$35,568 but could work 60 – 80 hours a week and see no overtime compensation.

Many workers could see pay remain the same but hours capped at 40 per week, ending uncompensated time spent at work. Some commentators from business stated that capping employee hours at 40 does not allow an employee to pursue advancement opportunities. However, by promoting employees into low-paying managerial jobs, but then taking advantage of exempt status and forcing unpaid overtime, employers can trap workers in a position where they have very little time to improve independently their economic situation by pursuing education goals or to work a second job to supplement income while “working their way up the ladder.” Indeed, these workers become beholden to their current employer; with no time outside of work to pursue other opportunities, they must hope that their hard work at their current employer is noticed and that internal advancement is available, as that is the only feasible way they will improve their current situation.

Finally, a positive unintended consequence of the expansion of overtime to additional lower-salaried employees is a potential reduction on the use of public assistance. A family of four with a sole earner with an annual income of \$35,568 or less qualifies for several public-assistance benefits including SNAP, free or reduced school lunch, WIC, and TANF.

<https://www.compass.state.pa.us/Compass.Web/Screening/DoIQualify#/SelectBenefits>

Income gains seen by lower-wage workers could also lead to a reduction in use of public benefits.

Businesses/Small Business

Financial Impact

Affected businesses will likely adapt to the regulation in the least costly way possible. Business response to the regulation will vary depending on the characteristics of the business's operations, current staffing structure, and current scheduling practices. Each affected employer must consider the regulation, including both the duties test and the salary threshold, and consider if they will adjust operations to make the regulation cost neutral, or if they wish to maintain several options for operations, including requiring employees to work beyond 40 hours a week, and therefore respond to the regulation in a way that may increase payroll costs.

To adjust for the rule, employers may pursue one or a combination of several options:

- Pay non-exempt employees overtime;
- Limit non-exempt employee hours to 40 hours a week to avoid overtime costs;
- Allow for some overtime but reducing base pay or benefits;
- Raise non-exempt employee salaries to above the threshold.

The Department estimates the total direct cost to the regulated community in Pennsylvania to comply with this regulation to be an average of \$78.42 per employer per year across the current and next five fiscal years:

FY 2019-2020 Total Employer Cost: \$6,961,025

FY 2020-2021 Total Employer Cost: \$14,315,133 - \$14,734,347

FY 2021-2022 Total Employer Cost: \$21,954,959 - \$23,508,359

FY 2022-2023 Total Employer Cost: \$28,058,135 - \$30,394,558

FY 2023-2024 Total Employer Cost: \$28,636,918 - \$31,041,393

FY 2024-2025 Total Employer Cost: \$28,636,918 - \$31,041,393

This takes into consideration that all employers in the state will review the new regulation and that some will then realize they are exempt from the regulation due to being certain municipal, public, or non-profit employers (see question 15). It also considers that, given that the salary threshold will be phased in to \$45,500 over time, the number of newly nonexempt workers in FY 2020-2021 will be lower than the number of newly nonexempt workers in FY 2021-2022. Again, costs to employers will depend not only on if the employer is exempt and if the employer has any non-exempt workers currently on staff, but how they employer chooses to respond to the regulation. See question 19 for an in-depth explanation of the cost calculations to businesses.

In addition, certain employer types are exempt from the overtime regulation, including: federal entities; commonwealth agencies; cities, boroughs, and townships; state-related schools; public schools; conservation districts; port authorities; weekly, semiweekly, or daily newspapers with a circulation of less than four thousand, the major part of which circulation is within the county where published or

counties contiguous thereto; and public amusement or recreational establishments, organized camps, or religious or nonprofit educational conference centers, if they do not operate for more than seven months in any calendar year, or if during the preceding calendar year, their average receipts for any six months of such year were not more than thirty-three and one-third percent of its average receipts for the other six months of such year.

As discussed in question 12, employers who choose to respond to the regulation by increasing payroll costs will likely see an increase in employee retention. As Forbes writes "...replacement costs for workers can be anywhere from 30 to 150 percent of yearly pay."

<https://www.forbes.com/sites/derosetichy/2013/04/29/are-you-spending-more-by-paying-your-employees-less/#4ae03aac586e>

Further, a 2015 survey by EY found that too little pay and excessive overtime are among the most common reasons employees quit.

[https://www.ey.com/Publication/vwLUAssets/Global_generations_study/\\$FILE/EY-global-generations-a-global-study-on-work-life-challenges-across-generations.pdf](https://www.ey.com/Publication/vwLUAssets/Global_generations_study/$FILE/EY-global-generations-a-global-study-on-work-life-challenges-across-generations.pdf) A reduction in turnover can lead to saved time and money for employers, recruiters, and HR specialists. As referenced in question 15, at this time of 3.9% unemployment in Pennsylvania, many employers are already choosing to raise wages in order to retain workers.

Economic Impact

Direct fiscal impacts to business are discussed above and more fully explained in question 19. In more general economic terms, the increase in pay of directly impacted salaried workers will have modest effects on Pennsylvania's gross product. As discussed earlier, any increased payroll costs will result in induced spending, which can be measured in dollar amounts or by jobs created:

FY 2020-2021 Economic Impact: \$1,957,441 - \$2,187,590 in induced spending or 22 – 25 jobs created

FY 2021-2022 Economic Impact: \$7,253,309 - \$8,106,125 in induced spending or 83-93 jobs created

FY 2022-2023 Economic Impact: \$10,909,487 - \$12,192,184 in induced spending or 125-140 jobs created

FY 2023-2024 Economic Impact: \$11,227,239 - \$12,547,296 in induced spending or 129-144 jobs created

FY 2024-2025 Economic Impact: \$11,227,239 - \$12,547,296 in induced spending or 129-144 jobs created

Social Impact

Business commentators expressed that implementation of this regulation would be bad for employee morale. Individuals and businesses stated it would cause organizations to shift employees from salaried to hourly, would require workers to punch a clock and track hours, and that employee flexibility would be reduced.

All of these responses to the regulation are at the discretion of individual employers, and organizations have several ways in which to become compliant with the regulation. The shift from salary to hourly is entirely an organizational decision. While any hours worked beyond 40 are required to be paid at one

and one half the salary for non-exempt employees, there is no portion of the regulation that requires those being paid overtime to be paid hourly rather than paid a salary.

Regarding requiring employees to punch a clock and track hours, it is left to each organization to determine the mechanism for ensuring non-exempt workers do not work more than 40 hours a week. Several commentators stated the loss of flexibility as bad for worker morale. Examples included that exempt workers can currently work longer hours on certain days to work fewer hours on other days, allowing them to attend their children's extracurricular activities or attend appointments. Commentators expressed that this flexibility would end once an employee becomes non-exempt and must be paid overtime for hours worked over 40. However, the regulation specifies only the number of hours that may be worked in a week before overtime must be paid; each organization still has flexibility as to how and when an employee fulfills their 40-hour workweek. For instance, an organization may allow an employee to work two additional hours at his or her workplace or at home on Monday, and then depart from work two hours early on Tuesday to attend a child's school program. Or, an individual could arrive at work early Monday - Thursday and leave early on a Friday afternoon.

Finally, commentators from business stated that "dividing employees" into exempt and non-exempt categories would be bad for employee morale, and that non-exempt employees may feel a stigma. However, labor organizations have stated that they have yet to hear this complaint from affected employees, and have also stated that employees rarely complain about being told they are now eligible for overtime. Notably, the Department received no comments from individual workers who were concerned that they might have to go from a salary rate to an hourly or have hours capped at 40 per week.

Labor Communities

Financial Impact

The Department estimates that 82,000 workers will be newly eligible for overtime. Approximately 34,000 workers will be affected in FY 2020-2021, and an additional 48,000 will be affected in FY 2021-2022. The average income increase per affected worker in is \$209.73 - \$278.72 per year, or a total each year as follows:

FY 2020-2021: \$3,565,467 - \$3,984,681 in increased worker wages
FY 2021-2022: \$13,211,856 - \$14,765,256 in increased worker wages
FY 2022-2023: \$19,871,561 - \$22,207,985 in increased worker wages
FY 2023-2024: \$20,450,344 - \$22,854,819 in increased worker wages
FY 2024-2025: \$20,450,344 - \$22,854,819 in increased worker wages

Most Pennsylvania employers must comply with this regulation. However, data indicate that certain industries and occupations employ more affected workers than others. Industries most affected by this regulation are Educational and Health Services, Professional and Business Services, and Financial Services. Occupations most affected are Professional and Related Occupations; Management, Business, and Financial Occupations; and Sales and Related Occupations.

Major Industry	Total affected workers	Workers with new protections	Workers with strengthened protections
Agriculture, forestry, fishing, and hunting	2,000	-	2,000
Mining	1,000	-	-
Construction	12,000	3,000	9,000
Manufacturing	18,000	5,000	13,000
Wholesale and retail trade	22,000	9,000	13,000
Transportation and utilities	11,000	3,000	8,000
Information	5,000	2,000	3,000
Financial services	22,000	11,000	11,000
Professional and business services	28,000	14,000	14,000
Educational and health services	49,000	24,000	25,000
Leisure and hospitality	9,000	3,000	6,000
Other services	15,000	4,000	11,000
Public administration	11,000	3,000	8,000

Major Occupation	Total affected workers	Workers with new protections	Workers with strengthened protections
Management, business, and financial occupations	47,000	36,000	11,000
Professional and related occupations	53,000	31,000	22,000
Service occupations	19,000	1,000	18,000
Sales and related occupations	22,000	8,000	14,000
Office and administrative support occupations	37,000	6,000	31,000
Farming, fishing, and forestry occupations	2,000	-	2,000
Construction and extraction occupations	8,000	-	8,000
Installation, maintenance, and repair occupations	5,000	-	5,000
Production occupations	7,000	-	7,000
Transportation and material moving occupations	6,000	-	6,000

Economic Impact

As stated previously, how employers respond – including choosing to pay overtime, choosing to cap hours at 40 per week, reducing pay and benefits but allowing for overtime, or raising salaries to ensure

workers are exempt from overtime – will have a direct effect on how and if workers benefit from this regulation.

Additional financial gain may be realized by working Pennsylvanians who are currently non-exempt employees and therefore eligible for overtime, but who have been misclassified due to their employers misunderstanding of the duties test and salary threshold. The confusing long and short test in Pennsylvania have led many employers to believe that, regardless of duties, any employee making a salary over \$23,660 is automatically ineligible for overtime. The higher salary threshold will likely result in employers reviewing the duties of employees making at or below \$45,500, and therefore potentially paying workers overtime who have in fact already been non-exempt.

Nonprofit Organizations

Financial Impact

There are approximately 113,676 nonprofit organizations within Pennsylvania; nonprofits employing individuals are included in the data for Pennsylvania employers.

<https://www.taxexemptworld.com/organizations/pennsylvania-counties.asp> Currently, the statistically significant data does not exist to accurately calculate the number of nonprofit organizations with non-exempt EAP employees at a state-level. There will be many nonprofits not be affected by this regulation as they do not employ any of the 82,000 non-exempt EAP employees. The Department is not able to determine from its available labor market information which of Pennsylvania's 282,911 employers are nonprofit organizations; therefore, costs associated with compliance and associated with increased payroll are included with the "Business" impacts.

Nonprofit organizations, including human service organizations, provided comments on the proposed rulemaking that cited the financial hardship of adjusting their operations to this regulation. Several cited that their fee structure is tied to contracts with government organizations, and they therefore do not have the ability to increase revenue from year to year to cover cost increases, as the private sector can. These concerns have been seriously considered and it is recognized that many nonprofits depend on limited funds from foundations and government grants.

The request for exemption by nonprofit organizations and human service providers was considered. However, the Pennsylvania Minimum Wage Act does not exempt these organizations, signaling the intent of the General Assembly to include workers in such organizations in overtime protections.

Economic Impact

Like all affected organizations, affected nonprofits have several strategies they can use to adjust for the rule. Nonprofit employers may pursue one or a combination of several options:

- Pay non-exempt employees overtime;
- Limit non-exempt employee hours to 40 hours a week to avoid overtime costs;
- Allow for some overtime but reduce base pay or benefits;
- Raise non-exempt employee salaries to above the threshold.

A two-year phase-in period has been proposed, which provides nonprofits with adequate time to become familiar with the regulation, identify whether they employ affected non-exempt EAP workers, and plan accordingly by making necessary adjustments to their organization.

Social Impact

Comments from nonprofit organizations stated that limiting non-exempt employees to 40 hours per week would put additional strain on exempt employees to carry-out these tasks and may increase turnover. Again, organizations have several ways in which to adjust for this regulation, some of which are cost neutral and others which may incur costs. Many organizations, including nonprofit organizations, have become accustomed to not paying salaried employees for hours worked beyond 40 hours per week, even though the General Assembly's intent was to include salaried workers who are not bona fide EAP employees in overtime protections, including those who work for nonprofit organizations.

Nonprofit organizations provide important services to the Commonwealth, and in many cases to vulnerable populations. However, the mission of an organization is not justification to exclude its workers from protections that the General Assembly intended to provide under the Pennsylvania Minimum Wage Act. Further, a new market rate is not being set for services by non-exempt employees via this regulation; rather, it is ensuring that non-exempt employees receive compensation for hours worked beyond 40 per week, as intended by both the Minimum Wage Act and the overtime exemption regulation.

Other Organizations

Financial Impact

State and local governments will see an increase in tax revenue. CWIA has calculated the state and local tax impact will be a gain of an estimated \$51,000 in taxes per \$1 million in additional worker income, for total state and local tax revenues as follows:

FY 2020-2021: \$181,839 – \$203,219 in state and local tax revenues
FY 2021-2022: \$673,805 - \$753,028 in state and local tax revenues
FY 2022-2023: \$1,013,450 - \$1,132,607 in state and local tax revenues
FY 2023-2024: \$1,042,968 - \$1,165,596 in state and local tax revenues
FY 2024-2025: \$1,042,968 - \$1,165,596 in state and local tax revenues

Economic Impact

As discussed previously, an increase in lower-salaried worker income could lead to a reduction in the use of public benefits. A family of four with a sole earner with an annual income of \$35,568 or less qualifies for several public-assistance benefits including SNAP, free or reduced school lunch, WIC, and TANF.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The benefits of this regulation include increased compliance with overtime laws, fair compensation for employees, increased competitiveness of Pennsylvania employers, economic benefits to Pennsylvania due to increased worker spending, discretionary time returned to employees, and job creation, outweighing the possible costs and adverse effects. As mentioned previously, employers will have several choices with regards to this new regulation: to pay non-exempt employees overtime; to limit employee hours to 40 hours a week; to allow for some overtime but reduce base pay or benefits; to raise the currently non-exempt employee salary to above the threshold, or a combination of the above.

Compliance Benefits

The regulation provides a straightforward way to achieve high rates of compliance with the requirement, already in the Pennsylvania law, that salaried employees who fail the duties tests must be paid minimum wage and overtime pay. A main benefit of the regulation is ensuring compliance with the law: workers who are not bona fide executive, administrative, or professional employees exempt from the state's overtime law will now receive the overtime pay to which they are legally entitled. The erosion of the minimum wage and overtime salary threshold since 1977 (and 2004) has created unnecessary and undesirable ambiguity regarding who is eligible to receive overtime. The USDOL's 2019 EAP salary threshold, although higher, does not raise the threshold to a sufficient salary for the regulated community in Pennsylvania. This final proposed regulation modernizes the Pennsylvania minimum wage and overtime threshold to match the reality of today's economy in the Commonwealth and allows employers and employees to rely on the simpler, more-straightforward duties test and salary-level test. Doing so will reduce ambiguity regarding who should receive overtime, making compliance with the law easier for business.

Increased Compensation for Employees

The Department estimates that 34,000 workers will be affected in Year 1, and an additional 48,000 will be affected in Year 2.

FY 2020-2021: \$3,565,467 - \$3,984,681 in increased worker wages
FY 2021-2022: \$13,211,856 - \$14,765,256 in increased worker wages
FY 2022-2023: \$19,871,561 - \$22,207,985 in increased worker wages
FY 2023-2024: \$20,450,344 - \$22,854,819 in increased worker wages
FY 2024-2025: \$20,450,344 - \$22,854,819 in increased worker wages

Increasing the Competitiveness of Pennsylvania Employers

As previously discussed, fair compensation of workers allows Pennsylvania business to be more competitive with surrounding states, including New York, where the overtime threshold will be \$48,750. In addition, non-exempt workers are in a wage range that is sensitive to small wage differences. As such, these workers are more likely to move to different employers, even for minimal pay differences.

More Money in Pennsylvania's Local Economies

According to CWIA's IMPLAN model, for every \$1,000,000 in increased payroll to employees, \$549,000 in induced spending is created. This is consumer spending, including retail, restaurants, and

goods and services. Induced spending can also be conveyed in terms of jobs created. The yearly estimated economic impact is as follows:

FY 2020-2021 Economic Impact: \$1,957,441 - \$2,187,590 in induced spending or 22 – 25 jobs created
FY 2021-2022 Economic Impact: \$7,253,309 - \$8,106,125 in induced spending or 83-93 jobs created
FY 2022-2023 Economic Impact: \$10,909,487 - \$12,192,184 in induced spending or 125-140 jobs created
FY 2023-2024 Economic Impact: \$11,227,239 - \$12,547,296 in induced spending or 129-144 jobs created
FY 2024-2025 Economic Impact: \$11,227,239 - \$12,547,296 in induced spending or 129-144 jobs created

State and local governments will also see an increase in tax revenue. CWIA has calculated the state and local tax impact will be a gain of an estimated \$51,000 in taxes per \$1 million in additional worker income, for total state and local tax revenues as follows:

FY 2020-2021: \$181,839 – \$203,219 in state and local tax revenues
FY 2021-2022: \$673,805 - \$753,028 in state and local tax revenues
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FY 2023-2024: \$1,042,968 - \$1,165,596 in state and local tax revenues
FY 2024-2025: \$1,042,968 - \$1,165,596 in state and local tax revenues

Discretionary Time Returned to Employees

If an employer decides to keep a salaried employee's pay below the salary threshold, and thus is required to pay time and one-half their hourly wage for every hour worked over 40 hours per week, employers will have an incentive to limit the number of hours beyond 40 per week that employee works. Alternately, workers who may have been working un-compensated for hours beyond a 40-hour work week may no longer be required to do so. This provides individuals with more discretionary time, which they may use to pursue educational goals, spend time with family, or engage in part-time work if they wish to supplement their income.

Costs and Adverse Effects

The primary adverse effects cited by the employer community are increases to payroll costs and costs to come into compliance with the regulation, which employers have stated will harm competitiveness and is harmful to business. The Department has estimated the total direct cost to the regulated community in Pennsylvania to comply with this regulation across the current and next five fiscal years:

FY 2019-2020 Total Employer Cost: \$6,961,025
FY 2020-2021 Total Employer Cost: \$14,315,133 - \$14,734,347
FY 2021-2022 Total Employer Cost: \$21,954,959 - \$23,508,359
FY 2022-2023 Total Employer Cost: \$28,058,135 - \$30,394,558
FY 2023-2024 Total Employer Cost: \$28,636,918 - \$31,041,393
FY 2024-2025 Total Employer Cost: \$28,636,918 - \$31,041,393

Over time, the total fiscal and economic benefits outweigh employer costs. Familiarization and adjustment “upfront” costs are one-time costs; the average of ongoing increased payroll and managerial costs are outweighed by the overall economic benefit to Pennsylvania, as evidenced below:

FY 2019-2020 Total Economic Benefit: \$0

FY 2020-2021 Total Economic Benefit: \$5,704,747 - \$6,375,489

FY 2021-2022 Total Economic Benefit: \$21,138,969 - \$23,624,409

FY 2022-2023 Total Economic Benefit: \$31,794,498 - \$35,532,775

FY 2023-2024 Total Economic Benefit: \$32,720,551 – \$36,567,710

FY 2024-2025 Total Economic Benefit: \$32,720,551 – \$36,567,710

Additional adverse effects cited by employers include negative impacts on employee morale due to moving employees from salary to hourly, the loss of flexibility regarding employee time, and the shifting of certain duties from non-exempt employees to exempt employees, thus creating higher turnover.

Perhaps the biggest benefit of this regulation, even beyond the overall economic benefit, is that Pennsylvania workers will be paid fairly for their time as intended by the Minimum Wage Act. In addition to paying workers fairly for hours worked beyond the standard 40-hour work week, this regulation returns unpaid time to Pennsylvanians. As stated previously, the Department is not able to calculate the opportunity cost of hours not worked at potential supplemental employment due to working unpaid overtime hours. Beyond potential supplemental employment hours, the value of hours spent with family, in educational pursuits, and in leisure time are not able to be calculated. This regulation ensures that Pennsylvanians are compensated for actual hours worked and are given their unpaid time back to pursue their goals and their happiness.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

The regulated community includes all employers in the Commonwealth, as all employers will review the regulation. The exact cost and savings to each employer will vary based on specific circumstances, including but not limited to their decision-making around human resource allocation, timely compliance with the change in state regulation, and reduced uncertainty regarding the duties test. Given that most employers currently comply with federal and state labor laws and have processes for doing so, total direct costs to individual establishments to come into compliance will be relatively small.

Initial compliance costs to employers are based on Pennsylvania-specific wage data, number of establishments, and total number of affected EAP workers. The regulated community bears three types of total direct costs related to compliance: 1) regulatory familiarization, 2) adjustment, and 3) managerial costs. Regulatory familiarization and adjustment costs will occur primarily in Year 1 while managerial costs will be ongoing. These methodologies align with USDOL’s calculation of compliance costs in their 2004 and 2019 rulemakings.

It also should be noted that this rule does not impose a new regulation on the regulated community. The regulated community has been subject to a federal overtime rule since 1938 and thus has (or should have) borne compliance costs and maintained processes for compliance for over 80 years. This rule

simplifies and reduces the requirements for compliance with federal and state regulations by bringing the Pennsylvania duties test and definitions more in line with federal regulations.

Regulatory familiarization cost is the cost for an employer to review the new regulation. The regulatory familiarization cost to the regulated community in Pennsylvania in FY 2019-2020 is \$6,961,025 and in FY 2020-2021 is \$6,961,025 (based on a median hourly wage of \$30.19 for a human resources specialist in Pennsylvania plus benefits cost equaling 46% base salary plus overhead cost at 17% base salary multiplied by 1 hour multiplied by the total number of establishments in Pennsylvania, 282,911). This includes all employers in the Commonwealth, regardless of exempt status, as each entity will likely review this regulation.

Adjustment cost is the cost for an employer to determine how they will comply with the regulation and make one-time adjustments to scheduling, staffing, and/or payroll. The adjustment cost to the regulated community in Pennsylvania in FY 2019-2020 is zero and in FY 2020-2021 is \$2,091,425 (based on a median hourly wage of \$30.19 for a human resources specialist in Pennsylvania plus benefits cost equaling 46% base salary plus overhead cost at 17% base salary multiplied by 1.25 hours multiplied by the total number of affected workers in Year 1 of the phased-in salary threshold, 34,000).

Managerial cost is the cost for an employer to ensure compliance with the regulation during regular operations. The managerial cost to the regulated community in Pennsylvania in FY 2019-2020 is zero and in FY 2020-2021 is estimated at \$1,697,216. This is based on a median hourly wage of \$30.19 for a human resources specialist in Pennsylvania plus benefits cost equaling 46% plus overhead cost at 17% base salary multiplied that by 8.67 hours (the additional time—10 minutes per week per worker—spent annually by a manager to schedule and monitor each affected worker expected to be reclassified as nonexempt, overtime eligible because of the rule and whose hours are adjusted) and multiplied by the number of workers in FY 2020-2021 who have been re-classified due to the regulation and whose hours have been adjusted (7,956 based on CWIA/EPI calculations).

Since not every employer has a human resources representative, the total cost estimate reflects the average cost across all establishments—some establishments will have no newly exempt workers and therefore assume little to no costs and some will spend more time and resources on familiarization, adjustment, and management because of newly exempt workers or human resources staffing realities.

This regulation will produce certain costs in the form of transfers from employers to employees to comply with minimum wage law, wage and payment law, and the overtime regulation. The Department does not have the predictive economic modeling to simulate business decision-making by employers as a result of this regulation. Neither Pennsylvania-specific wage data that defines whether the wages paid were to a salaried worker or to an hourly worker nor Pennsylvania-specific data on whether hours worked were part of a 40-hour work week or in excess of 40 hours (overtime) is available. USDOL calculations were used in conjunction with available Pennsylvania-specific data to calculate estimated payroll costs to employers and payroll benefits to employees.

The regulated community in Pennsylvania will incur no or negligible transfer costs to comply with minimum wage standards. Workers whose annual wages fall between the 2019 federal threshold (\$35,568) and the Pennsylvania threshold (\$45,500) already make above the minimum wage and thus no or virtually no transfer costs will be incurred to meet the minimum wage standards for newly nonexempt workers (to exceed the federal salary threshold of \$35,568 and earn the minimum wage in Pennsylvania,

a worker would need to work over 94 hours every week for 52 weeks a year; in other words, work two full-time jobs and an additional 14 hours weekly at a third job with no overtime earnings).

The regulated community in Pennsylvania will incur some transfer costs related to overtime pay for newly nonexempt workers. However, as the USDOL notes, “[t]he size of the transfer will depend largely on how employers respond to the updated salary levels.” Employers could respond to an updated salary levels in one or in a combination several ways:

- (1) paying overtime premiums to affected workers;
- (2) reducing overtime hours of affected workers and potentially transferring some of these hours to other workers;
- (3) reducing the regular rate of pay for affected workers working overtime (provided that the reduced rates still exceed the minimum wage);
- (4) increasing affected workers’ salaries to the updated salary or compensation level to preserve their exempt status; or
- (5) using some combination of these responses.

USDOL modeled how employers might respond to reclassifying certain employees as overtime-eligible based on two studies it considered “the two most important papers” about how labor markets adjust to a change requiring reclassification of workers who are eligible for overtime. Pennsylvania is not able to replicate this economic modeling, and does not have access to state-specific data for the employer choice variables considered by USDOL.

Using the USDOL estimates of payroll cost of compliance from the 2016 rule and the 2019 rule, the Department estimated the average payroll cost of compliance per worker in Pennsylvania with lower and upper bounds proportionate to the 2019 and 2016 rule averages, respectively. To determine an average payroll cost of compliance for the federal overtime rule, the Department divided the estimated overtime payroll cost calculated in the final regulation by the total number of workers affected by the regulation. The same calculation was used for both 2019 and 2016 as both rules used the same methodology, though the 2016 rule would have affected far more workers. This generated a ratio of the new Pennsylvania threshold and the 2019 and 2016 federal thresholds to generate an approximation lower (2019) and upper (2016) bounds of the average payroll cost per affected worker in Pennsylvania.

Calculation for lower bound of average payroll cost per affected worker in Pennsylvania

$(\text{US Overtime Payroll Cost 2019})/(\text{US EAP Affected Workers 2019}) = (\text{US Cost Per Worker 2019})$

$(\text{PA Threshold})/(\text{US 2019 Threshold}) = (\text{PA Cost Per Worker})/(\text{US Cost Per Worker 2019})$

$\$40,560/\$35,568 = X/183.92$ where X is (PA Cost Per Worker)

$X = 209.73$

$\text{FY2020-2021 PA Overtime Payroll Cost (Lower Bound)} = (\text{PA Cost Per Worker}) (\text{PA EAP Affected Workers FY2020-2021})/2$

$\text{FY2020-2021 PA Overtime Payroll Cost (Lower Bound)} = (209.73 * 34000)/2 = \$3,565,467$

(To calculate upper bound, the PA Cost Per Worker is \$234.39 based on US Cost Per Worker 2016 = \$274.36)

FY2020-2021 PA Overtime Payroll Cost (Lower Bound, based on US Cost Per Worker 2019) = \$3,565,467

FY2020-2021 PA Overtime Payroll Cost (Upper Bound based on US Cost Per Worker 2016) = \$3,984,681

The payroll cost is divided by two because the rate is only effective for half the fiscal year since the threshold increases occur on January 1 of 2021, 2022, and 2023 (the first adjustment). The Pennsylvania cost per worker is recalculated each time the threshold is adjusted to recalculate approximate payroll.

$(\text{PA Threshold})/(\text{US 2019 Threshold}) = (\text{PA Cost Per Worker})/(\text{US Cost Per Worker 2019})$

As the new federal salary threshold becomes effective January 1, 2020, employer response to the new salary threshold will be monitored and closely analyzed and that data will be used to inform future estimates of the ongoing transfer costs to the regulated community necessary to comply with the Pennsylvania regulation in 2021 and beyond.

The total direct costs (regulatory familiarization, adjustment, and managerial) and payroll transfer costs (to comply with the new overtime regulation) to establishments to comply with this Pennsylvania regulation will be also be small. Using Pennsylvania-specific data for median wage per hour, number of affected workers, and number of establishments, the total direct cost to the regulated community in Pennsylvania to comply with this regulation in FY 2019-2020 will be \$6,961,025, or an average of \$24.60 per establishment and in FY2020-2021 between \$14,315,133 and \$14,734,347 or an average between \$50.60 and \$52.08 per establishment. This considers that all employers in the state will review the new regulation and that some will then realize they are exempt from the regulation due to being certain municipal, public, or nonprofit employers. It also considers that given the salary threshold will be phased in to \$45,500 over time, the number of affected workers in Year 1 will be lower than the number of affected workers under the final salary threshold.

While transfer costs are classified here as a cost to employers, they should also be considered as a benefit to employees in the form of higher income and compensation for overtime work, especially those who have been misclassified as exempt when they were eligible for overtime pay or who were at risk of misclassification under the previous salary thresholds.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are no additional compliance, legal or consulting costs or savings that are anticipated for local governments in their role as an employer. Under the Minimum Wage Act, the definition of employer is, "any individual, partnership, association, corporation, business trust, or any person or group of persons acting, directly or indirectly, in the interest of an employer in relation to any employee." 43 P.S. § 333.103(g). The definition specifically omits public employers. In *Huffman v. Borough of Millvale*, 591 A.2d 1137 (Pa. Cmwlth. 1991), the Commonwealth Court in interpreting the Wage Payment and Collection Law held that "in construing the statute, we must give effect to the legislature's intent as it

was expressed in the language of the statute and cannot supply an omission in a statute where it appears that the matter has been intentionally omitted. Municipal corporations such as the Borough are not included within the definition of “employer,” and we, as an appellate court, cannot expand the definition of “employer” to include them.” *Id.* at 1138–39. Similarly, since the General Assembly chose not to include the Commonwealth or any of its political subdivisions in the Minimum Wage Act’s definition of employer, the Department has interpreted this law to exclude them. The Office of the Attorney General has also opined that the Minimum Wage Act does not apply to public employees. 1976 Op.Atty.Gen. No. 29. However, it is important to note that the Fair Labor Standards Act explicitly includes public agencies in its definition of employer; thereby, making local governments subject to federal minimum wage requirements. 29 U.S.C. § 203(d).

The Department conducted outreach with associations representing political subdivisions to explain that this proposed regulation does not impact their obligations as employers. Furthermore, this information was presented at the Department’s stakeholder roundtables.

However, state and local governments will see an increase in tax revenue. CWIA has calculated the state and local tax impact will be a gain of an estimated \$51,000 in taxes per \$1 million in additional worker income, for total state and local tax revenues as follows:

FY 2020-2021: \$181,839 – \$203,219 in state and local tax revenues
FY 2021-2022: \$673,805 - \$753,028 in state and local tax revenues
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FY 2023-2024: \$1,042,968 - \$1,165,596 in state and local tax revenues
FY 2024-2025: \$1,042,968 - \$1,165,596 in state and local tax revenues

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are no additional compliance, legal or consulting costs or savings that are anticipated for state government for its role as an employer. Under the Minimum Wage Act, the definition of employer is, “any individual, partnership, association, corporation, business trust, or any person or group of persons acting, directly or indirectly, in the interest of an employer in relation to any employee.” 43 P.S. § 333.103(g). The definition specifically omits public employers. In *Huffman v. Borough of Millvale*, 591 A.2d 1137 (Pa. Cmwlth. 1991), the Commonwealth Court in interpreting the Wage Payment and Collection Law held that “in construing the statute, we must give effect to the legislature’s intent as it was expressed in the language of the statute and cannot supply an omission in a statute where it appears that the matter has been intentionally omitted. Municipal corporations such as the Borough are not included within the definition of “employer,” and we, as an appellate court, cannot expand the definition of “employer” to include them.” *Id.* at 1138–39. Similarly, since the General Assembly chose not to include the Commonwealth or any of its political subdivisions in the Minimum Wage Act’s definition of employer, the Department has interpreted this law to exclude them. The Office of the Attorney General has also opined that the Minimum Wage Act does not apply to public employees. 1976 Op.Atty.Gen. No. 29. However, it is important to note that the Fair Labor Standards Act explicitly includes public agencies in its definition of employer; thereby, making local governments subject to federal minimum wage requirements. 29 U.S.C. § 203(d). However, it is important to note that the Fair Labor Standards

Act explicitly includes a public agency in its definition of employer; thereby, making local governments subject to federal minimum wage requirements. 29 U.S.C. § 203(d).

The Department conducted outreach with associations representing political subdivisions to explain that this proposed regulation does not impact their obligations. Furthermore, this information was presented at the Department's stakeholder roundtables.

The Department does not anticipate any savings from enforcement of the regulation. The Department does estimate it will spend up to \$125,000 to do a mass mailing to all Pennsylvania employers providing information about this rulemaking. In addition, the Department will provide educational sessions as part of its normal outreach activities to employers. There is no other state agency that has a role in enforcing this rulemaking.

However, state and local governments will see an increase in tax revenue. CWIA has calculated the state and local tax impact will be a gain of an estimated \$51,000 in taxes per \$1 million in additional worker income, for total state and local tax revenues as follows:

FY 2020-2021: \$181,839 – \$203,219 in state and local tax revenues

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FY 2024-2025: \$1,042,968 - \$1,165,596 in state and local tax revenues

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

The proposed regulation does not require regulated groups or entities to complete any additional legal, accounting, or consulting procedures, nor does it require any new reporting, forms, or reports. However, the regulation may affect an employer's recordkeeping requirements depending on how they choose to address employees who are not paid the proposed minimum salary threshold.

The Department's current regulations already require employers to maintain records of an employee's full name, home address, hourly rate of pay, occupation, time and day of the workweek's beginning, number of hours worked daily and weekly, total wages due for hours worked during the workweek, overtime compensation for the workweek, additions to or deductions from wages, allowances, total wages paid each pay period, date of payment and pay period covered, and any special certificates for students and learners. 34 Pa. Code § 231.31. The regulations contain an exception to certain recordkeeping requirements for EAP exempt employees. For EAP exempt employees, employers do not have to maintain record of the regular hourly rate of pay, time and day of the workweek's beginning, number of hours worked daily and weekly, total wages due for hours worked during the workweek, and overtime compensation for the workweek.

As a result, an employer that changes an employee's payment status from salary to hourly will have to maintain additional information for that employee's work arrangement. The employer's inconvenience is minimized since an employer is already required to maintain this information for its hourly employees and should have a system in place to accommodate the new employees it would have to track.

(22a) Are forms required for implementation of the regulation?

No.

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here.** If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

N/A

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

Fiscal Savings:

This regulation will lead to savings by Pennsylvania establishments because by raising the salary threshold it eliminates the need for employers to apply the duties test to determine whether employees above the threshold are exempt. Additionally, by updating the duties test for Pennsylvania to bring it in line with the duties test in the federal regulation, the regulated community will realize savings by being able to apply a single duties test for both state and federal regulations.

The higher salary threshold will also likely result in cost savings realized by a reduction in employees who are misclassified as exempt from overtime pay. USDOL in the 2019 regulation estimated that nationally 9.3% of exempt employees are misclassified and that the higher federal threshold (\$35,568) would make over 206,000 white collar workers who are eligible for overtime but misclassified by their employers clearly eligible by the salary test. A 2015 RAND Corporation study similarly found significant levels of misclassification of employee eligibility for overtime pay. The study found that 11.5% of workers were misclassified and 19% of workers were unpaid or underpaid (meaning they were paid less than the FLSA required 1.5 times pay for overtime hours worked).

<https://www.rand.org/blog/2015/09/one-in-five-hourly-employees-working-overtime-not-properly.html>

While it is difficult to quantify with an acceptable degree of certainty the number of Pennsylvania workers who are currently misclassified and who would be clearly be eligible for overtime under the new salary threshold, certain savings would be realized by the increase in clarity based on the salary test of who is eligible and who is ineligible for overtime.

Fiscal Costs:

As discussed in question 19, the regulated community will incur certain total costs to comply with the new regulation. These types of costs—regulatory familiarization, adjustment, and managerial—are of the same type as the regulated community incurs from adjustments to the USDOL regulation finalized in 2019. In FY 2019-2020, the regulated community will incur regulatory familiarization costs. In FY 2020-2021, when the regulation goes into effect, the regulated community will incur regulatory familiarization costs and establishments with newly nonexempt workers will incur adjustment and managerial costs for workers whose annual wages fall between the federal salary threshold and the first

step-up of Pennsylvania's salary threshold (\$40,560). In FY 2020-2021, the state will incur a one-time cost of \$125,000 to mail notification of the regulation to all establishments in Pennsylvania.

In FY2021-2022, the regulated community will incur adjustment costs for newly nonexempt workers whose wages fall between the first step-up of Pennsylvania's salary threshold (\$40,560) and the final threshold (\$45,500) as well as managerial costs for all nonexempt workers whose wages are between the federal salary threshold and the Pennsylvania salary threshold.

In FY2022-2023 and beyond, the regulated community will only incur managerial costs related to the nonexempt workers whose wages are between the federal salary threshold and the Pennsylvania salary threshold.

The Department does not anticipate any revenue losses by the regulated community or by state and local government. The regulated community has a range of options, outlined in question 19 and by USDOL, as to how an establishment may pay or schedule newly nonexempt workers and will make decisions based primarily on revenue considerations.

	Fiscal Year 19- 20	Fiscal Year 20-21	Fiscal Year 21- 22	Fiscal Year 22- 23	Fiscal Year 23- 24	Fiscal Year 24- 25
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	Not Calculable	Not Calculable	Not Calculable	Not Calculable	Not Calculable	Not Calculable
Local Government	None	None	None	None	None	None
State Government	None	None	None	None	None	None
Total Savings	Not Calculable	Not Calculable	Not Calculable	Not Calculable	Not Calculable	Not Calculable
COSTS:						
Regulated Community	\$6,961,025	\$14,315,133 - \$14,734,347	\$21,954,959 - \$23,508,359	\$28,058,135 - \$30,394,558	\$28,636,918 - \$31,041,393	\$28,636,918 - \$31,041,393
Local Government	0	0	0	0	0	0
State Government	0	\$125,000	0	0	0	0
Total Costs	\$6,961,025	\$14,440,133 - \$14,859,347	\$21,954,959 - \$23,508,359	\$28,058,135 - \$30,394,558	\$28,636,918 - \$31,041,393	\$28,636,918 - \$31,041,393
REVENUE LOSSES:	0	0	0	0	0	0
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0

Total Revenue Losses	0	0	0	0	0	0
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(23a) Provide the past three year expenditure history for programs affected by the regulation.

The Bureau of Labor Law Compliance (BLLC) has one budget for enforcing 12 different laws, including the Pennsylvania Minimum Wage Act of 1968. The table below thus lists the entire Bureau budget, which has not changed in the past several fiscal years.

BLLC's budget consists of \$4.2 million personnel costs and operations costs of \$600,000 for a total of \$4.8 million. In order to inform the regulated community of this amended regulation, the BLLC has requested one-time budget increase of \$125,000 to mail notice to the regulated community prior to implementation on January 1, 2021.

To put this into perspective, Minimum Wage Act enforcement accounts for the following percentage of the Bureau's workload:

	FY 16-17	FY 17-18	FY 18-19	TOTAL
Minimum Wage/Overtime	388	382	322	1092
All other cases	4517	4923	4991	14431
Percentage of Case load	8%	7%	6%	7%

Minimum wage and Overtime cases compared to all cases received by the Bureau (All fiscal years combined)



Program	FY -3	FY -2	FY -1	Current FY
Bureau of Labor Law Compliance	\$4.8 million	\$4.8 million	\$4.8 million	\$4.8 million

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

(a) An identification and estimate of the number of small businesses subject to the regulation.

All businesses will have to become familiar with the new regulation. They will then have to determine whether they employ salaried EAP employees who are non-exempt.

According to CWIA, Pennsylvania is home to approximately 282,911 private employers. According to the U.S. Small Business Administration (SBA), 99.9% of businesses in the country are considered to be small businesses. <https://www.sba.gov/sites/default/files/advocacy/2018-Small-Business-Profiles-US.pdf>. As defined in Section 3 of the Regulatory Review Act, Act 76 of 2012 virtually every Commonwealth business qualifies as a small business. https://www.sba.gov/sites/default/files/2019-08/SBA%20Table%20of%20Size%20Standards_Effective%20Aug%2019%2C%202019_Rev.pdf

CWIA created the following chart depicting the number of Pennsylvania businesses that employ workers in each employee size range. As indicated by the chart, the vast majority of businesses in Pennsylvania employ fewer than 500 or 1000 employees and are therefore considered to be a small business. In fact, only half of one percent of all businesses in Pennsylvania employ 500 or more employees.

	Employee Size Range per Employer										
	Total	0	1-4	5-9	10-19	20-49	50-99	100-249	250-499	500-999	1000 & Over
Total	282,911	25,411	146,999	45,071	28,951	20,828	7,617	4,777	1,778	860	619
Agriculture, Forestry, Fishing and Hunting	2,217	187	1,086	426	259	169	59	24	5	2	0
Mining	1,002	85	386	161	127	117	61	48	8	7	2
Utilities	951	30	396	235	128	91	29	15	9	11	7
Construction	28,303	3,222	14,983	4,661	2,836	1,789	506	230	60	9	7
Manufacturing	13,193	481	3,737	2,299	2,146	2,226	1,042	807	294	107	54
Wholesale Trade	20,855	1,859	12,564	2,698	1,783	1,235	391	226	67	24	8
Retail Trade	24,640	1,511	12,170	5,162	2,732	1,697	713	384	129	62	80
Transportation and Warehousing	7,924	660	3,809	1,078	903	821	322	202	63	36	30
Information	4,043	442	2,095	563	364	321	115	89	37	14	3
Finance and Insurance	10,952	803	6,620	1,724	748	522	209	164	74	45	43
Real Estate Rental and Leasing	8,014	665	5,047	1,119	618	368	113	59	14	6	5
Professional, Scientific, and Technical Services	38,312	4,913	23,105	4,688	2,772	1,752	605	320	89	45	23
Management of Companies and Enterprises	2,559	241	1,405	290	230	202	90	53	27	12	9
Admin. & Support & Waste Mgmt & Remediation Services	15,285	2,334	7,054	2,477	1,434	1,078	407	282	121	60	38
Educational Services	4,879	476	1,687	607	490	495	333	336	226	157	72
Health Care and Social Assistance	39,459	2,779	22,648	5,204	3,492	2,635	1,076	944	372	158	151
Arts, Education, and Recreation	4,921	871	1,927	727	626	468	171	85	22	14	10
Accommodation and Food Services	22,576	1,852	7,199	4,495	4,193	3,386	963	313	86	48	41
Other Services (except Public Administration)	29,705	1,958	18,229	5,570	2,500	1,043	236	111	38	12	8
Public Administration	3,121	42	852	887	570	413	176	85	37	31	28

(b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.

The exact cost and savings to each small business will vary based on specific circumstances, including but not limited to their decision-making around human resource allocation, timely compliance with the change in state regulation, and reduced uncertainty about the duties test. Total reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation are anticipated to be small since most employers currently comply with federal and state labor laws and have processes for doing so. The regulated community has been subject to a federal overtime rule since 1938 and thus has borne costs and maintained processes for compliance for over 80 years. This rule simplifies and reduces the requirements for compliance with federal and state regulations by bringing the Pennsylvania duties test and numerous definitions in line with the federal regulation. This rule ensures that the regulated

community must comply with only one overtime regulation, with one duties test and one salary threshold. This regulation may affect an employer's recordkeeping requirements depending on how it chooses to address employees who are not paid the proposed minimum salary threshold.

Initial compliance costs to employers are based on Pennsylvania-specific wage data, number of establishments, and total number of affected EAP workers. The regulated community bears three types of total direct costs related to compliance: 1) regulatory familiarization, 2) adjustment, and 3) managerial costs. All regulatory familiarization costs and most adjustment costs will occur in FY2020 and FY2021. Managerial costs will be ongoing. This methodology is in line with how USDOL calculates compliance costs in the 2019 overtime rule.

Additionally, the Department determined that a human resources specialist is the most likely type of worker to perform all the reporting, recordkeeping, and administrative duties required for compliance. The typical job skills of a human resource specialist, listed by the Department in the publicly available Labor Market Information System based on USDOL O*Net data, align closely with the work required to comply with this regulation. <https://paworkstats.geosolinc.com/vosnet/Default.aspx> Six of the top seven skills considered "typical" for human resource specialists speak directly to the compliance work required by this regulation:

- "Explain regulations, policies, or procedures"
- "Administer compensation or benefits programs"
- "Perform human resources activities"
- "Update knowledge of legal or regulatory environments"
- "Maintain data in information systems or databases"
- "Evaluate personnel practices to ensure adherence to regulations"

The managerial cost is based on a median hourly wage of \$30.19 for a human resources specialist in Pennsylvania plus benefits cost equaling 46% plus overhead cost at 17% base salary (adjusted rate: \$49.21) multiplied that by 8.67 hours (the additional time—10 minutes per week per worker—spent annually to schedule and monitor each affected worker expected to be reclassified as nonexempt, overtime eligible because of the rule and whose hours are adjusted and multiplied by the number of EAP affected workers.

In addition to managerial costs, other administrative costs of compliance with this regulation include regulatory familiarization and adjustment costs. The Department adopted all three from USDOL's methodology.

The regulatory familiarization cost is the cost for a business entity to review the new regulation. The regulatory familiarization cost is based on a median hourly wage of \$30.19 for a human resources specialist in Pennsylvania plus benefits cost equaling 46% base salary plus overhead cost at 17% base salary (adjusted rate: \$49.21) multiplied by 1 hour multiplied by the total number of establishments in Pennsylvania, 282,911. In calculating the regulatory familiarization cost, the Department included all establishments in the Commonwealth, regardless of exempt status, as each entity will likely review this regulation.

The adjustment cost is the cost for the business entity to determine how they will comply with the regulation and make one-time adjustments to scheduling, staffing, and/or payroll. The adjustment cost is based on a median hourly wage of \$30.19 for a human resources specialist in Pennsylvania plus

benefits cost equaling 46% base salary plus overhead cost at 17% base salary (adjusted rate: \$49.21) multiplied by 1.25 hours multiplied by the total number of EAP workers affected.

The Department adopted USDOL's methodology for estimating the time needed for completion of each compliance activity—1 hour, one time per business for regulatory familiarization, 1.25 hours, one time per affected worker for adjustment, and 10 minutes per week every week (8.67 hours annually) per newly nonexempt worker working overtime for management. Since not every establishment has a human resources representative, the total cost estimate reflects the average cost across all establishments—some establishments will have no newly exempt workers and therefore assume little to no costs and some will spend more time and resources on familiarization, adjustment, and management because of newly exempt workers or human resources staffing realities.

(c) A statement of probable effect on impacted small businesses.

Affected businesses will likely adapt to the regulation in the least costly way possible. Small business response to the regulation will vary depending on the characteristics of the business operations, current staffing structure, and current scheduling practices. To adjust for the rule, employers may pursue one or a combination of several options:

- Pay non-exempt employees overtime;
- Limit non-exempt employee hours to 40 hours a week to avoid overtime costs;
- Allow for some overtime but reduce base pay or benefits;
- Raise non-exempt employee salaries to above the threshold.

(d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

There were no less intrusive or less costly alternative methods of achieving the purpose of the regulation. The Department's proposed rulemaking included a salary threshold of \$47,892, aligned with the 30th percentile of full-time salaried employees in the Northeast. Numerous commenters from the business community stated that the threshold was too high; at the same time, comments from many individuals and labor organizations voiced support for the proposed salary threshold or higher. The Department re-visited the intent of the regulation which was to protect Pennsylvania workers and thus determined the methodology of using the 10th percentile of exempt worker wages in Pennsylvania to determine the salary threshold was the best method to achieve the Department's purpose. Similarly, the use of the federal government's methodology of setting the salary threshold according to the salary data from the Southern region also does not protect Pennsylvania workers since, like the data in the Department's proposed regulation, the data is not reflective of salaries paid to Pennsylvania's workers.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

There are no special provisions for small businesses as the MWA's definition for employer does not distinguish between the size of the business. The final regulation benefits all employees including those who are minorities or elderly.

While this regulation contains no special provisions for farmers, the MWA already exempts labor on a farm from the MWA's minimum wage and overtime protections. 43 P.S. § 333.105(a)(1).

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

The initial proposed rulemaking used the 30th percentile of all full-time salaried employees in the Northeast for the salary threshold, or \$47,892. The Department received comments that the proposed salary threshold of \$47,892 was excessive. Several commentators stated that the use of the 30th percentile of salaried individuals in the northeast census region put Pennsylvania in a region with high-wage states such as New York and Massachusetts, and did not consider economic factors specific to Pennsylvania. The Department then considered the intent of the overtime exemption regulation, and revisited past USDOL rulemakings on this topic, including the history of the salary threshold and how it has been set in previous rulemakings. Thus, the salary threshold has been set at the weighted average of 10th percentile exempt occupations in Pennsylvania, or \$45,500, which both fulfills the intent of the regulation while being less burdensome to employers.

USDOL's recent rulemaking set the federal salary threshold at the 20th percentile of salaried workers in the South, or \$35,568. The Department rejects USDOL's methodology in setting Pennsylvania's salary threshold for two reasons. First, the Department uses data based on *exempt* full-time workers, rather than USDOL's methodology of using data based on *all* full-time workers. In addition, the Department believes that using salary data for only exempt classifications rather than all classifications more accurately sets a threshold for workers to qualify for an EAP exemption. The setting of the salary threshold "at the lower end of the range of salaries" for exempt occupations cannot be accurately carried out if the data used to determine a lower range includes data on all salaries. During the Department's review of 800 Standard Occupational Classification codes, 300 were deemed to have duties that meet the definition of exempt, while 500 were deemed to be potentially non-exempt. Further, exempt occupations, especially the "executive" category, employ fewer people than non-exempt occupations, as non-management employees generally outnumber management employees in most establishments. Therefore, including data on all salaried employees will dilute the data set, providing a skewed lower end of the range of salaries than would be provided by considering only data on exempt occupations.

Second, the Department uses wage information that is specific to Pennsylvania to determine the salary threshold, rather than USDOL's methodology of setting the threshold using the 20th percentile of workers in the nation's lowest wage region. USDOL's use of income percentile in the lowest wage region ensures the federal salary threshold meets the intent of the salary level test nationwide; that is, that the threshold, even if used in the lowest wage areas of the country, would be highly unlikely to include actual executive, administrative, and professional employees. However, the use of USDOL's threshold in Pennsylvania does not allow the Commonwealth to fulfill the intent of the salary level test, as it is not indicative of the wages paid to exempt Pennsylvania workers.

The Department proposed to eliminate the use of the short and long duties test in the proposed rulemaking; however, the definitions proposed still differed from the federal definitions. The business community expressed confusion in understanding the differences between Pennsylvania's duties test and the federal duties test. The Department considered this feedback, reviewed the federal definitions, and has updated its final regulation to more closely align Pennsylvania's duties test with the federal duties test.

The Department proposed allowing up to 10 percent of the salary threshold to be met through discretionary bonus or incentive payments, paid no less than quarterly. Some commenters wrote that the payment of bonuses on a quarterly is cumbersome to employers and does not align with current business practices. The Department has changed this payment to a no less than an annual payment.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
 - b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - c) The consolidation or simplification of compliance or reporting requirements for small businesses;
 - d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
 - e) The exemption of small businesses from all or any part of the requirements contained in the regulation.
- a) The establishment of less stringent compliance or reporting requirements for small businesses;

The proposed regulation does not require the regulated community to complete any additional forms or reports. However, the regulation may affect an employer's recordkeeping requirements depending on how it chooses to address employees who are not paid the proposed minimum salary threshold.

Generally, employers must maintain records of an employee's full name, home address, hourly rate of pay, occupation, time and day of the workweek's beginning, number of hours worked daily and weekly, total wages due for hours worked during the workweek, overtime compensation for the workweek, additions to or deductions from wages, allowances, total wages paid each pay period, date of payment and pay period covered, and any special certificates for students and learners. 34 Pa. Code § 231.31. The regulations contain an exception to certain recordkeeping requirements for EAP exempt employees. For EAP exempt employees, employers do not have to maintain record of the regular hourly rate of pay, time and day of the workweek's beginning, number of hours worked daily and weekly, total wages due for hours worked during the workweek, and overtime compensation for the workweek.

As a result, an employer that changes an employee's payment status from salary to hourly will have to maintain additional information for that employee's work arrangement. The employer's inconvenience is minimized since an employer is already required to maintain this information for its hourly employees and should have a system in place to accommodate the new employees it would have to track.

- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;

The initial salary threshold is \$684 per week. Effective January 1, 2020, small businesses who engage in any interstate commerce will already be required to comply with USDOL's rule raising their EAP salary thresholds to that amount. As such, the Department's rulemaking has no effect on these businesses. This rulemaking does not raise the salary threshold past USDOL's amount for one year after publication in the *Pennsylvania Bulletin*. The one-year implementation period provides small business with enough time to comply. The Department will conduct outreach sessions before the higher threshold goes into effect and will publish educational information on its website.

- c) The consolidation or simplification of compliance or reporting requirements for small businesses;

The final-form regulation does not require regulated entities to complete any additional forms or reports.

- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation;

Not applicable

- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

The MWA does not exempt businesses from the minimum wage or overtime based on employer size.

28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

Regarding the Estimated Number of Impacted Workers:

According to the Economic Policy Institute (EPI), 61,000 Pennsylvanian workers will be directly affected by the overtime protections under the 2019 USDOL EAP Overtime Exemptions rule.

95,000 Pennsylvanian workers will be directly affected by overtime protections under a Pennsylvania EAP overtime salary threshold of \$780 per week, or \$40,560 per year; of that 95,000, 34,000 workers make more than \$35,568 per year but less than \$40,560 per year.

143,000 Pennsylvanian workers will be directly affected by overtime protections under a Pennsylvania EAP overtime salary threshold of \$875 per week, or \$45,500 per year; of that 143,000, 82,000 workers make more than \$35,568 per year but less than \$45,500 per year.

EPI data is based on an analysis of pooled Current Population Survey Outgoing Rotation Group microdata, 2016-2018, following the methodology used in the USDOL's 2019 final rule. Pennsylvania does not have access to this data; however, the number of affected workers aligned with CWIA's projection of affected workers. In addition, the use of CPS data provides demographics information such as gender, ethnicity, and occupation and industry distribution of affected workers.

Regarding the Proposed Salary Threshold

The Department utilizes Occupational Employment Statistics (OES) survey data to determine the weighted average 10th percentile wage of all exempt occupations. The Occupational Employment Statistics (OES) survey is a semi-annual survey measuring employment and wage rates for more than 800 occupational classifications for wage and salary workers in nonfarm establishments throughout the nation. OES is a cooperative effort between the Bureau of Labor Statistics (BLS) and the State Workforce Agencies (SWAs). BLS funds the survey and provides the procedures and technical support, while the SWAs collect most of the data. OES estimates are constructed from a sample of about 1.2 million establishments nationally (about 45,000 in Pennsylvania) over a three-year period. Responses are obtained by mail, Internet or other electronic means, email, telephone, or personal visit.

While the OES data does not delineate who is a salary worker versus hourly worker, it is specific to Pennsylvania. Further, the Department's labor market information bureau, the Center for Workforce Information and Analysis (CWIA), looked at more than 800 Standard Occupational Classification (SOC) titles and determined that roughly 300 SOC titles have job duties that reasonably fall into the exempt executive, administrative, and professional categories.

Using Pennsylvania's Occupational Employment Statistics (OES) data for 2018, the most recent year for which this data is available, CWIA identified the employment volume and 10th percentile wage for each exempt occupation. The 10th percentile wage was multiplied by total employment to create a weighted 10th percentile wage for each exempt occupation. CWIA then aggregated total employment across all exempt occupations, aggregated weighted 10th percentile wages for total weighted 10th percentile wage across all exempt occupations, and divided the aggregated weighted 10th percentile wage by aggregated employment to determine the average 10th percentile wage of all exempt workers, which is \$45,533.

A spreadsheet including the 800 exempt and non-exempt occupations has been included with this submission, and includes the 10th percentile wage for each occupation.

Regarding Cost Estimates to Employers

The Department reviewed USDOL's methodology for calculating cost to employers regarding initial compliance and developed a parallel methodology using Pennsylvania-specific data whenever possible. For instance, in measures that uses the median salary for a specific occupation nation-wide, the Department has used the median salary for that occupation in Pennsylvania (Section VI.D.iii.2 of the USDOL regulation states that it assumed the median adjusted wage of a mid-level human resource worker to be \$43.38, however, in Section VI.D.iii.3 they refer to the same number (\$43.38) as the "average" adjusted wage of a mid-level human resource worker).

The regulatory familiarization cost to the regulated community in Pennsylvania is based on a median hourly wage of \$30.19 for a human resources specialist in Pennsylvania plus benefits cost equaling 46%

base salary plus overhead cost at 17% base salary multiplied by 1 hour multiplied by the total number of establishments in Pennsylvania, 282,911.

The adjustment cost to the regulated community in Pennsylvania is based on a median hourly wage of \$30.19 for a human resources specialist in Pennsylvania plus benefits cost equaling 46% base salary plus overhead cost at 17% base salary multiplied by 1.25 hours multiplied by the total number of affected workers in Year 1 (FY 2020-2021) of the phased-in salary threshold, 34,000. This calculation was replicated for FY 2021-2022 when 48,000 will be affected by the second phase of the threshold increase. The managerial cost to the regulated community in Pennsylvania is based on a median hourly wage of \$30.19 for a human resources specialist in Pennsylvania plus benefits cost equaling 46% plus overhead cost at 17% base salary multiplied that by 8.67 hours (the additional time—10 minutes per week per worker—spent annually by a manager to schedule and monitor each affected worker expected to be reclassified as nonexempt, overtime eligible because of the rule and whose hours are adjusted) and multiplied by the number of affected workers in FY 2021 (7,956) determined by multiplying the number of affected workers by a constant developed through CWIA and EPI analysis. While USDOL used the median salary of a manager for this calculation, it is more likely that such managerial monitoring and scheduling would be done by a front-line supervisor such as a mid-level human resource professional. For this reason, the wage cost for each of the total direct costs is the same.

Using the USDOL estimates of payroll cost of compliance from the 2016 rule and the 2019 rule, the Department calculated estimates of the average payroll cost of compliance per worker in Pennsylvania with lower and upper bounds proportionate to the 2019 and 2016 rule averages, respectively. To come up with an average payroll cost of compliance for the federal overtime rule, the Department divided the estimated overtime payroll cost calculated in the final regulation by the total number of workers affected by the regulation, using the same method for both 2019 and 2016 since both rules used the same methodology. A ratio was generated of the new Pennsylvania threshold and the 2019 and 2016 federal thresholds to generate an approximation lower (2019) and upper (2016) bounds of the average payroll cost per affected worker in Pennsylvania.

Regarding the Estimated Economic Benefit to Pennsylvania

IMPLAN modeling was used to estimate the economic effects this regulation would have on Pennsylvania. IMPLAN is economic analysis system that analyzes inter-industry supply chains and linkages at the nation, state and county level using input-output accounting (I-O). The system is designed to assess the effects of a real or hypothetical economic event in a region. An economic event is a condition or initiative that increases or declines economic activity in a region as measured in output (sales), income, employment and taxes. Economic activity may be the creation or loss of jobs from a business opening or closing, or the increase or reduction of capital spending by a government grant or policy, or the setting up of a business incubator, to name a few examples.

(29) Include a schedule for review of the regulation including:

A. The length of the public comment period: 60 days

B. The date or dates on which any public meetings or hearings will be held: For the proposed

rulemaking, a meeting was held with the Minimum Wage Advisory Board on January 10, 2018. The

House held a hearing on September 5, 2018. The Department held stakeholder roundtable meetings on May 21, May 22, May 28, May 29, June 4, June 5 and June 6, 2019.

C. The expected date of delivery of the final-form regulation:

October 17, 2019

D. The expected effective date of the final-form regulation:
Pennsylvania Bulletin.

Date of publication in the

E. The expected date by which compliance with the final-form regulation will be required:
Pennsylvania Bulletin.

Date of publication in the

F. The expected date by which required permits, licenses or other approvals must be obtained:

Not applicable.

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The Department will closely review the overtime complaints it receives concerning the EAP exemptions for any unintended consequences and for any trends in misapplication. Also, the Department will conduct outreach and educational sessions after publication of the final rulemaking in the *Pennsylvania Bulletin*. During this outreach and educational sessions, the Department will solicit comments on the regulation and keep track of common themes or issues.

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
00-0000	Total, All Occupations	\$19,480	N/A
11-1011	Chief Executives	\$110,300	Exempt
11-1021	General & Operations Managers	\$52,970	Exempt
11-1031	Legislators	NR	Exempt
11-2011	Advertising & Promotions Managers	\$52,760	Exempt
11-2021	Marketing Managers	\$83,620	Exempt
11-2022	Sales Managers	\$71,510	Exempt
11-2031	Public Relations & Fundraising Managers	\$66,590	Exempt
11-3011	Administrative Services Managers	\$65,060	Exempt
11-3021	Computer & Information Systems Managers	\$90,540	Exempt
11-3031	Financial Managers	\$79,120	Exempt
11-3051	Industrial Production Managers	\$66,040	Exempt
11-3061	Purchasing Managers	\$76,750	Exempt
11-3071	Transportation, Storage, & Distribution Managers	\$70,050	Exempt
11-3111	Compensation & Benefits Managers	\$80,810	Exempt
11-3121	Human Resources Managers	\$74,560	Exempt
11-3131	Training & Development Managers	\$71,560	Exempt
11-9013	Farmers, Ranchers, & Other Agricultural Managers	\$60,000	Exempt
11-9021	Construction Managers	\$53,510	Exempt
11-9031	Education Administrators, Preschool & Childcare Center/Program	\$32,320	Exempt
11-9032	Education Administrators, Elementary & Secondary School	\$67,040	Exempt
11-9033	Education Administrators, Postsecondary	\$55,420	Exempt
11-9039	Education Administrators, All Other	\$45,430	Exempt
11-9041	Architectural & Engineering Managers	\$95,790	Exempt
11-9051	Food Service Managers	\$40,250	Exempt
11-9061	Funeral Directors	\$65,520	Exempt
11-9071	Gaming Managers	\$57,800	Exempt
11-9081	Lodging Managers	\$36,600	Exempt
11-9111	Medical & Health Services Managers	\$53,360	Exempt
11-9121	Natural Sciences Managers	\$59,080	Exempt
11-9131	Postmasters & Mail Superintendents	\$65,910	Exempt
11-9141	Property, Real Estate, & Community Association Managers	\$39,620	Exempt
11-9151	Social & Community Service Managers	\$41,790	Exempt
11-9161	Emergency Management Directors	\$41,500	Exempt
11-9199	Managers, All Other	\$69,650	Exempt
13-1011	Agents & Business Managers of Artists, Performers, & Athletes	\$38,670	Exempt
13-1020	Buyers & Purchasing Agents (OES Aggregate)	\$40,050	Exempt
13-1031	Claims Adjusters, Examiners, & Investigators	\$39,960	Exempt
13-1032	Insurance Appraisers, Auto Damage	\$45,390	Exempt
13-1041	Compliance Officers	\$39,650	Exempt
13-1051	Cost Estimators	\$41,460	Exempt
13-1071	Human Resources Specialists	\$39,000	Exempt
13-1075	Labor Relations Specialists	\$23,800	Exempt
13-1081	Logisticians	\$52,320	Exempt
13-1111	Management Analysts	\$51,060	Exempt
13-1121	Meeting, Convention, & Event Planners	\$26,240	Exempt
13-1131	Fundraisers	\$36,050	Exempt
13-1141	Compensation, Benefits, & Job Analysis Specialists	\$43,510	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
13-1151	Training & Development Specialists	\$36,060	Exempt
13-1161	Market Research Analysts & Marketing Specialists	\$35,000	Exempt
13-1199	Business Operations Specialists, All Other	\$46,090	Exempt
13-2011	Accountants & Auditors	\$43,920	Exempt
13-2021	Appraisers & Assessors of Real Estate	\$30,140	Exempt
13-2031	Budget Analysts	\$50,440	Exempt
13-2041	Credit Analysts	\$48,440	Exempt
13-2051	Financial Analysts	\$50,990	Exempt
13-2052	Personal Financial Advisors	\$43,390	Exempt
13-2053	Insurance Underwriters	\$43,800	Exempt
13-2061	Financial Examiners	\$52,320	Exempt
13-2071	Credit Counselors	\$35,240	Exempt
13-2072	Loan Officers	\$34,520	Exempt
13-2081	Tax Examiners & Collectors, & Revenue Agents	\$17,330	Exempt
13-2082	Tax Preparers	\$19,100	Non-exempt
13-2099	Financial Specialists, All Other	\$42,300	Exempt
15-1111	Computer & Information Research Scientists	\$65,940	Exempt
15-1121	Computer Systems Analysts	\$55,320	Exempt
15-1122	Information Security Analysts	\$60,010	Exempt
15-1131	Computer Programmers	\$51,440	Exempt
15-1132	Software Developers, Applications	\$59,320	Exempt
15-1133	Software Developers, Systems Software	\$65,890	Exempt
15-1134	Web Developers	\$39,580	Exempt
15-1141	Database Administrators	\$48,580	Exempt
15-1142	Network & Computer Systems Administrators	\$49,210	Exempt
15-1143	Computer Network Architects	\$60,350	Exempt
15-1151	Computer User Support Specialists	\$32,670	Exempt
15-1152	Computer Network Support Specialists	\$38,590	Exempt
15-1199	Computer Occupations, All Other	\$47,050	Exempt
15-2011	Actuaries	\$65,640	Exempt
15-2021	Mathematicians	\$50,260	Exempt
15-2031	Operations Research Analysts	\$52,000	Exempt
15-2041	Statisticians	\$46,270	Exempt
15-2090	Miscellaneous Mathematical Science (OES Aggregate)	NR	Exempt
17-1011	Architects, Except Landscape & Naval	\$46,020	Exempt
17-1012	Landscape Architects	\$40,340	Exempt
17-1021	Cartographers & Photogrammetrists	\$42,800	Exempt
17-1022	Surveyors	\$34,920	Exempt
17-2011	Aerospace Engineers	\$70,710	Exempt
17-2021	Agricultural Engineers	\$54,310	Exempt
17-2031	Biomedical Engineers	\$41,840	Exempt
17-2041	Chemical Engineers	\$64,530	Exempt
17-2051	Civil Engineers	\$54,330	Exempt
17-2061	Computer Hardware Engineers	\$65,030	Exempt
17-2071	Electrical Engineers	\$58,950	Exempt
17-2072	Electronics Engineers, Except Computer	\$58,850	Exempt
17-2081	Environmental Engineers	\$55,870	Exempt
17-2111	Health & Safety Engineers, Except Mining Safety Engineers & Inspectors	\$63,990	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR Indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
17-2112	Industrial Engineers	\$56,780	Exempt
17-2121	Marine Engineers & Naval Architects	NR	Exempt
17-2131	Materials Engineers	\$54,640	Exempt
17-2141	Mechanical Engineers	\$54,250	Exempt
17-2151	Mining & Geological Engineers, Including Mining Safety Engineers	\$62,870	Exempt
17-2161	Nuclear Engineers	\$80,780	Exempt
17-2171	Petroleum Engineers	\$71,850	Exempt
17-2199	Engineers, All Other	\$55,240	Exempt
17-2199	Engineers, All Other	\$33,330	Non-exempt
17-3011	Architectural & Civil Drafters	\$39,190	Non-exempt
17-3012	Electrical & Electronics Drafters	\$34,430	Non-exempt
17-3013	Mechanical Drafters	\$34,500	Non-exempt
17-3019	Drafters, All Other	NR	Non-exempt
17-3021	Aerospace Engineering & Operations Technicians	\$35,850	Non-exempt
17-3022	Civil Engineering Technicians	\$33,190	Non-exempt
17-3023	Electrical & Electronics Engineering Technicians	\$32,060	Non-exempt
17-3024	Electro-Mechanical Technicians	\$29,200	Non-exempt
17-3025	Environmental Engineering Technicians	\$35,550	Non-exempt
17-3026	Industrial Engineering Technicians	\$34,460	Non-exempt
17-3027	Mechanical Engineering Technicians	\$33,270	Non-exempt
17-3029	Engineering Technicians, Except Drafters, All Other	\$27,580	Non-exempt
17-3031	Surveying & Mapping Technicians	\$28,390	Exempt
19-1011	Animal Scientists	\$46,130	Exempt
19-1012	Food Scientists & Technologists	\$37,340	Exempt
19-1013	Soil & Plant Scientists	\$53,770	Exempt
19-1021	Biochemists & Biophysicists	\$50,250	Exempt
19-1022	Microbiologists	\$44,160	Exempt
19-1023	Zoologists & Wildlife Biologists	\$43,260	Exempt
19-1029	Biological Scientists, All Other	\$29,650	Exempt
19-1031	Conservation Scientists	\$38,800	Exempt
19-1032	Foresters	\$42,300	Exempt
19-1041	Epidemiologists	\$59,890	Exempt
19-1042	Medical Scientists	\$52,890	Exempt
19-1099	Life Scientists, All Other		Exempt
19-2011	Astronomers	\$56,080	Exempt
19-2012	Physicists	\$73,590	Exempt
19-2021	Atmospheric & Space Scientists	\$40,670	Exempt
19-2031	Chemists	\$62,290	Exempt
19-2032	Materials Scientists	\$43,940	Exempt
19-2041	Environmental Scientists & Specialists	\$52,420	Exempt
19-2042	Geoscientists	NR	Exempt
19-2043	Hydrologists	\$75,270	Exempt
19-2099	Physical Scientists, All Other	\$47,440	Exempt
19-3011	Economists	\$30,970	Exempt
19-3022	Survey Researchers	\$48,320	Exempt
19-3031	Clinical, Counseling, & School Psychologists	\$45,950	Exempt
19-3032	Industrial-Organizational Psychologists	\$43,020	Exempt
19-3039	Psychologists, All Other	\$66,170	Exempt
19-3041	Sociologists		

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
19-3051	Urban & Regional Planners	\$40,610	Exempt
19-3091	Anthropologists & Archeologists	\$38,450	Exempt
19-3092	Geographers	\$38,810	Exempt
19-3093	Historians	\$36,350	Exempt
19-3094	Political Scientists	\$53,060	Exempt
19-3099	Social Scientists & Related Workers, All Other	\$59,800	Exempt
19-4011	Agricultural & Food Science Technicians	\$27,570	Non-exempt
19-4021	Biological Technicians	\$30,800	Non-exempt
19-4031	Chemical Technicians	\$29,230	Non-exempt
19-4041	Geological & Petroleum Technicians	\$26,540	Non-exempt
19-4051	Nuclear Technicians	\$69,950	Non-exempt
19-4061	Social Science Research Assistants	\$28,160	Non-exempt
19-4091	Environmental Science & Protection Technicians	\$27,970	Non-exempt
19-4092	Forensic Science Technicians	\$33,310	Non-exempt
19-4093	Forest & Conservation Technicians	\$33,220	Non-exempt
19-4099	Life, Physical, & Social Science Technicians, All Other	\$29,960	Non-exempt
21-1012	Educational, Guidance, School, & Vocational Counselors	\$34,100	Exempt
21-1013	Marriage & Family Therapists	\$34,930	Exempt
21-1015	Rehabilitation Counselors	\$23,590	Exempt
21-1018	Substance Abuse, Behavioral Disorder & Mental Health Counselors (OES Aggregate)	\$29,140	Exempt
21-1019	Counselors, All Other	\$34,840	Exempt
21-1021	Child, Family, & School Social Workers	\$28,330	Exempt
21-1022	Healthcare Social Workers	\$35,050	Exempt
21-1023	Mental Health & Substance Abuse Social Workers	\$25,910	Exempt
21-1029	Social Workers, All Other	\$39,550	Exempt
21-1091	Health Educators	\$34,090	Exempt
21-1092	Probation Officers & Correctional Treatment Specialists	\$38,790	Exempt
21-1093	Social & Human Service Assistants	\$24,020	Non-exempt
21-1094	Community Health Workers	\$27,530	Non-exempt
21-1099	Community & Social Service Specialists, Other	\$24,170	Exempt
21-2011	Clergy	\$23,960	Exempt
21-2021	Directors, Religious Activities & Education	\$17,480	Exempt
21-2099	Religious Workers, All Other	\$16,830	Exempt
23-1011	Lawyers	\$53,980	Exempt
23-1012	Judicial Law Clerks	\$26,750	Exempt
23-1021	Administrative Law Judges, Adjudicators, & Hearing Officers	\$47,800	Exempt
23-1022	Arbitrators, Mediators, & Conciliators	\$35,950	Exempt
23-1023	Judges, Magistrate Judges, & Magistrates	\$43,410	Exempt
23-2011	Paralegals & Legal Assistants	\$30,860	Non-exempt
23-2091	Court Reporters	\$29,800	Non-exempt
23-2093	Title Examiners, Abstractors, & Searchers	\$26,970	Non-exempt
23-2099	Legal Support Workers, All Other	\$39,470	Non-exempt
25-1011	Business Teachers, Postsecondary	\$31,530	Exempt
25-1021	Computer Science Teachers, Postsecondary	\$36,250	Exempt
25-1022	Mathematical Science Teachers, Postsecondary	\$35,710	Exempt
25-1031	Architecture Teachers, Postsecondary	NR	Exempt
25-1032	Engineering Teachers, Postsecondary	\$39,860	Exempt
25-1041	Agricultural Sciences Teachers, Postsecondary	\$56,680	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
25-1042	Biological Science Teachers, Postsecondary	\$41,010	Exempt
25-1043	Forestry & Conservation Science Teachers, Postsecondary	\$57,580	Exempt
25-1051	Earth/Marine/Space Sciences Teachers, Postsecondary	\$40,500	Exempt
25-1052	Chemistry Teachers, Postsecondary	\$42,040	Exempt
25-1053	Environmental Science Teachers, Postsecondary	\$46,410	Exempt
25-1054	Physics Teachers, Postsecondary	\$43,160	Exempt
25-1061	Anthropology & Archeology Teachers, Postsecondary	\$48,270	Exempt
25-1062	Area, Ethnic & Cultural Teachers, Postsecondary	\$37,900	Exempt
25-1063	Economics Teachers, Postsecondary	\$51,350	Exempt
25-1064	Geography Teachers, Postsecondary	\$39,010	Exempt
25-1065	Political Science Teachers, Postsecondary	\$40,530	Exempt
25-1066	Psychology Teachers, Postsecondary	\$38,440	Exempt
25-1067	Sociology Teachers, Postsecondary	\$37,500	Exempt
25-1069	Social Sciences Teachers, Postsecondary	\$34,180	Exempt
25-1071	Health Specialties Teachers, Postsecondary	\$33,640	Exempt
25-1072	Nursing Instructors & Teachers, Postsecondary	\$39,370	Exempt
25-1081	Education Teachers, Postsecondary	\$27,540	Exempt
25-1082	Library Science Teachers, Postsecondary	\$43,760	Exempt
25-1111	Criminal Justice & Law Enforcement Teachers, Postsecondary	\$37,160	Exempt
25-1112	Law Teachers, Postsecondary	\$18,650	Exempt
25-1113	Social Work Teachers, Postsecondary	\$19,370	Exempt
25-1121	Art, Drama & Music Teachers, Postsecondary	\$33,800	Exempt
25-1122	Communications Teachers, Postsecondary	\$36,140	Exempt
25-1123	English Language & Literature Teachers, Postsecondary	\$34,350	Exempt
25-1124	Foreign Language & Literature Teachers, Postsecondary	\$34,920	Exempt
25-1125	History Teachers, Postsecondary	\$39,210	Exempt
25-1126	Philosophy & Religion Teachers, Postsecondary	\$39,140	Exempt
25-1191	Graduate Teaching Assistants	\$20,260	Non-exempt
25-1192	Home Economics Teachers, Postsecondary	NR	Exempt
25-1193	Recreation & Fitness Teachers, Postsecondary	\$33,710	Exempt
25-1194	Vocational Education Teachers, Postsecondary	\$32,420	Exempt
25-1199	Postsecondary Teachers, Other	NR	Exempt
25-2011	Preschool Teachers	\$19,730	Non-exempt
25-2012	Kindergarten Teachers	\$35,930	Exempt
25-2021	Elementary School Teachers	\$41,820	Exempt
25-2022	Middle School Teachers	\$37,560	Exempt
25-2023	Career/Technical Education Teachers, Middle School	\$50,230	Exempt
25-2031	Secondary School Teachers	\$41,340	Exempt
25-2032	Career/Technical Education Teachers, Secondary School	\$42,540	Exempt
25-2051	Special Education Teachers, Preschool	\$36,220	Exempt
25-2052	Special Education Teachers, Kindergarten & Elementary School	\$42,530	Exempt
25-2053	Special Education Teachers, Middle School	\$42,830	Exempt
25-2054	Special Education Teachers, Secondary School	\$41,490	Exempt
25-2059	Special Education Teachers, All Other	\$52,510	Exempt
25-3011	Adult Basic & Secondary Education & Literacy Teachers & Instructors	\$34,100	Exempt
25-3021	Self-Enrichment Education Teachers	\$18,630	Non-exempt
25-3097	Substitute Teachers	\$18,590	Non-exempt
25-3098	Teachers & Instructors, All Other	\$18,880	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
25-4011	Archivists	\$25,910	Exempt
25-4012	Curators	\$20,090	Exempt
25-4013	Museum Technicians & Conservators	\$23,870	Exempt
25-4021	Librarians	\$30,750	Exempt
25-4031	Library Technicians	\$19,540	Non-exempt
25-9011	Audio-Visual & Multimedia Collections Specialists	\$32,400	Exempt
25-9021	Farm & Home Management Advisors	\$40,900	Exempt
25-9031	Instructional Coordinators	\$37,870	Exempt
25-9041	Teacher Assistants	\$17,700	Non-exempt
25-9099	Education, Training, & Library Workers, All Other	\$20,370	Exempt
27-1011	Art Directors	\$51,230	Exempt
27-1012	Craft Artists	NR	Non-exempt
27-1013	Fine Artists	NR	Exempt
27-1014	Multimedia Artists & Animators	\$37,440	Exempt
27-1019	Artists & Related Workers, All Other	\$33,310	Non-exempt
27-1021	Commercial & Industrial Designers	\$41,510	Exempt
27-1022	Fashion Designers	\$26,620	Exempt
27-1023	Floral Designers	\$18,460	Non-exempt
27-1024	Graphic Designers	\$28,660	Exempt
27-1025	Interior Designers	\$32,690	Exempt
27-1026	Merchandise Displayers & Window Trimmers	\$17,630	Non-exempt
27-1027	Set & Exhibit Designers	\$26,200	Exempt
27-1029	Designers, All Other	\$22,990	Exempt
27-2011	Actors		Non-exempt
27-2012	Producers & Directors	\$33,470	Exempt
27-2021	Athletes & Sports Competitors	\$17,310	Exempt
27-2022	Coaches & Scouts	\$17,200	Exempt
27-2023	Umpires, Referees, & Other Sports Officials	\$18,000	Non-exempt
27-2031	Dancers		Non-exempt
27-2032	Choreographers	\$24,140	Non-exempt
27-2041	Music Directors & Composers	\$17,770	Exempt
27-2042	Musicians & Singers		Non-exempt
27-2099	Entertainers & Performers, Sports & Related Workers, All Other	NR	Non-exempt
27-3011	Radio & Television Announcers	\$17,210	Exempt
27-3012	Public Address System & Other Announcers	\$18,630	Non-exempt
27-3021	Broadcast News Analysts	NR	Exempt
27-3022	Reporters & Correspondents	\$21,600	Exempt
27-3031	Public Relations Specialists	\$31,500	Exempt
27-3041	Editors	\$30,540	Exempt
27-3042	Technical Writers	\$41,550	Exempt
27-3043	Writers & Authors	\$29,820	Exempt
27-3091	Interpreters & Translators	\$31,210	Exempt
27-3099	Media & Communication Workers, All Other	\$22,440	Non-exempt
27-4011	Audio & Video Equipment Technicians	\$25,190	Non-exempt
27-4012	Broadcast Technicians	\$17,660	Non-exempt
27-4013	Radio Operators	NR	Non-exempt
27-4014	Sound Engineering Technicians	\$21,700	Non-exempt
27-4021	Photographers	\$17,520	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
27-4031	Camera Operators, Television, Video, & Motion Picture	\$18,360	Exempt
27-4032	Film & Video Editors	\$32,510	Exempt
27-4099	Media & Communication Equipment Workers, All Other	\$54,630	Non-exempt
29-1011	Chiropractors	\$24,260	Exempt
29-1021	Dentists, General	\$63,850	Exempt
29-1022	Oral & Maxillofacial Surgeons	\$57,910	Exempt
29-1023	Orthodontists	\$160,650	Exempt
29-1024	Prosthodontists		Exempt
29-1029	Dentists, All Other Specialists	\$61,000	Exempt
29-1031	Dietitians & Nutritionists	\$34,860	Exempt
29-1041	Optometrists	\$58,980	Exempt
29-1051	Pharmacists	\$72,670	Exempt
29-1061	Anesthesiologists	\$162,380	Exempt
29-1062	Family & General Practitioners	\$95,370	Exempt
29-1063	Internists, General	\$63,690	Exempt
29-1064	Obstetricians & Gynecologists	\$91,300	Exempt
29-1065	Pediatricians, General	\$92,920	Exempt
29-1066	Psychiatrists	\$92,810	Exempt
29-1067	Surgeons	\$109,790	Exempt
29-1069	Physicians & Surgeons, Other	\$57,230	Exempt
29-1071	Physician Assistants	\$67,580	Exempt
29-1081	Podiatrists	\$45,690	Exempt
29-1122	Occupational Therapists	\$54,330	Exempt
29-1123	Physical Therapists	\$57,240	Exempt
29-1124	Radiation Therapists	\$56,330	Non-exempt
29-1125	Recreational Therapists	\$24,160	Exempt
29-1126	Respiratory Therapists	\$41,950	Non-exempt
29-1127	Speech-Language Pathologists	\$52,040	Exempt
29-1128	Therapists, All Other	\$32,060	Exempt
29-1129	Therapists, Other	\$34,020	Exempt
29-1131	Veterinarians	\$56,210	Exempt
29-1141	Registered Nurses	\$51,950	Exempt
29-1151	Nurse Anesthetists	\$121,470	Exempt
29-1161	Nurse Midwives	\$64,830	Exempt
29-1171	Nurse Practitioners	\$66,920	Exempt
29-1181	Audiologists	\$54,860	Exempt
29-1199	Health Diagnosing & Treating Practitioners, All Other	\$51,690	Exempt
29-2010	Clinical Laboratory Technologists & Technicians (OES Aggregate)	\$30,650	Non-exempt
29-2021	Dental Hygienists	\$50,610	Non-exempt
29-2031	Cardiovascular Technologists & Technicians	\$31,540	Non-exempt
29-2032	Diagnostic Medical Sonographers	\$48,400	Non-exempt
29-2033	Nuclear Medicine Technologists	\$52,130	Non-exempt
29-2034	Radiologic Technologists & Technicians	\$36,920	Non-exempt
29-2035	Magnetic Resonance Imaging Technologists	\$45,980	Non-exempt
29-2041	Emergency Medical Technicians & Paramedics	\$21,180	Non-exempt
29-2051	Dietetic Technicians	\$20,260	Non-exempt
29-2052	Pharmacy Technicians	\$20,890	Non-exempt
29-2053	Psychiatric Technicians	\$24,010	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
29-2054	Respiratory Therapy Technicians	\$28,110	Non-exempt
29-2055	Surgical Technologists	\$33,300	Non-exempt
29-2056	Veterinary Technologists & Technicians	\$24,720	Non-exempt
29-2057	Ophthalmic Medical Technicians	\$23,140	Non-exempt
29-2061	Licensed Practical & Licensed Vocational Nurses	\$34,980	Non-exempt
29-2071	Medical Records & Health Information Technicians	\$27,210	Non-exempt
29-2081	Opticians, Dispensing	\$23,830	Non-exempt
29-2091	Orthotists & Prosthetists	\$39,550	Exempt
29-2092	Hearing Aid Specialists	\$29,190	Non-exempt
29-2099	Health Technologists & Technicians, Other	\$27,760	Non-exempt
29-9011	Occupational Health & Safety Specialists	\$41,620	Exempt
29-9012	Occupational Health & Safety Technicians	\$33,540	Non-exempt
29-9091	Athletic Trainers	\$33,330	Exempt
29-9092	Genetic Counselors	\$39,620	Exempt
29-9099	Healthcare Practitioner & Technical Workers, Other	\$36,050	Non-exempt
31-1011	Home Health Aides	\$20,020	Non-exempt
31-1013	Psychiatric Aides	\$23,510	Non-exempt
31-1014	Nursing Assistants	\$23,680	Non-exempt
31-1015	Orderlies	\$21,920	Non-exempt
31-2011	Occupational Therapy Assistants	\$39,710	Non-exempt
31-2012	Occupational Therapy Aides	\$22,390	Non-exempt
31-2021	Physical Therapist Assistants	\$35,610	Non-exempt
31-2022	Physical Therapist Aides	\$19,300	Non-exempt
31-9011	Massage Therapists	\$21,350	Non-exempt
31-9091	Dental Assistants	\$26,070	Non-exempt
31-9092	Medical Assistants	\$24,310	Non-exempt
31-9093	Medical Equipment Preparers	\$26,140	Non-exempt
31-9094	Medical Transcriptionists	\$21,950	Non-exempt
31-9095	Pharmacy Aides	\$17,260	Non-exempt
31-9096	Veterinary Assistants & Laboratory Animal Caretakers	\$18,630	Non-exempt
31-9097	Phlebotomists	\$26,420	Non-exempt
31-9099	Healthcare Support Workers, Other	\$27,450	Non-exempt
33-1011	First-Line Supervisors of Correctional Officers	NR	Exempt
33-1012	First-Line Supervisors of Police & Detectives	\$59,630	Exempt
33-1021	First-Line Supervisors of Fire Fighting & Prevention Workers	\$59,370	Exempt
33-1099	First-Line Supervisors of Protective Service Workers, All Other	\$28,140	Exempt
33-2011	Firefighters	\$30,820	Non-exempt
33-2021	Fire Inspectors & Investigators	\$36,320	Non-exempt
33-2022	Forest Fire Inspectors & Prevention Specialists		Non-exempt
33-3011	Bailiffs	\$17,810	Non-exempt
33-3012	Correctional Officers & Jailers	\$38,480	Non-exempt
33-3021	Detectives & Criminal Investigators	\$53,820	Non-exempt
33-3031	Fish & Game Wardens	NR	Exempt
33-3041	Parking Enforcement Workers	\$22,680	Non-exempt
33-3051	Police & Sheriff's Patrol Officers	\$35,650	Non-exempt
33-3052	Transit & Railroad Police	NR	Non-exempt
33-9011	Animal Control Workers	\$22,060	Non-exempt
33-9021	Private Detectives & Investigators	\$29,710	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
33-9031	Gaming Surveillance Officers & Gaming Investigators	\$31,510	Non-exempt
33-9032	Security Guards	\$18,950	Non-exempt
33-9091	Crossing Guards	\$17,040	Non-exempt
33-9092	Lifeguards, Ski Patrol, & Other Recreational Protective Service Workers	\$16,550	Non-exempt
33-9093	Transportation Security Screeners (Federal Only)	NR	Non-exempt
33-9099	Protective Service Workers, All Other	\$17,180	Non-exempt
35-1011	Chefs & Head Cooks	\$33,660	Exempt
35-1012	First-Line Supervisors of Food Preparation & Serving Workers	\$20,800	Exempt
35-2011	Cooks, Fast Food	\$16,590	Non-exempt
35-2012	Cooks, Institution & Cafeteria	\$20,060	Non-exempt
35-2013	Cooks, Private Household	\$21,380	Non-exempt
35-2014	Cooks, Restaurant	\$17,730	Non-exempt
35-2015	Cooks, Short Order	\$18,700	Non-exempt
35-2019	Cooks, All Other	\$17,330	Non-exempt
35-2021	Food Preparation Workers	\$17,040	Non-exempt
35-3011	Bartenders	\$16,540	Non-exempt
35-3021	Combined Food Preparation & Serving Workers, Including Fast Food	\$16,450	Non-exempt
35-3022	Counter Attendants, Cafeteria, Food Concession, & Coffee Shop	\$16,570	Non-exempt
35-3031	Waiters & Waitresses	\$16,870	Non-exempt
35-3041	Food Servers, Nonrestaurant	\$16,970	Non-exempt
35-9011	Dining Room & Cafeteria Attendants & Bartender Helpers	\$16,480	Non-exempt
35-9021	Dishwashers	\$16,680	Non-exempt
35-9031	Hosts & Hostesses, Restaurant, Lounge, & Coffee Shop	\$16,710	Non-exempt
35-9099	Food Preparation & Serving Related Workers, All Other	\$19,880	Non-exempt
37-1011	First-Line Supervisors of Housekeeping & Janitorial Workers	\$26,150	Exempt
37-1012	First-Line Supervisors of Landscaping, Lawn Service, & Groundskeeping Workers	\$33,170	Exempt
37-2011	Janitors & Cleaners, Except Maids & Housekeeping Cleaners	\$18,310	Non-exempt
37-2012	Maids & Housekeeping Cleaners	\$17,170	Non-exempt
37-2019	Building Cleaning Workers, All Other	NR	Non-exempt
37-2021	Pest Control Workers	\$26,590	Non-exempt
37-3011	Landscaping & Groundskeeping Workers	\$19,480	Non-exempt
37-3012	Pesticide Handlers, Sprayers, & Applicators, Vegetation	\$27,630	Non-exempt
37-3013	Tree Trimmers & Pruners	\$18,530	Non-exempt
37-3019	Grounds Maintenance Workers, All Other	\$41,670	Non-exempt
39-1010	First-Line Supervisors of Gaming Workers (OES Aggregate)	\$22,990	Exempt
39-1021	First-Line Supervisors of Personal Service Workers	\$24,920	Exempt
39-2011	Animal Trainers	\$17,830	Non-exempt
39-2021	Nonfarm Animal Caretakers	\$16,950	Non-exempt
39-3011	Gaming Dealers	\$16,330	Non-exempt
39-3012	Gaming & Sports Book Writers & Runners	\$18,400	Non-exempt
39-3019	Gaming Service Workers, All Other	\$24,780	Non-exempt
39-3021	Motion Picture Projectionists	\$16,470	Non-exempt
39-3031	Ushers, Lobby Attendants, & Ticket Takers	\$16,400	Non-exempt
39-3091	Amusement & Recreation Attendants	\$16,320	Non-exempt
39-3092	Costume Attendants	\$21,420	Non-exempt
39-3093	Locker Room, Coatroom, & Dressing Room Attendants	\$16,430	Non-exempt
39-3099	Entertainment Attendants & Related Workers, All Other	\$17,280	Non-exempt
39-4011	Embalmers	NR	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
39-4021	Funeral Attendants	\$17,500	Non-exempt
39-4031	Morticians, Undertakers & Funeral Directors	\$26,420	Non-exempt
39-5011	Barbers	\$17,390	Non-exempt
39-5012	Hairdressers, Hairstylists, & Cosmetologists	\$16,720	Non-exempt
39-5091	Makeup Artists, Theatrical & Performance	\$23,280	Non-exempt
39-5092	Manicurists & Pedicurists	\$16,490	Non-exempt
39-5093	Shampooers	\$16,380	Non-exempt
39-5094	Skincare Specialists	\$19,760	Non-exempt
39-6011	Baggage Porters & Bellhops	\$17,350	Non-exempt
39-6012	Concierges	\$21,130	Non-exempt
39-7010	Tour & Travel Guides (OES Aggregate)	\$17,210	Non-exempt
39-9011	Childcare Workers	\$16,840	Non-exempt
39-9021	Personal Care Aides	\$19,670	Non-exempt
39-9031	Fitness Trainers & Aerobics Instructors	\$18,120	Non-exempt
39-9032	Recreation Workers	\$17,080	Non-exempt
39-9041	Residential Advisors	\$20,610	Non-exempt
39-9099	Personal Care & Service Workers, All Other	\$17,740	Non-exempt
41-1011	First-Line Supervisors of Retail Sales Workers	\$25,480	Exempt
41-1012	First-Line Supervisors of Non-Retail Sales Workers	\$44,060	Exempt
41-2011	Cashiers	\$16,580	Non-exempt
41-2012	Gaming Change Persons & Booth Cashiers	\$18,350	Non-exempt
41-2021	Counter & Rental Clerks	\$17,320	Non-exempt
41-2022	Parts Salespersons	\$20,380	Non-exempt
41-2031	Retail Salespersons	\$16,970	Non-exempt
41-3011	Advertising Sales Agents	\$26,330	Non-exempt
41-3021	Insurance Sales Agents	\$31,980	Non-exempt
41-3031	Securities, Commodities, & Financial Services Sales Agents	\$34,240	Exempt
41-3041	Travel Agents	\$18,600	Non-exempt
41-3099	Sales Representatives, Services, All Other	\$29,490	Non-exempt
41-4011	Sales Representatives, Technical & Scientific Products	\$42,940	Exempt
41-4012	Sales Representatives	\$32,940	Non-exempt
41-9011	Demonstrators & Product Promoters	\$19,640	Non-exempt
41-9012	Models	\$33,110	Non-exempt
41-9021	Real Estate Brokers	NR	Non-exempt
41-9022	Real Estate Sales Agents	\$30,300	Non-exempt
41-9031	Sales Engineers	\$53,250	Exempt
41-9041	Telemarketers	\$17,230	Non-exempt
41-9091	Door-to-Door Sales Workers, News & Street Vendors, & Related Workers	\$20,610	Non-exempt
41-9099	Sales & Related Workers, Other	\$20,730	Non-exempt
43-1011	First-Line Supervisors of Office & Administrative Support Workers	\$35,390	Exempt
43-2011	Switchboard Operators, Including Answering Service	\$19,120	Non-exempt
43-2021	Telephone Operators	\$26,260	Non-exempt
43-2099	Communications Equipment Operators, All Other	\$33,190	Non-exempt
43-3011	Bill & Account Collectors	\$23,820	Non-exempt
43-3021	Billing & Posting Clerks	\$27,040	Non-exempt
43-3031	Bookkeeping, Accounting, & Auditing Clerks	\$24,800	Non-exempt
43-3041	Gaming Cage Workers	\$21,800	Non-exempt
43-3051	Payroll & Timekeeping Clerks	\$29,330	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
43-3061	Procurement Clerks	\$27,440	Non-exempt
43-3071	Tellers	\$22,070	Non-exempt
43-3099	Financial Clerks, All Other	\$28,390	Non-exempt
43-4011	Brokerage Clerks	\$34,930	Non-exempt
43-4021	Correspondence Clerks	\$27,700	Non-exempt
43-4031	Court, Municipal, & License Clerks	\$22,750	Non-exempt
43-4041	Credit Authorizers, Checkers, & Clerks	\$27,680	Non-exempt
43-4051	Customer Service Representatives	\$22,310	Non-exempt
43-4061	Eligibility Interviewers, Government Programs	\$40,000	Non-exempt
43-4071	File Clerks	\$21,140	Non-exempt
43-4081	Hotel, Motel, & Resort Desk Clerks	\$16,990	Non-exempt
43-4111	Interviewers, Except Eligibility & Loan	\$19,450	Non-exempt
43-4121	Library Assistants, Clerical	\$16,910	Non-exempt
43-4131	Loan Interviewers & Clerks	\$23,050	Non-exempt
43-4141	New Accounts Clerks	\$30,050	Non-exempt
43-4151	Order Clerks	\$18,580	Non-exempt
43-4161	Human Resources Assistants, Except Payroll & Timekeeping	\$27,540	Non-exempt
43-4171	Receptionists & Information Clerks	\$18,740	Non-exempt
43-4181	Reservation & Transportation Ticket Agents & Travel Clerks	\$23,760	Non-exempt
43-4199	Information & Record Clerks, All Other	\$30,840	Non-exempt
43-5011	Cargo & Freight Agents	\$27,270	Non-exempt
43-5021	Couriers & Messengers	\$20,740	Non-exempt
43-5031	Police, Fire, & Ambulance Dispatchers	\$26,930	Non-exempt
43-5032	Dispatchers, Except Police, Fire, & Ambulance	\$24,630	Non-exempt
43-5041	Meter Readers, Utilities	\$24,500	Non-exempt
43-5051	Postal Service Clerks	\$35,760	Non-exempt
43-5052	Postal Service Mail Carriers	\$36,990	Non-exempt
43-5053	Postal Service Mail Sorters, Processors, & Processing Machine Operators	\$35,220	Non-exempt
43-5061	Production, Planning, & Expediting Clerks	\$30,670	Non-exempt
43-5071	Shipping, Receiving, & Traffic Clerks	\$22,530	Non-exempt
43-5081	Stock Clerks & Order Fillers	\$17,730	Non-exempt
43-5111	Weighers, Measurers, Checkers, & Samplers, Recordkeeping	\$19,690	Non-exempt
43-6011	Executive Secretaries & Executive Administrative Assistants	\$35,520	Non-exempt
43-6012	Legal Secretaries	\$31,400	Non-exempt
43-6013	Medical Secretaries	\$25,850	Non-exempt
43-6014	Secretaries & Administrative Assistants, Except Legal, Medical, & Executive	\$21,700	Non-exempt
43-9011	Computer Operators	\$28,760	Non-exempt
43-9021	Data Entry Keyers	\$21,520	Non-exempt
43-9022	Word Processors & Typists	\$27,870	Non-exempt
43-9031	Desktop Publishers	\$23,770	Non-exempt
43-9041	Insurance Claims & Policy Processing Clerks	\$29,900	Non-exempt
43-9051	Mail Clerks & Mail Machine Operators, Except Postal Service	\$19,760	Non-exempt
43-9061	Office Clerks, General	\$19,760	Non-exempt
43-9071	Office Machine Operators, Except Computer	\$21,260	Non-exempt
43-9081	Proofreaders & Copy Markers	\$23,000	Exempt
43-9111	Statistical Assistants	\$32,360	Exempt
43-9199	Office & Administrative Support Workers, Other	\$18,500	Non-exempt
45-1011	First-Line Supervisors of Farming, Fishing, & Forestry Workers	\$34,890	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
45-2011	Agricultural Inspectors	\$41,360	Exempt
45-2021	Animal Breeders	NR	Non-exempt
45-2041	Graders & Sorters, Agricultural Products	\$17,620	Non-exempt
45-2091	Agricultural Equipment Operators	\$17,320	Non-exempt
45-2092	Farmworkers & Laborers: Crop, Nursery & Greenhouse	\$17,010	Non-exempt
45-2093	Farmworkers: Farm & Ranch Animals	\$17,130	Non-exempt
45-2099	Agricultural Workers, Other	\$22,700	Non-exempt
45-3011	Fishers & Related Fishing Workers		Non-exempt
45-3021	Hunters & Trappers		Non-exempt
45-4011	Forest & Conservation Workers	\$42,860	Non-exempt
45-4021	Fallers	\$22,980	Non-exempt
45-4022	Logging Equipment Operators	\$20,060	Non-exempt
45-4023	Log Graders & Scalers	\$25,380	Non-exempt
45-4029	Logging Workers, All Other	NR	Non-exempt
47-1011	First-Line Supervisors of Construction Trades & Extraction Workers	\$45,250	Exempt
47-2011	Boilermakers	\$54,450	Non-exempt
47-2021	Brickmasons & Blockmasons	\$31,500	Non-exempt
47-2022	Stonemasons	\$27,690	Non-exempt
47-2031	Carpenters	\$31,080	Non-exempt
47-2041	Carpet Installers	\$20,230	Non-exempt
47-2042	Floor Layers, Except Carpet, Wood, & Hard Tiles	\$32,880	Non-exempt
47-2043	Floor Sanders & Finishers	\$28,520	Non-exempt
47-2044	Tile & Marble Setters	\$29,170	Non-exempt
47-2051	Cement Masons & Concrete Finishers	\$31,960	Non-exempt
47-2053	Terrazzo Workers & Finishers	\$32,730	Non-exempt
47-2061	Construction Laborers	\$25,070	Non-exempt
47-2071	Paving, Surfacing, & Tamping Equipment Operators	\$28,430	Non-exempt
47-2072	Pile-Driver Operators	\$44,200	Non-exempt
47-2073	Operating Engineers & Other Construction Equipment Operators	\$32,960	Non-exempt
47-2081	Drywall & Ceiling Tile Installers	\$32,080	Non-exempt
47-2082	Tapers	\$34,210	Non-exempt
47-2111	Electricians	\$36,190	Non-exempt
47-2121	Glaziers	\$31,840	Non-exempt
47-2131	Insulation Workers: Floor, Ceiling & Wall	\$26,360	Non-exempt
47-2132	Insulation Workers: Mechanical	\$55,070	Non-exempt
47-2141	Painters, Construction & Maintenance	\$26,150	Non-exempt
47-2142	Paperhangers	\$27,130	Non-exempt
47-2151	Pipelayers	\$36,160	Non-exempt
47-2152	Plumbers, Pipefitters, & Steamfitters	\$33,890	Non-exempt
47-2161	Plasterers & Stucco Masons	\$27,370	Non-exempt
47-2171	Reinforcing Iron & Rebar Workers	\$40,300	Non-exempt
47-2181	Roofers	\$28,430	Non-exempt
47-2211	Sheet Metal Workers	\$27,760	Non-exempt
47-2221	Structural Iron & Steel Workers	\$33,730	Non-exempt
47-2231	Solar Photovoltaic Installers	NR	Non-exempt
47-3011	Helpers--Brickmasons, Blockmasons, Stonemasons, & Tile & Marble Setters	\$25,350	Non-exempt
47-3012	Helpers--Carpenters	\$22,380	Non-exempt
47-3013	Helpers--Electricians	\$21,010	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
47-3014	Helpers--Painters, Paperhangers, Plasterers, & Stucco Masons	\$17,730	Non-exempt
47-3015	Helpers--Pipelayers, Plumbers, Pipefitters, & Steamfitters	\$22,790	Non-exempt
47-3016	Helpers--Roofers	\$23,450	Non-exempt
47-3019	Helpers, Construction Trades, All Other	\$24,160	Non-exempt
47-4011	Construction & Building Inspectors	\$37,180	Non-exempt
47-4021	Elevator Installers & Repairers	\$41,610	Non-exempt
47-4031	Fence Erectors	\$27,250	Non-exempt
47-4041	Hazardous Materials Removal Workers	\$32,940	Non-exempt
47-4051	Highway Maintenance Workers	\$26,970	Non-exempt
47-4061	Rail-Track Laying & Maintenance Equipment Operators	\$40,890	Non-exempt
47-4071	Septic Tank Servicers & Sewer Pipe Cleaners	\$32,180	Non-exempt
47-4090	Miscellaneous Construction Workers (OES Aggregate)	\$25,660	Non-exempt
47-5011	Derrick Operators, Oil & Gas	\$35,180	Non-exempt
47-5012	Rotary Drill Operators, Oil & Gas	\$30,270	Non-exempt
47-5013	Service Unit Operators, Oil, Gas, & Mining	\$27,290	Non-exempt
47-5021	Earth Drillers, Except Oil & Gas	\$31,760	Non-exempt
47-5031	Explosives Workers, Ordnance Handling Experts, & Blasters	\$42,730	Non-exempt
47-5041	Continuous Mining Machine Operators	\$29,360	Non-exempt
47-5042	Mine Cutting & Channeling Machine Operators	\$37,620	Non-exempt
47-5049	Mining Machine Operators, All Other	\$51,830	Non-exempt
47-5051	Rock Splitters, Quarry	\$26,070	Non-exempt
47-5061	Roof Bolters, Mining	\$54,660	Non-exempt
47-5071	Roustabouts, Oil & Gas	\$24,610	Non-exempt
47-5081	Helpers--Extraction Workers	\$28,780	Non-exempt
47-5099	Extraction Workers, All Other	NR	Non-exempt
49-1011	First-Line Supervisors of Mechanics, Installers, & Repairers	\$43,160	Exempt
49-2011	Computer, ATM & Office Machine Repairers	\$24,800	Non-exempt
49-2021	Radio, Cellular, & Tower Equipment Installers & Repairs	\$43,570	Non-exempt
49-2022	Telecommunications Equipment Installers & Repairers	\$28,620	Non-exempt
49-2091	Avionics Technicians	\$47,160	Non-exempt
49-2092	Electric Motor, Power Tool, & Related Repairers	\$30,580	Non-exempt
49-2093	Electrical & Electronics Installers & Repairers, Transportation Equipment	\$40,630	Non-exempt
49-2094	Electrical & Electronics Repairers, Commercial & Industrial Equipment	\$41,800	Non-exempt
49-2095	Electrical & Electronics Repairers, Powerhouse, Substation, & Relay	\$54,280	Non-exempt
49-2096	Electronic Equipment Installers & Repairers, Motor Vehicles	\$23,250	Non-exempt
49-2097	Electronic Home Entertainment Equipment Installers & Repairers	\$26,770	Non-exempt
49-2098	Security & Fire Alarm Systems Installers	\$31,470	Non-exempt
49-3011	Aircraft Mechanics & Service Technicians	\$39,380	Non-exempt
49-3021	Automotive Body & Related Repairers	\$27,670	Non-exempt
49-3022	Automotive Glass Installers & Repairers	\$24,550	Non-exempt
49-3023	Automotive Service Technicians & Mechanics	\$22,140	Non-exempt
49-3031	Bus & Truck Mechanics & Diesel Engine Specialists	\$30,690	Non-exempt
49-3041	Farm Equipment Mechanics & Service Technicians	\$24,610	Non-exempt
49-3042	Mobile Heavy Equipment Mechanics, Except Engines	\$35,560	Non-exempt
49-3043	Rail Car Repairers	\$41,140	Non-exempt
49-3051	Motorboat Mechanics & Service Technicians	\$21,940	Non-exempt
49-3052	Motorcycle Mechanics	\$22,460	Non-exempt
49-3053	Outdoor Power Equipment & Other Small Engine Mechanics	\$21,520	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
49-3091	Bicycle Repairers	\$17,830	Non-exempt
49-3092	Recreational Vehicle Service Technicians	\$21,380	Non-exempt
49-3093	Tire Repairers & Changers	\$20,620	Non-exempt
49-9011	Mechanical Door Repairers	\$24,640	Non-exempt
49-9012	Control & Valve Installers & Repairers	\$38,040	Non-exempt
49-9021	Heating, A/C & Refrigeration Mechanics	\$31,350	Non-exempt
49-9031	Home Appliance Repairers	\$26,830	Non-exempt
49-9041	Industrial Machinery Mechanics	\$34,500	Non-exempt
49-9043	Maintenance Workers, Machinery	\$30,410	Non-exempt
49-9044	Millwrights	\$35,350	Non-exempt
49-9045	Refractory Materials Repairers, Except Brickmasons	\$23,520	Non-exempt
49-9051	Electrical Power-Line Installers & Repairers	\$53,580	Non-exempt
49-9052	Telecommunications Line Installers & Repairers	\$34,550	Non-exempt
49-9061	Camera & Photographic Equipment Repairers	\$19,240	Non-exempt
49-9062	Medical Equipment Repairers	\$28,490	Non-exempt
49-9063	Musical Instrument Repairers & Tuners	\$22,730	Non-exempt
49-9064	Watch Repairers	NR	Non-exempt
49-9069	Precision Instrument & Equipment Repairers, All Other	\$43,790	Non-exempt
49-9071	Maintenance & Repair Workers, General	\$22,650	Non-exempt
49-9081	Wind Turbine Service Technicians	\$41,130	Non-exempt
49-9091	Coin, Vending & Amusement Machine Servicers	\$16,980	Non-exempt
49-9092	Commercial Divers	NR	Non-exempt
49-9093	Fabric Menders	NR	Non-exempt
49-9094	Locksmiths & Safe Repairers	\$33,850	Non-exempt
49-9095	Manufactured Building & Mobile Home Installers	\$20,700	Non-exempt
49-9096	Riggers	\$32,100	Non-exempt
49-9097	Signal & Track Switch Repairers	\$52,650	Non-exempt
49-9098	Helpers--Installation, Maintenance, & Repair Workers	\$18,160	Non-exempt
49-9099	Installation, Maintenance & Repair Workers, Other	\$27,910	Non-exempt
51-1011	First-Line Supervisors of Production & Operating Workers	\$37,880	Exempt
51-2011	Aircraft Structure, Surfaces, Rigging, & Systems Assemblers	\$43,550	Non-exempt
51-2021	Coil Winders, Tapers, & Finishers	\$21,010	Non-exempt
51-2028	Electrical, Electronic, & Electromechanical Assemblers (OES Aggregate)	\$23,180	Non-exempt
51-2031	Engine & Other Machine Assemblers	\$30,000	Non-exempt
51-2041	Structural Metal Fabricators & Fitters	\$29,330	Non-exempt
51-2091	Fiberglass Laminators & Fabricators	\$30,150	Non-exempt
51-2093	Timing Device Assemblers & Adjusters	\$30,750	Non-exempt
51-2098	Assemblers & Fabricators, All Other (OES Aggregate)	\$21,050	Non-exempt
51-3011	Bakers	\$18,150	Non-exempt
51-3021	Butchers & Meat Cutters	\$19,470	Non-exempt
51-3022	Meat, Poultry, & Fish Cutters & Trimmers	\$22,150	Non-exempt
51-3023	Slaughterers & Meat Packers	\$22,470	Non-exempt
51-3091	Food & Tobacco Roasting, Baking, & Drying Machine Operators & Tenders	\$22,480	Non-exempt
51-3092	Food Batchmakers	\$19,960	Non-exempt
51-3093	Food Cooking Machine Operators & Tenders	\$20,350	Non-exempt
51-3099	Food Processing Workers, Other	\$20,840	Non-exempt
51-4011	Computer-Controlled Machine Tool Operators, Metal & Plastic	\$26,370	Non-exempt
51-4012	Computer Numerically Controlled Machine Tool Programmers, Metal & Plastic	\$37,370	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
51-4021	Extruding & Drawing Machine Setters, Operators, & Tenders, Metal & Plastic	\$23,270	Non-exempt
51-4022	Forging Machine Setters, Operators, & Tenders, Metal & Plastic	\$28,460	Non-exempt
51-4023	Rolling Machine Setters, Operators, & Tenders, Metal & Plastic	\$27,370	Non-exempt
51-4031	Cutting, Punching, & Press Machine Setters, Operators, & Tenders, Metal & Plastic	\$25,500	Non-exempt
51-4032	Drilling & Boring Machine Tool Setters, Operators, & Tenders, Metal & Plastic	\$21,520	Non-exempt
51-4033	Grinding, Lapping, Polishing, & Buffing Machine Tool Setters, Operators, & Tenders, Metal & Plastic	\$24,450	Non-exempt
51-4034	Lathe & Turning Machine Tool Setters, Operators, & Tenders, Metal & Plastic	\$27,620	Non-exempt
51-4035	Milling & Planing Machine Setters, Operators, & Tenders, Metal & Plastic	\$29,730	Non-exempt
51-4041	Machinists	\$28,800	Non-exempt
51-4051	Metal-Refining Furnace Operators & Tenders	\$32,090	Non-exempt
51-4052	Pourers & Casters, Metal	\$27,490	Non-exempt
51-4061	Model Makers, Metal & Plastic	\$33,030	Non-exempt
51-4062	Patternmakers, Metal & Plastic	\$30,670	Non-exempt
51-4071	Foundry Mold & Coremakers	\$23,900	Non-exempt
51-4072	Molding, Coremaking, & Casting Machine Setters, Operators, & Tenders, Metal & Plastic	\$20,840	Non-exempt
51-4081	Multiple Machine Tool Setters, Operators, & Tenders, Metal & Plastic	\$25,000	Non-exempt
51-4111	Tool & Die Makers	\$33,660	Non-exempt
51-4121	Welders, Cutters, Solderers, & Brazers	\$29,400	Non-exempt
51-4122	Welding, Soldering, & Brazing Machine Setters, Operators, & Tenders	\$27,040	Non-exempt
51-4191	Heat Treating Equipment Setters, Operators, & Tenders, Metal & Plastic	\$26,420	Non-exempt
51-4192	Layout Workers, Metal & Plastic	\$30,140	Non-exempt
51-4193	Plating & Coating Machine Setters, Operators, & Tenders, Metal & Plastic	\$22,730	Non-exempt
51-4194	Tool Grinders, Filers, & Sharpeners	\$31,740	Non-exempt
51-4199	Metal Workers & Plastic Workers, All Other	\$23,830	Non-exempt
51-5111	Prepress Technicians & Workers	\$27,350	Non-exempt
51-5112	Printing Press Operators	\$22,740	Non-exempt
51-5113	Print Binding & Finishing Workers	\$22,080	Non-exempt
51-6011	Laundry & Dry-Cleaning Workers	\$17,290	Non-exempt
51-6021	Pressers, Textile, Garment, & Related Materials	\$17,190	Non-exempt
51-6031	Sewing Machine Operators	\$18,010	Non-exempt
51-6041	Shoe & Leather Workers & Repairers	\$17,100	Non-exempt
51-6042	Shoe Machine Operators & Tenders	\$17,020	Non-exempt
51-6051	Sewers, Hand	\$18,980	Non-exempt
51-6052	Tailors, Dressmakers, & Custom Sewers	\$21,580	Non-exempt
51-6061	Textile Bleaching & Dyeing Machine Operators & Tenders	\$20,510	Non-exempt
51-6062	Textile Cutting Machine Setters, Operators, & Tenders	\$21,040	Non-exempt
51-6063	Textile Knitting & Weaving Machine Setters, Operators, & Tenders	\$21,840	Non-exempt
51-6064	Textile Winding, Twisting, & Drawing Out Machine Setters, Operators, & Tenders	\$21,950	Non-exempt
51-6091	Extruding & Forming Machine Setters, Operators, & Tenders, Synthetic & Glass Fibers	\$29,850	Non-exempt
51-6092	Fabric & Apparel Patternmakers	\$26,170	Non-exempt
51-6093	Upholsterers	\$21,330	Non-exempt
51-6099	Textile, Apparel, & Furnishings Workers, All Other	\$20,040	Non-exempt
51-7011	Cabinetmakers & Bench Carpenters	\$26,640	Non-exempt
51-7021	Furniture Finishers	\$20,570	Non-exempt
51-7031	Model Makers, Wood	NR	Non-exempt
51-7032	Patternmakers, Wood	\$34,870	Non-exempt
51-7041	Sawing Machine Setters, Operators, & Tenders, Wood	\$22,190	Non-exempt
51-7042	Woodworking Machine Setters, Operators, & Tenders, Except Sawing	\$22,410	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
51-7099	Woodworkers, All Other	\$44,970	Non-exempt
51-8011	Nuclear Power Reactor Operators	\$79,340	Non-exempt
51-8012	Power Distributors & Dispatchers	\$52,880	Non-exempt
51-8013	Power Plant Operators	\$43,620	Non-exempt
51-8021	Stationary Engineers & Boiler Operators	\$36,220	Non-exempt
51-8031	Water & Wastewater Treatment Plant & System Operators	\$30,880	Non-exempt
51-8091	Chemical Plant & System Operators	\$43,900	Non-exempt
51-8092	Gas Plant Operators	\$46,380	Non-exempt
51-8093	Petroleum Pump System Operators, Refinery Operators, & Gaugers	\$42,400	Non-exempt
51-8099	Plant & System Operators, All Other	\$34,720	Non-exempt
51-9011	Chemical Equipment Operators & Tenders	\$30,900	Non-exempt
51-9012	Separating, Filtering, Clarifying, Precipitating, & Still Machine Setters, Operators, & Tenders	\$25,640	Non-exempt
51-9021	Crushing, Grinding, & Polishing Machine Setters, Operators, & Tenders	\$28,570	Non-exempt
51-9022	Grinding & Polishing Workers, Hand	\$23,210	Non-exempt
51-9023	Mixing & Blending Machine Setters, Operators, & Tenders	\$26,950	Non-exempt
51-9031	Cutters & Trimmers, Hand	\$16,700	Non-exempt
51-9032	Cutting & Slicing Machine Setters, Operators, & Tenders	\$23,140	Non-exempt
51-9041	Extruding, Forming, Pressing, & Compacting Machine Setters, Operators, & Tenders	\$25,520	Non-exempt
51-9051	Furnace, Kiln, Oven, Drier, & Kettle Operators & Tenders	\$28,430	Non-exempt
51-9061	Inspectors, Testers, Sorters, Samplers, & Weighers	\$24,740	Non-exempt
51-9071	Jewelers & Precious Stone & Metal Workers	\$24,960	Non-exempt
51-9081	Dental Laboratory Technicians	\$25,520	Non-exempt
51-9082	Medical Appliance Technicians	\$27,450	Non-exempt
51-9083	Ophthalmic Laboratory Technicians	\$20,050	Non-exempt
51-9111	Packaging & Filling Machine Operators & Tenders	\$21,700	Non-exempt
51-9121	Coating, Painting, & Spraying Machine Setters, Operators, & Tenders	\$23,740	Non-exempt
51-9122	Painters, Transportation Equipment	\$30,920	Non-exempt
51-9123	Painting, Coating, & Decorating Workers	\$21,340	Non-exempt
51-9141	Semiconductor Processors	\$27,510	Non-exempt
51-9151	Photographic Process Workers & Processing Machine Operators	\$17,410	Non-exempt
51-9191	Adhesive Bonding Machine Operators & Tenders	\$23,020	Non-exempt
51-9192	Cleaning, Washing, & Metal Pickling Equipment Operators & Tenders	\$22,530	Non-exempt
51-9193	Cooling & Freezing Equipment Operators & Tenders	\$22,130	Non-exempt
51-9194	Etchers & Engravers	\$22,020	Non-exempt
51-9195	Molders, Shapers & Casters	\$24,410	Non-exempt
51-9196	Paper Goods Machine Setters, Operators, & Tenders	\$28,400	Non-exempt
51-9197	Tire Builders	\$25,900	Non-exempt
51-9198	Helpers--Production Workers	\$19,310	Non-exempt
51-9199	Production Workers, Other	\$21,260	Non-exempt
53-1011	Aircraft Cargo Handling Supervisors	\$36,520	Exempt
53-1048	First-Line Supervisors of Transportation & Material-Moving Workers (OES Aggregate)	\$34,890	Exempt
53-2011	Airline Pilots, Copilots, & Flight Engineers	\$74,230	Exempt
53-2012	Commercial Pilots	\$46,730	Non-exempt
53-2021	Air Traffic Controllers	\$63,920	Exempt
53-2022	Airfield Operations Specialists	\$24,750	Non-exempt
53-2031	Flight Attendants	\$41,720	Non-exempt
53-3011	Ambulance Drivers & Attendants	\$19,190	Non-exempt
53-3021	Bus Drivers: Transit & Intercity	\$21,090	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
53-3022	Bus Drivers: School or Special Client	\$18,500	Non-exempt
53-3031	Driver/Sales Workers	\$16,710	Non-exempt
53-3032	Heavy & Tractor-Trailer Truck Drivers	\$31,660	Non-exempt
53-3033	Light Truck or Delivery Services Drivers	\$17,740	Non-exempt
53-3041	Taxi Drivers & Chauffeurs	\$17,700	Non-exempt
53-3099	Motor Vehicle Operators, All Other	\$17,300	Non-exempt
53-4011	Locomotive Engineers	\$50,390	Non-exempt
53-4012	Locomotive Firers	NR	Non-exempt
53-4013	Rail Yard Engineers, Dinkey Operators, & Hostlers	\$34,930	Non-exempt
53-4021	Railroad Brake, Signal, & Switch Operators	\$34,510	Non-exempt
53-4031	Railroad Conductors & Yardmasters	\$44,670	Non-exempt
53-4041	Subway & Streetcar Operators	NR	Non-exempt
53-4099	Rail Transportation Workers, All Other	\$25,400	Non-exempt
53-5011	Sailors & Marine Oilers	\$29,180	Non-exempt
53-5021	Captains, Mates & Pilots of Water Vessels	\$35,570	Exempt
53-5022	Motorboat Operators	\$42,800	Non-exempt
53-5031	Ship Engineers	\$45,650	Non-exempt
53-6011	Bridge & Lock Tenders	\$17,530	Non-exempt
53-6021	Parking Lot Attendants	\$17,560	Non-exempt
53-6031	Automotive & Watercraft Service Attendants	\$17,560	Non-exempt
53-6041	Traffic Technicians	\$39,520	Non-exempt
53-6051	Transportation Inspectors	\$28,010	Non-exempt
53-6061	Transportation Attendants, Except Flight Attendants	\$18,990	Non-exempt
53-6099	Transportation Workers, All Other	\$22,910	Non-exempt
53-7011	Conveyor Operators & Tenders	\$26,910	Non-exempt
53-7021	Crane & Tower Operators	\$28,120	Non-exempt
53-7031	Dredge Operators	\$33,900	Non-exempt
53-7032	Excavating & Loading Machine & Dragline Operators	\$30,060	Non-exempt
53-7033	Loading Machine Operators, Underground Mining	\$52,690	Non-exempt
53-7041	Hoist & Winch Operators	\$29,470	Non-exempt
53-7051	Industrial Truck & Tractor Operators	\$26,970	Non-exempt
53-7061	Cleaners of Vehicles & Equipment	\$17,490	Non-exempt
53-7062	Laborers & Material Movers, Hand	\$20,740	Non-exempt
53-7063	Machine Feeders & Offbearers	\$21,600	Non-exempt
53-7064	Packers & Packagers, Hand	\$18,850	Non-exempt
53-7071	Gas Compressor & Gas Pumping Station Operators	\$45,310	Non-exempt
53-7072	Pump Operators	\$18,010	Non-exempt
53-7073	Wellhead Pumpers	\$30,460	Non-exempt
53-7081	Refuse & Recyclable Material Collectors	\$18,340	Non-exempt
53-7111	Mine Shuttle Car Operators	\$52,770	Non-exempt
53-7121	Tank Car, Truck, & Ship Loaders	\$28,390	Non-exempt
53-7199	Material Moving Workers, All Other	\$22,170	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
00-0000	Total, All Occupations	\$19,480	N/A
11-1011	Chief Executives	\$110,300	Exempt
11-1021	General & Operations Managers	\$52,970	Exempt
11-1031	Legislators	NR	Exempt
11-2011	Advertising & Promotions Managers	\$52,760	Exempt
11-2021	Marketing Managers	\$83,620	Exempt
11-2022	Sales Managers	\$71,510	Exempt
11-2031	Public Relations & Fundraising Managers	\$66,590	Exempt
11-3011	Administrative Services Managers	\$65,060	Exempt
11-3021	Computer & Information Systems Managers	\$90,540	Exempt
11-3031	Financial Managers	\$79,120	Exempt
11-3051	Industrial Production Managers	\$66,040	Exempt
11-3061	Purchasing Managers	\$76,750	Exempt
11-3071	Transportation, Storage, & Distribution Managers	\$70,050	Exempt
11-3111	Compensation & Benefits Managers	\$80,810	Exempt
11-3121	Human Resources Managers	\$74,560	Exempt
11-3131	Training & Development Managers	\$71,560	Exempt
11-9013	Farmers, Ranchers, & Other Agricultural Managers	\$60,000	Exempt
11-9021	Construction Managers	\$53,510	Exempt
11-9031	Education Administrators, Preschool & Childcare Center/Program	\$32,320	Exempt
11-9032	Education Administrators, Elementary & Secondary School	\$67,040	Exempt
11-9033	Education Administrators, Postsecondary	\$55,420	Exempt
11-9039	Education Administrators, All Other	\$45,430	Exempt
11-9041	Architectural & Engineering Managers	\$95,790	Exempt
11-9051	Food Service Managers	\$40,250	Exempt
11-9061	Funeral Directors	\$65,520	Exempt
11-9071	Gaming Managers	\$57,800	Exempt
11-9081	Lodging Managers	\$36,600	Exempt
11-9111	Medical & Health Services Managers	\$53,360	Exempt
11-9121	Natural Sciences Managers	\$59,080	Exempt
11-9131	Postmasters & Mail Superintendents	\$65,910	Exempt
11-9141	Property, Real Estate, & Community Association Managers	\$39,620	Exempt
11-9151	Social & Community Service Managers	\$41,790	Exempt
11-9161	Emergency Management Directors	\$41,500	Exempt
11-9199	Managers, All Other	\$69,650	Exempt
13-1011	Agents & Business Managers of Artists, Performers, & Athletes	\$38,670	Exempt
13-1020	Buyers & Purchasing Agents (OES Aggregate)	\$40,050	Exempt
13-1031	Claims Adjusters, Examiners, & Investigators	\$39,960	Exempt
13-1032	Insurance Appraisers, Auto Damage	\$45,390	Exempt
13-1041	Compliance Officers	\$39,650	Exempt
13-1051	Cost Estimators	\$41,460	Exempt
13-1071	Human Resources Specialists	\$39,000	Exempt
13-1075	Labor Relations Specialists	\$23,800	Exempt
13-1081	Logisticians	\$52,320	Exempt
13-1111	Management Analysts	\$51,060	Exempt
13-1121	Meeting, Convention, & Event Planners	\$26,240	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
13-1131	Fundraisers	\$36,050	Exempt
13-1141	Compensation, Benefits, & Job Analysis Specialists	\$43,510	Exempt
13-1151	Training & Development Specialists	\$36,060	Exempt
13-1161	Market Research Analysts & Marketing Specialists	\$35,000	Exempt
13-1199	Business Operations Specialists, All Other	\$46,090	Exempt
13-2011	Accountants & Auditors	\$43,920	Exempt
13-2021	Appraisers & Assessors of Real Estate	\$30,140	Exempt
13-2031	Budget Analysts	\$50,440	Exempt
13-2041	Credit Analysts	\$48,440	Exempt
13-2051	Financial Analysts	\$50,990	Exempt
13-2052	Personal Financial Advisors	\$43,390	Exempt
13-2053	Insurance Underwriters	\$43,800	Exempt
13-2061	Financial Examiners	\$52,320	Exempt
13-2071	Credit Counselors	\$35,240	Exempt
13-2072	Loan Officers	\$34,520	Exempt
13-2081	Tax Examiners & Collectors, & Revenue Agents	\$17,330	Exempt
13-2082	Tax Preparers	\$19,100	Non-exempt
13-2099	Financial Specialists, All Other	\$42,300	Exempt
15-1111	Computer & Information Research Scientists	\$65,940	Exempt
15-1121	Computer Systems Analysts	\$55,320	Exempt
15-1122	Information Security Analysts	\$60,010	Exempt
15-1131	Computer Programmers	\$51,440	Exempt
15-1132	Software Developers, Applications	\$59,320	Exempt
15-1133	Software Developers, Systems Software	\$65,890	Exempt
15-1134	Web Developers	\$39,580	Exempt
15-1141	Database Administrators	\$48,580	Exempt
15-1142	Network & Computer Systems Administrators	\$49,210	Exempt
15-1143	Computer Network Architects	\$60,350	Exempt
15-1151	Computer User Support Specialists	\$32,670	Exempt
15-1152	Computer Network Support Specialists	\$38,590	Exempt
15-1199	Computer Occupations, All Other	\$47,050	Exempt
15-2011	Actuaries	\$65,640	Exempt
15-2021	Mathematicians	\$50,260	Exempt
15-2031	Operations Research Analysts	\$52,000	Exempt
15-2041	Statisticians	\$46,270	Exempt
15-2090	Miscellaneous Mathematical Science (OES Aggregate)	NR	Exempt
17-1011	Architects, Except Landscape & Naval	\$46,020	Exempt
17-1012	Landscape Architects	\$40,340	Exempt
17-1021	Cartographers & Photogrammetrists	\$42,800	Exempt
17-1022	Surveyors	\$34,920	Exempt
17-2011	Aerospace Engineers	\$70,710	Exempt
17-2021	Agricultural Engineers	\$54,310	Exempt
17-2031	Biomedical Engineers	\$41,840	Exempt
17-2041	Chemical Engineers	\$64,530	Exempt
17-2051	Civil Engineers	\$54,330	Exempt
17-2061	Computer Hardware Engineers	\$65,030	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
17-2071	Electrical Engineers	\$58,950	Exempt
17-2072	Electronics Engineers, Except Computer	\$58,850	Exempt
17-2081	Environmental Engineers	\$55,870	Exempt
17-2111	Health & Safety Engineers, Except Mining Safety Engineers & Inspectors	\$63,990	Exempt
17-2112	Industrial Engineers	\$56,780	Exempt
17-2121	Marine Engineers & Naval Architects	NR	Exempt
17-2131	Materials Engineers	\$54,640	Exempt
17-2141	Mechanical Engineers	\$54,250	Exempt
17-2151	Mining & Geological Engineers, Including Mining Safety Engineers	\$62,870	Exempt
17-2161	Nuclear Engineers	\$80,780	Exempt
17-2171	Petroleum Engineers	\$71,850	Exempt
17-2199	Engineers, All Other	\$55,240	Exempt
17-3011	Architectural & Civil Drafters	\$33,330	Non-exempt
17-3012	Electrical & Electronics Drafters	\$39,190	Non-exempt
17-3013	Mechanical Drafters	\$34,430	Non-exempt
17-3019	Drafters, All Other	\$34,500	Non-exempt
17-3021	Aerospace Engineering & Operations Technicians	NR	Non-exempt
17-3022	Civil Engineering Technicians	\$35,850	Non-exempt
17-3023	Electrical & Electronics Engineering Technicians	\$33,190	Non-exempt
17-3024	Electro-Mechanical Technicians	\$32,060	Non-exempt
17-3025	Environmental Engineering Technicians	\$29,200	Non-exempt
17-3026	Industrial Engineering Technicians	\$35,550	Non-exempt
17-3027	Mechanical Engineering Technicians	\$34,460	Non-exempt
17-3029	Engineering Technicians, Except Drafters, All Other	\$33,270	Non-exempt
17-3031	Surveying & Mapping Technicians	\$27,580	Non-exempt
19-1011	Animal Scientists	\$28,390	Exempt
19-1012	Food Scientists & Technologists	\$46,130	Exempt
19-1013	Soil & Plant Scientists	\$37,340	Exempt
19-1021	Biochemists & Biophysicists	\$53,770	Exempt
19-1022	Microbiologists	\$50,250	Exempt
19-1023	Zoologists & Wildlife Biologists	\$44,160	Exempt
19-1029	Biological Scientists, All Other	\$43,260	Exempt
19-1031	Conservation Scientists	\$29,650	Exempt
19-1032	Foresters	\$38,800	Exempt
19-1041	Epidemiologists	\$42,300	Exempt
19-1042	Medical Scientists	\$59,890	Exempt
19-1099	Life Scientists, All Other	\$52,890	Exempt
19-2011	Astronomers		Exempt
19-2012	Physicists	\$56,080	Exempt
19-2021	Atmospheric & Space Scientists	\$73,590	Exempt
19-2031	Chemists	\$40,670	Exempt
19-2032	Materials Scientists	\$62,290	Exempt
19-2041	Environmental Scientists & Specialists	\$43,940	Exempt
19-2042	Geoscientists	\$52,420	Exempt
19-2043	Hydrologists	NR	Exempt
19-2099	Physical Scientists, All Other	\$75,270	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
19-3011	Economists	\$47,440	Exempt
19-3022	Survey Researchers	\$30,970	Exempt
19-3031	Clinical, Counseling, & School Psychologists	\$48,320	Exempt
19-3032	Industrial-Organizational Psychologists	\$45,950	Exempt
19-3039	Psychologists, All Other	\$43,020	Exempt
19-3041	Sociologists	\$66,170	Exempt
19-3051	Urban & Regional Planners	\$40,610	Exempt
19-3091	Anthropologists & Archeologists	\$38,450	Exempt
19-3092	Geographers	\$38,810	Exempt
19-3093	Historians	\$36,350	Exempt
19-3094	Political Scientists	\$53,060	Exempt
19-3099	Social Scientists & Related Workers, All Other	\$59,800	Exempt
19-4011	Agricultural & Food Science Technicians	\$27,570	Non-exempt
19-4021	Biological Technicians	\$30,800	Non-exempt
19-4031	Chemical Technicians	\$29,230	Non-exempt
19-4041	Geological & Petroleum Technicians	\$26,540	Non-exempt
19-4051	Nuclear Technicians	\$69,950	Non-exempt
19-4061	Social Science Research Assistants	\$28,160	Non-exempt
19-4091	Environmental Science & Protection Technicians	\$27,970	Non-exempt
19-4092	Forensic Science Technicians	\$33,310	Non-exempt
19-4093	Forest & Conservation Technicians	\$33,220	Non-exempt
19-4099	Life, Physical, & Social Science Technicians, All Other	\$29,960	Non-exempt
21-1012	Educational, Guidance, School, & Vocational Counselors	\$34,100	Exempt
21-1013	Marriage & Family Therapists	\$34,930	Exempt
21-1015	Rehabilitation Counselors	\$23,590	Exempt
21-1018	Substance Abuse, Behavioral Disorder & Mental Health Counselors (OES Aggregate)	\$29,140	Exempt
21-1019	Counselors, All Other	\$34,840	Exempt
21-1021	Child, Family, & School Social Workers	\$28,330	Exempt
21-1022	Healthcare Social Workers	\$35,050	Exempt
21-1023	Mental Health & Substance Abuse Social Workers	\$25,910	Exempt
21-1029	Social Workers, All Other	\$39,550	Exempt
21-1091	Health Educators	\$34,090	Exempt
21-1092	Probation Officers & Correctional Treatment Specialists	\$38,790	Exempt
21-1093	Social & Human Service Assistants	\$24,020	Non-exempt
21-1094	Community Health Workers	\$27,530	Non-exempt
21-1099	Community & Social Service Specialists, Other	\$24,170	Exempt
21-2011	Clergy	\$23,960	Exempt
21-2021	Directors, Religious Activities & Education	\$17,480	Exempt
21-2099	Religious Workers, All Other	\$16,830	Exempt
23-1011	Lawyers	\$53,980	Exempt
23-1012	Judicial Law Clerks	\$26,750	Exempt
23-1021	Administrative Law Judges, Adjudicators, & Hearing Officers	\$47,800	Exempt
23-1022	Arbitrators, Mediators, & Conciliators	\$35,950	Exempt
23-1023	Judges, Magistrate Judges, & Magistrates	\$43,410	Exempt
23-2011	Paralegals & Legal Assistants	\$30,860	Non-exempt
23-2091	Court Reporters	\$29,800	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
23-2093	Title Examiners, Abstractors, & Searchers	\$26,970	Non-exempt
23-2099	Legal Support Workers, All Other	\$39,470	Non-exempt
25-1011	Business Teachers, Postsecondary	\$31,530	Exempt
25-1021	Computer Science Teachers, Postsecondary	\$36,250	Exempt
25-1022	Mathematical Science Teachers, Postsecondary	\$35,710	Exempt
25-1031	Architecture Teachers, Postsecondary	NR	Exempt
25-1032	Engineering Teachers, Postsecondary	\$39,860	Exempt
25-1041	Agricultural Sciences Teachers, Postsecondary	\$56,680	Exempt
25-1042	Biological Science Teachers, Postsecondary	\$41,010	Exempt
25-1043	Forestry & Conservation Science Teachers, Postsecondary	\$57,580	Exempt
25-1051	Earth/Marine/Space Sciences Teachers, Postsecondary	\$40,500	Exempt
25-1052	Chemistry Teachers, Postsecondary	\$42,040	Exempt
25-1053	Environmental Science Teachers, Postsecondary	\$46,410	Exempt
25-1054	Physics Teachers, Postsecondary	\$43,160	Exempt
25-1061	Anthropology & Archeology Teachers, Postsecondary	\$48,270	Exempt
25-1062	Area, Ethnic & Cultural Teachers, Postsecondary	\$37,900	Exempt
25-1063	Economics Teachers, Postsecondary	\$51,350	Exempt
25-1064	Geography Teachers, Postsecondary	\$39,010	Exempt
25-1065	Political Science Teachers, Postsecondary	\$40,530	Exempt
25-1066	Psychology Teachers, Postsecondary	\$38,440	Exempt
25-1067	Sociology Teachers, Postsecondary	\$37,500	Exempt
25-1069	Social Sciences Teachers, Postsecondary	\$34,180	Exempt
25-1071	Health Specialties Teachers, Postsecondary	\$33,640	Exempt
25-1072	Nursing Instructors & Teachers, Postsecondary	\$39,370	Exempt
25-1081	Education Teachers, Postsecondary	\$27,540	Exempt
25-1082	Library Science Teachers, Postsecondary	\$43,760	Exempt
25-1111	Criminal Justice & Law Enforcement Teachers, Postsecondary	\$37,160	Exempt
25-1112	Law Teachers, Postsecondary	\$18,650	Exempt
25-1113	Social Work Teachers, Postsecondary	\$19,370	Exempt
25-1121	Art, Drama & Music Teachers, Postsecondary	\$33,800	Exempt
25-1122	Communications Teachers, Postsecondary	\$36,140	Exempt
25-1123	English Language & Literature Teachers, Postsecondary	\$34,350	Exempt
25-1124	Foreign Language & Literature Teachers, Postsecondary	\$34,920	Exempt
25-1125	History Teachers, Postsecondary	\$39,210	Exempt
25-1126	Philosophy & Religion Teachers, Postsecondary	\$39,140	Exempt
25-1191	Graduate Teaching Assistants	\$20,260	Non-exempt
25-1192	Home Economics Teachers, Postsecondary	NR	Exempt
25-1193	Recreation & Fitness Teachers, Postsecondary	\$33,710	Exempt
25-1194	Vocational Education Teachers, Postsecondary	\$32,420	Exempt
25-1199	Postsecondary Teachers, Other	NR	Exempt
25-2011	Preschool Teachers	\$19,730	Non-exempt
25-2012	Kindergarten Teachers	\$35,930	Exempt
25-2021	Elementary School Teachers	\$41,820	Exempt
25-2022	Middle School Teachers	\$37,560	Exempt
25-2023	Career/Technical Education Teachers, Middle School	\$50,230	Exempt
25-2031	Secondary School Teachers	\$41,340	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
25-2032	Career/Technical Education Teachers, Secondary School	\$42,540	Exempt
25-2051	Special Education Teachers, Preschool	\$36,220	Exempt
25-2052	Special Education Teachers, Kindergarten & Elementary School	\$42,530	Exempt
25-2053	Special Education Teachers, Middle School	\$42,830	Exempt
25-2054	Special Education Teachers, Secondary School	\$41,490	Exempt
25-2059	Special Education Teachers, All Other	\$52,510	Exempt
25-3011	Adult Basic & Secondary Education & Literacy Teachers & Instructors	\$34,100	Exempt
25-3021	Self-Enrichment Education Teachers	\$18,630	Non-exempt
25-3097	Substitute Teachers	\$18,590	Non-exempt
25-3098	Teachers & Instructors, All Other	\$18,880	Exempt
25-4011	Archivists	\$25,910	Exempt
25-4012	Curators	\$20,090	Exempt
25-4013	Museum Technicians & Conservators	\$23,870	Exempt
25-4021	Librarians	\$30,750	Exempt
25-4031	Library Technicians	\$19,540	Non-exempt
25-9011	Audio-Visual & Multimedia Collections Specialists	\$32,400	Exempt
25-9021	Farm & Home Management Advisors	\$40,900	Exempt
25-9031	Instructional Coordinators	\$37,870	Exempt
25-9041	Teacher Assistants	\$17,700	Non-exempt
25-9099	Education, Training, & Library Workers, All Other	\$20,370	Exempt
27-1011	Art Directors	\$51,230	Exempt
27-1012	Craft Artists	NR	Non-exempt
27-1013	Fine Artists	NR	Exempt
27-1014	Multimedia Artists & Animators	\$37,440	Exempt
27-1019	Artists & Related Workers, All Other	\$33,310	Non-exempt
27-1021	Commercial & Industrial Designers	\$41,510	Exempt
27-1022	Fashion Designers	\$26,620	Exempt
27-1023	Floral Designers	\$18,460	Non-exempt
27-1024	Graphic Designers	\$28,660	Exempt
27-1025	Interior Designers	\$32,690	Exempt
27-1026	Merchandise Displayers & Window Trimmers	\$17,630	Non-exempt
27-1027	Set & Exhibit Designers	\$26,200	Exempt
27-1029	Designers, All Other	\$22,990	Exempt
27-2011	Actors		Non-exempt
27-2012	Producers & Directors	\$33,470	Exempt
27-2021	Athletes & Sports Competitors	\$17,310	Exempt
27-2022	Coaches & Scouts	\$17,200	Exempt
27-2023	Umpires, Referees, & Other Sports Officials	\$18,000	Non-exempt
27-2031	Dancers		Non-exempt
27-2032	Choreographers	\$24,140	Non-exempt
27-2041	Music Directors & Composers	\$17,770	Exempt
27-2042	Musicians & Singers		Non-exempt
27-2099	Entertainers & Performers, Sports & Related Workers, All Other	NR	Non-exempt
27-3011	Radio & Television Announcers	\$17,210	Exempt
27-3012	Public Address System & Other Announcers	\$18,630	Non-exempt
27-3021	Broadcast News Analysts	NR	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
27-3022	Reporters & Correspondents	\$21,600	Exempt
27-3031	Public Relations Specialists	\$31,500	Exempt
27-3041	Editors	\$30,540	Exempt
27-3042	Technical Writers	\$41,550	Exempt
27-3043	Writers & Authors	\$29,820	Exempt
27-3091	Interpreters & Translators	\$31,210	Exempt
27-3099	Media & Communication Workers, All Other	\$22,440	Non-exempt
27-4011	Audio & Video Equipment Technicians	\$25,190	Non-exempt
27-4012	Broadcast Technicians	\$17,660	Non-exempt
27-4013	Radio Operators	NR	Non-exempt
27-4014	Sound Engineering Technicians	\$21,700	Non-exempt
27-4021	Photographers	\$17,520	Non-exempt
27-4031	Camera Operators, Television, Video, & Motion Picture	\$18,360	Exempt
27-4032	Film & Video Editors	\$32,510	Exempt
27-4099	Media & Communication Equipment Workers, All Other	\$54,630	Non-exempt
29-1011	Chiropractors	\$24,260	Exempt
29-1021	Dentists, General	\$63,850	Exempt
29-1022	Oral & Maxillofacial Surgeons	\$57,910	Exempt
29-1023	Orthodontists	\$160,650	Exempt
29-1024	Prosthodontists		Exempt
29-1029	Dentists, All Other Specialists	\$61,000	Exempt
29-1031	Dietitians & Nutritionists	\$34,860	Exempt
29-1041	Optometrists	\$58,980	Exempt
29-1051	Pharmacists	\$72,670	Exempt
29-1061	Anesthesiologists	\$162,380	Exempt
29-1062	Family & General Practitioners	\$95,370	Exempt
29-1063	Internists, General	\$63,690	Exempt
29-1064	Obstetricians & Gynecologists	\$91,300	Exempt
29-1065	Pediatricians, General	\$92,920	Exempt
29-1066	Psychiatrists	\$92,810	Exempt
29-1067	Surgeons	\$109,790	Exempt
29-1069	Physicians & Surgeons, Other	\$57,230	Exempt
29-1071	Physician Assistants	\$67,580	Exempt
29-1081	Podiatrists	\$45,690	Exempt
29-1122	Occupational Therapists	\$54,330	Exempt
29-1123	Physical Therapists	\$57,240	Exempt
29-1124	Radiation Therapists	\$56,330	Non-exempt
29-1125	Recreational Therapists	\$24,160	Exempt
29-1126	Respiratory Therapists	\$41,950	Non-exempt
29-1127	Speech-Language Pathologists	\$52,040	Exempt
29-1128	Therapists, All Other	\$32,060	Exempt
29-1129	Therapists, Other	\$34,020	Exempt
29-1131	Veterinarians	\$56,210	Exempt
29-1141	Registered Nurses	\$51,950	Exempt
29-1151	Nurse Anesthetists	\$121,470	Exempt
29-1161	Nurse Midwives	\$64,830	Exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
29-1171	Nurse Practitioners	\$66,920	Exempt
29-1181	Audiologists	\$54,860	Exempt
29-1199	Health Diagnosing & Treating Practitioners, All Other	\$51,690	Exempt
29-2010	Clinical Laboratory Technologists & Technicians (OES Aggregate)	\$30,650	Non-exempt
29-2021	Dental Hygienists	\$50,610	Non-exempt
29-2031	Cardiovascular Technologists & Technicians	\$31,540	Non-exempt
29-2032	Diagnostic Medical Sonographers	\$48,400	Non-exempt
29-2033	Nuclear Medicine Technologists	\$52,130	Non-exempt
29-2034	Radiologic Technologists & Technicians	\$36,920	Non-exempt
29-2035	Magnetic Resonance Imaging Technologists	\$45,980	Non-exempt
29-2041	Emergency Medical Technicians & Paramedics	\$21,180	Non-exempt
29-2051	Dietetic Technicians	\$20,260	Non-exempt
29-2052	Pharmacy Technicians	\$20,890	Non-exempt
29-2053	Psychiatric Technicians	\$24,010	Non-exempt
29-2054	Respiratory Therapy Technicians	\$28,110	Non-exempt
29-2055	Surgical Technologists	\$33,300	Non-exempt
29-2056	Veterinary Technologists & Technicians	\$24,720	Non-exempt
29-2057	Ophthalmic Medical Technicians	\$23,140	Non-exempt
29-2061	Licensed Practical & Licensed Vocational Nurses	\$34,980	Non-exempt
29-2071	Medical Records & Health Information Technicians	\$27,210	Non-exempt
29-2081	Opticians, Dispensing	\$23,830	Non-exempt
29-2091	Orthotists & Prosthetists	\$39,550	Exempt
29-2092	Hearing Aid Specialists	\$29,190	Non-exempt
29-2099	Health Technologists & Technicians, Other	\$27,760	Non-exempt
29-9011	Occupational Health & Safety Specialists	\$41,620	Exempt
29-9012	Occupational Health & Safety Technicians	\$33,540	Non-exempt
29-9091	Athletic Trainers	\$33,330	Exempt
29-9092	Genetic Counselors	\$39,620	Exempt
29-9099	Healthcare Practitioner & Technical Workers, Other	\$36,050	Non-exempt
31-1011	Home Health Aides	\$20,020	Non-exempt
31-1013	Psychiatric Aides	\$23,510	Non-exempt
31-1014	Nursing Assistants	\$23,680	Non-exempt
31-1015	Orderlies	\$21,920	Non-exempt
31-2011	Occupational Therapy Assistants	\$39,710	Non-exempt
31-2012	Occupational Therapy Aides	\$22,390	Non-exempt
31-2021	Physical Therapist Assistants	\$35,610	Non-exempt
31-2022	Physical Therapist Aides	\$19,300	Non-exempt
31-9011	Massage Therapists	\$21,350	Non-exempt
31-9091	Dental Assistants	\$26,070	Non-exempt
31-9092	Medical Assistants	\$24,310	Non-exempt
31-9093	Medical Equipment Preparers	\$26,140	Non-exempt
31-9094	Medical Transcriptionists	\$21,950	Non-exempt
31-9095	Pharmacy Aides	\$17,260	Non-exempt
31-9096	Veterinary Assistants & Laboratory Animal Caretakers	\$18,630	Non-exempt
31-9097	Phlebotomists	\$26,420	Non-exempt
31-9099	Healthcare Support Workers, Other	\$27,450	Non-exempt

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
33-1011	First-Line Supervisors of Correctional Officers	NR	Exempt
33-1012	First-Line Supervisors of Police & Detectives	\$59,630	Exempt
33-1021	First-Line Supervisors of Fire Fighting & Prevention Workers	\$59,370	Exempt
33-1099	First-Line Supervisors of Protective Service Workers, All Other	\$28,140	Exempt
33-2011	Firefighters	\$30,820	Non-exempt
33-2021	Fire Inspectors & Investigators	\$36,320	Non-exempt
33-2022	Forest Fire Inspectors & Prevention Specialists		Non-exempt
33-3011	Bailiffs	\$17,810	Non-exempt
33-3012	Correctional Officers & Jailers	\$38,480	Non-exempt
33-3021	Detectives & Criminal Investigators	\$53,820	Non-exempt
33-3031	Fish & Game Wardens	NR	Exempt
33-3041	Parking Enforcement Workers	\$22,680	Non-exempt
33-3051	Police & Sheriff's Patrol Officers	\$35,650	Non-exempt
33-3052	Transit & Railroad Police	NR	Non-exempt
33-9011	Animal Control Workers	\$22,060	Non-exempt
33-9021	Private Detectives & Investigators	\$29,710	Non-exempt
33-9031	Gaming Surveillance Officers & Gaming Investigators	\$31,510	Non-exempt
33-9032	Security Guards	\$18,950	Non-exempt
33-9091	Crossing Guards	\$17,040	Non-exempt
33-9092	Lifeguards, Ski Patrol, & Other Recreational Protective Service Workers	\$16,550	Non-exempt
33-9093	Transportation Security Screeners (Federal Only)	NR	Non-exempt
33-9099	Protective Service Workers, All Other	\$17,180	Non-exempt
35-1011	Chefs & Head Cooks	\$33,660	Exempt
35-1012	First-Line Supervisors of Food Preparation & Serving Workers	\$20,800	Exempt
35-2011	Cooks, Fast Food	\$16,590	Non-exempt
35-2012	Cooks, Institution & Cafeteria	\$20,060	Non-exempt
35-2013	Cooks, Private Household	\$21,380	Non-exempt
35-2014	Cooks, Restaurant	\$17,730	Non-exempt
35-2015	Cooks, Short Order	\$18,700	Non-exempt
35-2019	Cooks, All Other	\$17,330	Non-exempt
35-2021	Food Preparation Workers	\$17,040	Non-exempt
35-3011	Bartenders	\$16,540	Non-exempt
35-3021	Combined Food Preparation & Serving Workers, Including Fast Food	\$16,450	Non-exempt
35-3022	Counter Attendants, Cafeteria, Food Concession, & Coffee Shop	\$16,570	Non-exempt
35-3031	Waiters & Waitresses	\$16,870	Non-exempt
35-3041	Food Servers, Nonrestaurant	\$16,970	Non-exempt
35-9011	Dining Room & Cafeteria Attendants & Bartender Helpers	\$16,480	Non-exempt
35-9021	Dishwashers	\$16,680	Non-exempt
35-9031	Hosts & Hostesses, Restaurant, Lounge, & Coffee Shop	\$16,710	Non-exempt
35-9099	Food Preparation & Serving Related Workers, All Other	\$19,880	Non-exempt
37-1011	First-Line Supervisors of Housekeeping & Janitorial Workers	\$26,150	Exempt
37-1012	First-Line Supervisors of Landscaping, Lawn Service, & Groundskeeping Workers	\$33,170	Exempt
37-2011	Janitors & Cleaners, Except Maids & Housekeeping Cleaners	\$18,310	Non-exempt
37-2012	Maids & Housekeeping Cleaners	\$17,170	Non-exempt
37-2019	Building Cleaning Workers, All Other	NR	Non-exempt
37-2021	Pest Control Workers	\$26,590	Non-exempt

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
37-3011	Landscaping & Groundskeeping Workers	\$19,480	Non-exempt
37-3012	Pesticide Handlers, Sprayers, & Applicators, Vegetation	\$27,630	Non-exempt
37-3013	Tree Trimmers & Pruners	\$18,530	Non-exempt
37-3019	Grounds Maintenance Workers, All Other	\$41,670	Non-exempt
39-1010	First-Line Supervisors of Gaming Workers (OES Aggregate)	\$22,990	Exempt
39-1021	First-Line Supervisors of Personal Service Workers	\$24,920	Exempt
39-2011	Animal Trainers	\$17,830	Non-exempt
39-2021	Nonfarm Animal Caretakers	\$16,950	Non-exempt
39-3011	Gaming Dealers	\$16,330	Non-exempt
39-3012	Gaming & Sports Book Writers & Runners	\$18,400	Non-exempt
39-3019	Gaming Service Workers, All Other	\$24,780	Non-exempt
39-3021	Motion Picture Projectionists	\$16,470	Non-exempt
39-3031	Ushers, Lobby Attendants, & Ticket Takers	\$16,400	Non-exempt
39-3091	Amusement & Recreation Attendants	\$16,320	Non-exempt
39-3092	Costume Attendants	\$21,420	Non-exempt
39-3093	Locker Room, Coatroom, & Dressing Room Attendants	\$16,430	Non-exempt
39-3099	Entertainment Attendants & Related Workers, All Other	\$17,280	Non-exempt
39-4011	Embalmers	NR	Non-exempt
39-4021	Funeral Attendants	\$17,500	Non-exempt
39-4031	Morticians, Undertakers & Funeral Directors	\$26,420	Non-exempt
39-5011	Barbers	\$17,390	Non-exempt
39-5012	Hairdressers, Hairstylists, & Cosmetologists	\$16,720	Non-exempt
39-5091	Makeup Artists, Theatrical & Performance	\$23,280	Non-exempt
39-5092	Manicurists & Pedicurists	\$16,490	Non-exempt
39-5093	Shampooers	\$16,380	Non-exempt
39-5094	Skincare Specialists	\$19,760	Non-exempt
39-6011	Baggage Porters & Bellhops	\$17,350	Non-exempt
39-6012	Concierges	\$21,130	Non-exempt
39-7010	Tour & Travel Guides (OES Aggregate)	\$17,210	Non-exempt
39-9011	Childcare Workers	\$16,840	Non-exempt
39-9021	Personal Care Aides	\$19,670	Non-exempt
39-9031	Fitness Trainers & Aerobics Instructors	\$18,120	Non-exempt
39-9032	Recreation Workers	\$17,080	Non-exempt
39-9041	Residential Advisors	\$20,610	Non-exempt
39-9099	Personal Care & Service Workers, All Other	\$17,740	Non-exempt
41-1011	First-Line Supervisors of Retail Sales Workers	\$25,480	Exempt
41-1012	First-Line Supervisors of Non-Retail Sales Workers	\$44,060	Exempt
41-2011	Cashiers	\$16,580	Non-exempt
41-2012	Gaming Change Persons & Booth Cashiers	\$18,350	Non-exempt
41-2021	Counter & Rental Clerks	\$17,320	Non-exempt
41-2022	Parts Salespersons	\$20,380	Non-exempt
41-2031	Retail Salespersons	\$16,970	Non-exempt
41-3011	Advertising Sales Agents	\$26,330	Non-exempt
41-3021	Insurance Sales Agents	\$31,980	Non-exempt
41-3031	Securities, Commodities, & Financial Services Sales Agents	\$34,240	Exempt
41-3041	Travel Agents	\$18,600	Non-exempt

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
41-3099	Sales Representatives, Services, All Other	\$29,490	Non-exempt
41-4011	Sales Representatives, Technical & Scientific Products	\$42,940	Exempt
41-4012	Sales Representatives	\$32,940	Non-exempt
41-9011	Demonstrators & Product Promoters	\$19,640	Non-exempt
41-9012	Models	\$33,110	Non-exempt
41-9021	Real Estate Brokers	NR	Non-exempt
41-9022	Real Estate Sales Agents	\$30,300	Non-exempt
41-9031	Sales Engineers	\$53,250	Exempt
41-9041	Telemarketers	\$17,230	Non-exempt
41-9091	Door-to-Door Sales Workers, News & Street Vendors, & Related Workers	\$20,610	Non-exempt
41-9099	Sales & Related Workers, Other	\$20,730	Non-exempt
43-1011	First-Line Supervisors of Office & Administrative Support Workers	\$35,390	Exempt
43-2011	Switchboard Operators, Including Answering Service	\$19,120	Non-exempt
43-2021	Telephone Operators	\$26,260	Non-exempt
43-2099	Communications Equipment Operators, All Other	\$33,190	Non-exempt
43-3011	Bill & Account Collectors	\$23,820	Non-exempt
43-3021	Billing & Posting Clerks	\$27,040	Non-exempt
43-3031	Bookkeeping, Accounting, & Auditing Clerks	\$24,800	Non-exempt
43-3041	Gaming Cage Workers	\$21,800	Non-exempt
43-3051	Payroll & Timekeeping Clerks	\$29,330	Non-exempt
43-3061	Procurement Clerks	\$27,440	Non-exempt
43-3071	Tellers	\$22,070	Non-exempt
43-3099	Financial Clerks, All Other	\$28,390	Non-exempt
43-4011	Brokerage Clerks	\$34,930	Non-exempt
43-4021	Correspondence Clerks	\$27,700	Non-exempt
43-4031	Court, Municipal, & License Clerks	\$22,750	Non-exempt
43-4041	Credit Authorizers, Checkers, & Clerks	\$27,680	Non-exempt
43-4051	Customer Service Representatives	\$22,310	Non-exempt
43-4061	Eligibility Interviewers, Government Programs	\$40,000	Non-exempt
43-4071	File Clerks	\$21,140	Non-exempt
43-4081	Hotel, Motel, & Resort Desk Clerks	\$16,990	Non-exempt
43-4111	Interviewers, Except Eligibility & Loan	\$19,450	Non-exempt
43-4121	Library Assistants, Clerical	\$16,910	Non-exempt
43-4131	Loan Interviewers & Clerks	\$23,050	Non-exempt
43-4141	New Accounts Clerks	\$30,050	Non-exempt
43-4151	Order Clerks	\$18,580	Non-exempt
43-4161	Human Resources Assistants, Except Payroll & Timekeeping	\$27,540	Non-exempt
43-4171	Receptionists & Information Clerks	\$18,740	Non-exempt
43-4181	Reservation & Transportation Ticket Agents & Travel Clerks	\$23,760	Non-exempt
43-4199	Information & Record Clerks, All Other	\$30,840	Non-exempt
43-5011	Cargo & Freight Agents	\$27,270	Non-exempt
43-5021	Couriers & Messengers	\$20,740	Non-exempt
43-5031	Police, Fire, & Ambulance Dispatchers	\$26,930	Non-exempt
43-5032	Dispatchers, Except Police, Fire, & Ambulance	\$24,630	Non-exempt
43-5041	Meter Readers, Utilities	\$24,500	Non-exempt
43-5051	Postal Service Clerks	\$35,760	Non-exempt

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
43-5052	Postal Service Mail Carriers	\$36,990	Non-exempt
43-5053	Postal Service Mail Sorters, Processors, & Processing Machine Operators	\$35,220	Non-exempt
43-5061	Production, Planning, & Expediting Clerks	\$30,670	Non-exempt
43-5071	Shipping, Receiving, & Traffic Clerks	\$22,530	Non-exempt
43-5081	Stock Clerks & Order Fillers	\$17,730	Non-exempt
43-5111	Weighers, Measurers, Checkers, & Samplers, Recordkeeping	\$19,690	Non-exempt
43-6011	Executive Secretaries & Executive Administrative Assistants	\$35,520	Non-exempt
43-6012	Legal Secretaries	\$31,400	Non-exempt
43-6013	Medical Secretaries	\$25,850	Non-exempt
43-6014	Secretaries & Administrative Assistants, Except Legal, Medical, & Executive	\$21,700	Non-exempt
43-9011	Computer Operators	\$28,760	Non-exempt
43-9021	Data Entry Keyers	\$21,520	Non-exempt
43-9022	Word Processors & Typists	\$27,870	Non-exempt
43-9031	Desktop Publishers	\$23,770	Non-exempt
43-9041	Insurance Claims & Policy Processing Clerks	\$29,900	Non-exempt
43-9051	Mail Clerks & Mail Machine Operators, Except Postal Service	\$19,760	Non-exempt
43-9061	Office Clerks, General	\$19,760	Non-exempt
43-9071	Office Machine Operators, Except Computer	\$21,260	Non-exempt
43-9081	Proofreaders & Copy Markers	\$23,000	Exempt
43-9111	Statistical Assistants	\$32,360	Exempt
43-9199	Office & Administrative Support Workers, Other	\$18,500	Non-exempt
45-1011	First-Line Supervisors of Farming, Fishing, & Forestry Workers	\$34,890	Exempt
45-2011	Agricultural Inspectors	\$41,360	Exempt
45-2021	Animal Breeders	NR	Non-exempt
45-2041	Graders & Sorters, Agricultural Products	\$17,620	Non-exempt
45-2091	Agricultural Equipment Operators	\$17,320	Non-exempt
45-2092	Farmworkers & Laborers: Crop, Nursery & Greenhouse	\$17,010	Non-exempt
45-2093	Farmworkers: Farm & Ranch Animals	\$17,130	Non-exempt
45-2099	Agricultural Workers, Other	\$22,700	Non-exempt
45-3011	Fishers & Related Fishing Workers		Non-exempt
45-3021	Hunters & Trappers		Non-exempt
45-4011	Forest & Conservation Workers	\$42,860	Non-exempt
45-4021	Fallers	\$22,980	Non-exempt
45-4022	Logging Equipment Operators	\$20,060	Non-exempt
45-4023	Log Graders & Scalers	\$25,380	Non-exempt
45-4029	Logging Workers, All Other	NR	Non-exempt
47-1011	First-Line Supervisors of Construction Trades & Extraction Workers	\$45,250	Exempt
47-2011	Boilermakers	\$54,450	Non-exempt
47-2021	Brickmasons & Blockmasons	\$31,500	Non-exempt
47-2022	Stonemasons	\$27,690	Non-exempt
47-2031	Carpenters	\$31,080	Non-exempt
47-2041	Carpet Installers	\$20,230	Non-exempt
47-2042	Floor Layers, Except Carpet, Wood, & Hard Tiles	\$32,880	Non-exempt
47-2043	Floor Sanders & Finishers	\$28,520	Non-exempt
47-2044	Tile & Marble Setters	\$29,170	Non-exempt
47-2051	Cement Masons & Concrete Finishers	\$31,960	Non-exempt

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
47-2053	Terrazzo Workers & Finishers	\$32,730	Non-exempt
47-2061	Construction Laborers	\$25,070	Non-exempt
47-2071	Paving, Surfacing, & Tamping Equipment Operators	\$28,430	Non-exempt
47-2072	Pile-Driver Operators	\$44,200	Non-exempt
47-2073	Operating Engineers & Other Construction Equipment Operators	\$32,960	Non-exempt
47-2081	Drywall & Ceiling Tile Installers	\$32,080	Non-exempt
47-2082	Tapers	\$34,210	Non-exempt
47-2111	Electricians	\$36,190	Non-exempt
47-2121	Glaziers	\$31,840	Non-exempt
47-2131	Insulation Workers: Floor, Ceiling & Wall	\$26,360	Non-exempt
47-2132	Insulation Workers: Mechanical	\$55,070	Non-exempt
47-2141	Painters, Construction & Maintenance	\$26,150	Non-exempt
47-2142	Paperhangers	\$27,130	Non-exempt
47-2151	Pipelayers	\$36,160	Non-exempt
47-2152	Plumbers, Pipefitters, & Steamfitters	\$33,890	Non-exempt
47-2161	Plasterers & Stucco Masons	\$27,370	Non-exempt
47-2171	Reinforcing Iron & Rebar Workers	\$40,300	Non-exempt
47-2181	Roofers	\$28,430	Non-exempt
47-2211	Sheet Metal Workers	\$27,760	Non-exempt
47-2221	Structural Iron & Steel Workers	\$33,730	Non-exempt
47-2231	Solar Photovoltaic Installers	NR	Non-exempt
47-3011	Helpers--Brickmasons, Blockmasons, Stonemasons, & Tile & Marble Setters	\$25,350	Non-exempt
47-3012	Helpers--Carpenters	\$22,380	Non-exempt
47-3013	Helpers--Electricians	\$21,010	Non-exempt
47-3014	Helpers--Painters, Paperhangers, Plasterers, & Stucco Masons	\$17,730	Non-exempt
47-3015	Helpers--Pipelayers, Plumbers, Pipefitters, & Steamfitters	\$22,790	Non-exempt
47-3016	Helpers--Roofers	\$23,450	Non-exempt
47-3019	Helpers, Construction Trades, All Other	\$24,160	Non-exempt
47-4011	Construction & Building Inspectors	\$37,180	Non-exempt
47-4021	Elevator Installers & Repairers	\$41,610	Non-exempt
47-4031	Fence Erectors	\$27,250	Non-exempt
47-4041	Hazardous Materials Removal Workers	\$32,940	Non-exempt
47-4051	Highway Maintenance Workers	\$26,970	Non-exempt
47-4061	Rail-Track Laying & Maintenance Equipment Operators	\$40,890	Non-exempt
47-4071	Septic Tank Servicers & Sewer Pipe Cleaners	\$32,180	Non-exempt
47-4090	Miscellaneous Construction Workers (OES Aggregate)	\$25,660	Non-exempt
47-5011	Derrick Operators, Oil & Gas	\$35,180	Non-exempt
47-5012	Rotary Drill Operators, Oil & Gas	\$30,270	Non-exempt
47-5013	Service Unit Operators, Oil, Gas, & Mining	\$27,290	Non-exempt
47-5021	Earth Drillers, Except Oil & Gas	\$31,760	Non-exempt
47-5031	Explosives Workers, Ordnance Handling Experts, & Blasters	\$42,730	Non-exempt
47-5041	Continuous Mining Machine Operators	\$29,360	Non-exempt
47-5042	Mine Cutting & Channeling Machine Operators	\$37,620	Non-exempt
47-5049	Mining Machine Operators, All Other	\$51,830	Non-exempt
47-5051	Rock Splitters, Quarry	\$26,070	Non-exempt
47-5061	Roof Bolters, Mining	\$54,660	Non-exempt

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SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
47-5071	Roustabouts, Oil & Gas	\$24,610	Non-exempt
47-5081	Helpers--Extraction Workers	\$28,780	Non-exempt
47-5099	Extraction Workers, All Other	NR	Non-exempt
49-1011	First-Line Supervisors of Mechanics, Installers, & Repairers	\$43,160	Exempt
49-2011	Computer, ATM & Office Machine Repairers	\$24,800	Non-exempt
49-2021	Radio, Cellular, & Tower Equipment Installers & Repairs	\$43,570	Non-exempt
49-2022	Telecommunications Equipment Installers & Repairers	\$28,620	Non-exempt
49-2091	Avionics Technicians	\$47,160	Non-exempt
49-2092	Electric Motor, Power Tool, & Related Repairers	\$30,580	Non-exempt
49-2093	Electrical & Electronics Installers & Repairers, Transportation Equipment	\$40,630	Non-exempt
49-2094	Electrical & Electronics Repairers, Commercial & Industrial Equipment	\$41,800	Non-exempt
49-2095	Electrical & Electronics Repairers, Powerhouse, Substation, & Relay	\$54,280	Non-exempt
49-2096	Electronic Equipment Installers & Repairers, Motor Vehicles	\$23,250	Non-exempt
49-2097	Electronic Home Entertainment Equipment Installers & Repairers	\$26,770	Non-exempt
49-2098	Security & Fire Alarm Systems Installers	\$31,470	Non-exempt
49-3011	Aircraft Mechanics & Service Technicians	\$39,380	Non-exempt
49-3021	Automotive Body & Related Repairers	\$27,670	Non-exempt
49-3022	Automotive Glass Installers & Repairers	\$24,550	Non-exempt
49-3023	Automotive Service Technicians & Mechanics	\$22,140	Non-exempt
49-3031	Bus & Truck Mechanics & Diesel Engine Specialists	\$30,690	Non-exempt
49-3041	Farm Equipment Mechanics & Service Technicians	\$24,610	Non-exempt
49-3042	Mobile Heavy Equipment Mechanics, Except Engines	\$35,560	Non-exempt
49-3043	Rail Car Repairers	\$41,140	Non-exempt
49-3051	Motorboat Mechanics & Service Technicians	\$21,940	Non-exempt
49-3052	Motorcycle Mechanics	\$22,460	Non-exempt
49-3053	Outdoor Power Equipment & Other Small Engine Mechanics	\$21,520	Non-exempt
49-3091	Bicycle Repairers	\$17,830	Non-exempt
49-3092	Recreational Vehicle Service Technicians	\$21,380	Non-exempt
49-3093	Tire Repairers & Changers	\$20,620	Non-exempt
49-9011	Mechanical Door Repairers	\$24,640	Non-exempt
49-9012	Control & Valve Installers & Repairers	\$38,040	Non-exempt
49-9021	Heating, A/C & Refrigeration Mechanics	\$31,350	Non-exempt
49-9031	Home Appliance Repairers	\$26,830	Non-exempt
49-9041	Industrial Machinery Mechanics	\$34,500	Non-exempt
49-9043	Maintenance Workers, Machinery	\$30,410	Non-exempt
49-9044	Millwrights	\$35,350	Non-exempt
49-9045	Refractory Materials Repairers, Except Brickmasons	\$23,520	Non-exempt
49-9051	Electrical Power-Line Installers & Repairers	\$53,580	Non-exempt
49-9052	Telecommunications Line Installers & Repairers	\$34,550	Non-exempt
49-9061	Camera & Photographic Equipment Repairers	\$19,240	Non-exempt
49-9062	Medical Equipment Repairers	\$28,490	Non-exempt
49-9063	Musical Instrument Repairers & Tuners	\$22,730	Non-exempt
49-9064	Watch Repairers	NR	Non-exempt
49-9069	Precision Instrument & Equipment Repairers, All Other	\$43,790	Non-exempt
49-9071	Maintenance & Repair Workers, General	\$22,650	Non-exempt
49-9081	Wind Turbine Service Technicians	\$41,130	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
49-9091	Coin, Vending & Amusement Machine Servicers	\$16,980	Non-exempt
49-9092	Commercial Divers	NR	Non-exempt
49-9093	Fabric Menders	NR	Non-exempt
49-9094	Locksmiths & Safe Repairers	\$33,850	Non-exempt
49-9095	Manufactured Building & Mobile Home Installers	\$20,700	Non-exempt
49-9096	Riggers	\$32,100	Non-exempt
49-9097	Signal & Track Switch Repairers	\$52,650	Non-exempt
49-9098	Helpers--Installation, Maintenance, & Repair Workers	\$18,160	Non-exempt
49-9099	Installation, Maintenance & Repair Workers, Other	\$27,910	Non-exempt
51-1011	First-Line Supervisors of Production & Operating Workers	\$37,880	Exempt
51-2011	Aircraft Structure, Surfaces, Rigging, & Systems Assemblers	\$43,550	Non-exempt
51-2021	Coil Winders, Tapers, & Finishers	\$21,010	Non-exempt
51-2028	Electrical, Electronic, & Electromechanical Assemblers (OES Aggregate)	\$23,180	Non-exempt
51-2031	Engine & Other Machine Assemblers	\$30,000	Non-exempt
51-2041	Structural Metal Fabricators & Fitters	\$29,330	Non-exempt
51-2091	Fiberglass Laminators & Fabricators	\$30,150	Non-exempt
51-2093	Timing Device Assemblers & Adjusters	\$30,750	Non-exempt
51-2098	Assemblers & Fabricators, All Other (OES Aggregate)	\$21,050	Non-exempt
51-3011	Bakers	\$18,150	Non-exempt
51-3021	Butchers & Meat Cutters	\$19,470	Non-exempt
51-3022	Meat, Poultry, & Fish Cutters & Trimmers	\$22,150	Non-exempt
51-3023	Slaughterers & Meat Packers	\$22,470	Non-exempt
51-3091	Food & Tobacco Roasting, Baking, & Drying Machine Operators & Tenders	\$22,480	Non-exempt
51-3092	Food Batchmakers	\$19,960	Non-exempt
51-3093	Food Cooking Machine Operators & Tenders	\$20,350	Non-exempt
51-3099	Food Processing Workers, Other	\$20,840	Non-exempt
51-4011	Computer-Controlled Machine Tool Operators, Metal & Plastic	\$26,370	Non-exempt
51-4012	Computer Numerically Controlled Machine Tool Programmers, Metal & Plastic	\$37,370	Non-exempt
51-4021	Extruding & Drawing Machine Setters, Operators, & Tenders, Metal & Plastic	\$23,270	Non-exempt
51-4022	Forging Machine Setters, Operators, & Tenders, Metal & Plastic	\$28,460	Non-exempt
51-4023	Rolling Machine Setters, Operators, & Tenders, Metal & Plastic	\$27,370	Non-exempt
51-4031	Cutting, Punching, & Press Machine Setters, Operators, & Tenders, Metal & Plastic	\$25,500	Non-exempt
51-4032	Drilling & Boring Machine Tool Setters, Operators, & Tenders, Metal & Plastic	\$21,520	Non-exempt
51-4033	Grinding, Lapping, Polishing, & Buffing Machine Tool Setters, Operators, & Tenders, Metal & Plastic	\$24,450	Non-exempt
51-4034	Lathe & Turning Machine Tool Setters, Operators, & Tenders, Metal & Plastic	\$27,620	Non-exempt
51-4035	Milling & Planing Machine Setters, Operators, & Tenders, Metal & Plastic	\$29,730	Non-exempt
51-4041	Machinists	\$28,800	Non-exempt
51-4051	Metal-Refining Furnace Operators & Tenders	\$32,090	Non-exempt
51-4052	Pourers & Casters, Metal	\$27,490	Non-exempt
51-4061	Model Makers, Metal & Plastic	\$33,030	Non-exempt
51-4062	Patternmakers, Metal & Plastic	\$30,670	Non-exempt
51-4071	Foundry Mold & Coremakers	\$23,900	Non-exempt
51-4072	Molding, Coremaking, & Casting Machine Setters, Operators, & Tenders, Metal & Plastic	\$20,840	Non-exempt
51-4081	Multiple Machine Tool Setters, Operators, & Tenders, Metal & Plastic	\$25,000	Non-exempt
51-4111	Tool & Die Makers	\$33,660	Non-exempt
51-4121	Welders, Cutters, Solderers, & Brazers	\$29,400	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
51-4122	Welding, Soldering, & Brazing Machine Setters, Operators, & Tenders	\$27,040	Non-exempt
51-4191	Heat Treating Equipment Setters, Operators, & Tenders, Metal & Plastic	\$26,420	Non-exempt
51-4192	Layout Workers, Metal & Plastic	\$30,140	Non-exempt
51-4193	Plating & Coating Machine Setters, Operators, & Tenders, Metal & Plastic	\$22,730	Non-exempt
51-4194	Tool Grinders, Filers, & Sharpeners	\$31,740	Non-exempt
51-4199	Metal Workers & Plastic Workers, All Other	\$23,830	Non-exempt
51-5111	Prepress Technicians & Workers	\$27,350	Non-exempt
51-5112	Printing Press Operators	\$22,740	Non-exempt
51-5113	Print Binding & Finishing Workers	\$22,080	Non-exempt
51-6011	Laundry & Dry-Cleaning Workers	\$17,290	Non-exempt
51-6021	Pressers, Textile, Garment, & Related Materials	\$17,190	Non-exempt
51-6031	Sewing Machine Operators	\$18,010	Non-exempt
51-6041	Shoe & Leather Workers & Repairers	\$17,100	Non-exempt
51-6042	Shoe Machine Operators & Tenders	\$17,020	Non-exempt
51-6051	Sewers, Hand	\$18,980	Non-exempt
51-6052	Tailors, Dressmakers, & Custom Sewers	\$21,580	Non-exempt
51-6061	Textile Bleaching & Dyeing Machine Operators & Tenders	\$20,510	Non-exempt
51-6062	Textile Cutting Machine Setters, Operators, & Tenders	\$21,040	Non-exempt
51-6063	Textile Knitting & Weaving Machine Setters, Operators, & Tenders	\$21,840	Non-exempt
51-6064	Textile Winding, Twisting, & Drawing Out Machine Setters, Operators, & Tenders	\$21,950	Non-exempt
51-6091	Extruding & Forming Machine Setters, Operators, & Tenders, Synthetic & Glass Fibers	\$29,850	Non-exempt
51-6092	Fabric & Apparel Patternmakers	\$26,170	Non-exempt
51-6093	Upholsterers	\$21,330	Non-exempt
51-6099	Textile, Apparel, & Furnishings Workers, All Other	\$20,040	Non-exempt
51-7011	Cabinetmakers & Bench Carpenters	\$26,640	Non-exempt
51-7021	Furniture Finishers	\$20,570	Non-exempt
51-7031	Model Makers, Wood	NR	Non-exempt
51-7032	Patternmakers, Wood	\$34,870	Non-exempt
51-7041	Sawing Machine Setters, Operators, & Tenders, Wood	\$22,190	Non-exempt
51-7042	Woodworking Machine Setters, Operators, & Tenders, Except Sawing	\$22,410	Non-exempt
51-7099	Woodworkers, All Other	\$44,970	Non-exempt
51-8011	Nuclear Power Reactor Operators	\$79,340	Non-exempt
51-8012	Power Distributors & Dispatchers	\$52,880	Non-exempt
51-8013	Power Plant Operators	\$43,620	Non-exempt
51-8021	Stationary Engineers & Boiler Operators	\$36,220	Non-exempt
51-8031	Water & Wastewater Treatment Plant & System Operators	\$30,880	Non-exempt
51-8091	Chemical Plant & System Operators	\$43,900	Non-exempt
51-8092	Gas Plant Operators	\$46,380	Non-exempt
51-8093	Petroleum Pump System Operators, Refinery Operators, & Gaugers	\$42,400	Non-exempt
51-8099	Plant & System Operators, All Other	\$34,720	Non-exempt
51-9011	Chemical Equipment Operators & Tenders	\$30,900	Non-exempt
51-9012	Separating, Filtering, Clarifying, Precipitating, & Still Machine Setters, Operators, & Tenders	\$25,640	Non-exempt
51-9021	Crushing, Grinding, & Polishing Machine Setters, Operators, & Tenders	\$28,570	Non-exempt
51-9022	Grinding & Polishing Workers, Hand	\$23,210	Non-exempt
51-9023	Mixing & Blending Machine Setters, Operators, & Tenders	\$26,950	Non-exempt
51-9031	Cutters & Trimmers, Hand	\$16,700	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
51-9032	Cutting & Slicing Machine Setters, Operators, & Tenders	\$23,140	Non-exempt
51-9041	Extruding, Forming, Pressing, & Compacting Machine Setters, Operators, & Tenders	\$25,520	Non-exempt
51-9051	Furnace, Kiln, Oven, Drier, & Kettle Operators & Tenders	\$28,430	Non-exempt
51-9061	Inspectors, Testers, Sorters, Samplers, & Weighers	\$24,740	Non-exempt
51-9071	Jewelers & Precious Stone & Metal Workers	\$24,960	Non-exempt
51-9081	Dental Laboratory Technicians	\$25,520	Non-exempt
51-9082	Medical Appliance Technicians	\$27,450	Non-exempt
51-9083	Ophthalmic Laboratory Technicians	\$20,050	Non-exempt
51-9111	Packaging & Filling Machine Operators & Tenders	\$21,700	Non-exempt
51-9121	Coating, Painting, & Spraying Machine Setters, Operators, & Tenders	\$23,740	Non-exempt
51-9122	Painters, Transportation Equipment	\$30,920	Non-exempt
51-9123	Painting, Coating, & Decorating Workers	\$21,340	Non-exempt
51-9141	Semiconductor Processors	\$27,510	Non-exempt
51-9151	Photographic Process Workers & Processing Machine Operators	\$17,410	Non-exempt
51-9191	Adhesive Bonding Machine Operators & Tenders	\$23,020	Non-exempt
51-9192	Cleaning, Washing, & Metal Pickling Equipment Operators & Tenders	\$22,530	Non-exempt
51-9193	Cooling & Freezing Equipment Operators & Tenders	\$22,130	Non-exempt
51-9194	Etchers & Engravers	\$22,020	Non-exempt
51-9195	Molders, Shapers & Casters	\$24,410	Non-exempt
51-9196	Paper Goods Machine Setters, Operators, & Tenders	\$28,400	Non-exempt
51-9197	Tire Builders	\$25,900	Non-exempt
51-9198	Helpers--Production Workers	\$19,310	Non-exempt
51-9199	Production Workers, Other	\$21,260	Non-exempt
53-1011	Aircraft Cargo Handling Supervisors	\$36,520	Exempt
53-1048	First-Line Supervisors of Transportation & Material-Moving Workers (OES Aggregate)	\$34,890	Exempt
53-2011	Airline Pilots, Copilots, & Flight Engineers	\$74,230	Exempt
53-2012	Commercial Pilots	\$46,730	Non-exempt
53-2021	Air Traffic Controllers	\$63,920	Exempt
53-2022	Airfield Operations Specialists	\$24,750	Non-exempt
53-2031	Flight Attendants	\$41,720	Non-exempt
53-3011	Ambulance Drivers & Attendants	\$19,190	Non-exempt
53-3021	Bus Drivers: Transit & Intercity	\$21,090	Non-exempt
53-3022	Bus Drivers: School or Special Client	\$18,500	Non-exempt
53-3031	Driver/Sales Workers	\$16,710	Non-exempt
53-3032	Heavy & Tractor-Trailer Truck Drivers	\$31,660	Non-exempt
53-3033	Light Truck or Delivery Services Drivers	\$17,740	Non-exempt
53-3041	Taxi Drivers & Chauffeurs	\$17,700	Non-exempt
53-3099	Motor Vehicle Operators, All Other	\$17,300	Non-exempt
53-4011	Locomotive Engineers	\$50,390	Non-exempt
53-4012	Locomotive Firers	NR	Non-exempt
53-4013	Rail Yard Engineers, Dinkey Operators, & Hostlers	\$34,930	Non-exempt
53-4021	Railroad Brake, Signal, & Switch Operators	\$34,510	Non-exempt
53-4031	Railroad Conductors & Yardmasters	\$44,670	Non-exempt
53-4041	Subway & Streetcar Operators	NR	Non-exempt
53-4099	Rail Transportation Workers, All Other	\$25,400	Non-exempt
53-5011	Sailors & Marine Oilers	\$29,180	Non-exempt

10th Percentile Occupational Wages for Pennsylvania Workers (2018)

(NR indicates that the wage for that occupation is not releasable)

SOC Code	Occupational Title	10th Percentile Wage	Overtime Eligibility Status
53-5021	Captains, Mates & Pilots of Water Vessels	\$35,570	Exempt
53-5022	Motorboat Operators	\$42,800	Non-exempt
53-5031	Ship Engineers	\$45,650	Non-exempt
53-6011	Bridge & Lock Tenders	\$17,530	Non-exempt
53-6021	Parking Lot Attendants	\$17,560	Non-exempt
53-6031	Automotive & Watercraft Service Attendants	\$17,560	Non-exempt
53-6041	Traffic Technicians	\$39,520	Non-exempt
53-6051	Transportation Inspectors	\$28,010	Non-exempt
53-6061	Transportation Attendants, Except Flight Attendants	\$18,990	Non-exempt
53-6099	Transportation Workers, All Other	\$22,910	Non-exempt
53-7011	Conveyor Operators & Tenders	\$26,910	Non-exempt
53-7021	Crane & Tower Operators	\$28,120	Non-exempt
53-7031	Dredge Operators	\$33,900	Non-exempt
53-7032	Excavating & Loading Machine & Dragline Operators	\$30,060	Non-exempt
53-7033	Loading Machine Operators, Underground Mining	\$52,690	Non-exempt
53-7041	Hoist & Winch Operators	\$29,470	Non-exempt
53-7051	Industrial Truck & Tractor Operators	\$26,970	Non-exempt
53-7061	Cleaners of Vehicles & Equipment	\$17,490	Non-exempt
53-7062	Laborers & Material Movers, Hand	\$20,740	Non-exempt
53-7063	Machine Feeders & Offbearers	\$21,600	Non-exempt
53-7064	Packers & Packagers, Hand	\$18,850	Non-exempt
53-7071	Gas Compressor & Gas Pumping Station Operators	\$45,310	Non-exempt
53-7072	Pump Operators	\$18,010	Non-exempt
53-7073	Wellhead Pumpers	\$30,460	Non-exempt
53-7081	Refuse & Recyclable Material Collectors	\$18,340	Non-exempt
53-7111	Mine Shuttle Car Operators	\$52,770	Non-exempt
53-7121	Tank Car, Truck, & Ship Loaders	\$28,390	Non-exempt
53-7199	Material Moving Workers, All Other	\$22,170	Non-exempt

		Total salaried workers in the state	Threshold of \$781 per week			Threshold of \$875 per week			Threshold of \$921 per week			
Group All			Total affected workers	Workers with new protections	Workers with strengthened protections	Total affected workers	Workers with new protections	Workers with strengthened protections	Total affected workers	Workers with new protections	Workers with strengthened protections	
Gender	Male	2,218,000	87,000	34,000	53,000	205,000	82,000	122,000	250,000	102,000	148,000	
	Female	1,193,000	34,000	12,000	22,000	88,000	31,000	57,000	107,000	39,000	68,000	
Parental Status	Not a parent	1,024,000	53,000	22,000	32,000	117,000	51,000	66,000	143,000	64,000	80,000	
	Father	1,398,000	61,000	24,000	37,000	144,000	60,000	84,000	174,000	72,000	103,000	
	Mother	455,000	6,000	2,000	4,000	25,000	8,000	17,000	30,000	10,000	19,000	
		364,000	20,000	8,000	12,000	36,000	15,000	22,000	46,000	20,000	26,000	
Race/Ethnicity	White	1,823,000	66,000	26,000	40,000	166,000	69,000	97,000	200,000	85,000	115,000	
	Black	148,000	8,000	3,000	5,000	15,000	6,000	10,000	20,000	7,000	13,000	
	Hispanic	101,000	7,000	3,000	4,000	13,000	4,000	9,000	16,000	6,000	11,000	
	Asian	121,000	5,000	2,000	3,000	7,000	3,000	4,000	10,000	3,000	6,000	
	Others	24,000	1,000	-	1,000	4,000	1,000	3,000	4,000	1,000	3,000	
Age	16-24	108,000	5,000	1,000	3,000	17,000	8,000	9,000	21,000	9,000	12,000	
	25-34	503,000	23,000	9,000	14,000	53,000	23,000	30,000	67,000	30,000	37,000	
	35-44	536,000	15,000	5,000	10,000	42,000	15,000	27,000	51,000	18,000	33,000	
	45-54	515,000	22,000	8,000	14,000	44,000	18,000	27,000	54,000	21,000	33,000	
	55-64	421,000	18,000	8,000	10,000	37,000	14,000	23,000	43,000	17,000	25,000	
	65+	134,000	4,000	2,000	2,000	11,000	4,000	7,000	13,000	5,000	8,000	
Education	Less than high school	51,000	1,000	-	1,000	5,000	-	5,000	6,000	1,000	5,000	
	High school	366,000	21,000	5,000	16,000	48,000	11,000	37,000	59,000	15,000	45,000	
	Some college	393,000	25,000	7,000	18,000	59,000	21,000	38,000	69,000	25,000	44,000	
	College degree	801,000	28,000	14,000	13,000	70,000	36,000	34,000	86,000	43,000	43,000	
	Advanced degree	607,000	13,000	8,000	5,000	22,000	13,000	9,000	30,000	18,000	12,000	
Major Industry	Agriculture, forestry, fishing, and hunting	13,000	-	-	-	2,000	-	2,000	2,000	-	2,000	
	Mining	10,000	-	-	-	1,000	-	-	1,000	-	-	
	Construction	97,000	5,000	1,000	5,000	12,000	3,000	9,000	13,000	3,000	10,000	
	Manufacturing	253,000	5,000	2,000	3,000	18,000	5,000	13,000	21,000	5,000	15,000	
	Wholesale and retail trade	217,000	8,000	3,000	5,000	22,000	9,000	13,000	29,000	12,000	17,000	
	Transportation and utilities	112,000	6,000	2,000	4,000	11,000	3,000	8,000	13,000	4,000	9,000	
	Information	46,000	3,000	1,000	1,000	5,000	3,000	3,000	6,000	3,000	3,000	
	Financial services	226,000	10,000	4,000	6,000	22,000	11,000	11,000	29,000	15,000	14,000	
	Professional and business services	296,000	13,000	7,000	7,000	28,000	14,000	14,000	33,000	17,000	16,000	
	Educational and health services	661,000	22,000	10,000	12,000	49,000	24,000	25,000	59,000	30,000	29,000	
	Leisure and hospitality	92,000	4,000	1,000	3,000	9,000	3,000	6,000	14,000	5,000	10,000	
	Other services	99,000	8,000	2,000	5,000	15,000	4,000	11,000	18,000	5,000	13,000	
	Public administration	97,000	4,000	1,000	2,000	11,000	3,000	8,000	12,000	4,000	9,000	
	Major Occupation	Management, business, and financial occupations	607,000	20,000	14,000	5,000	47,000	36,000	11,000	56,000	43,000	13,000
		Professional and related occupations	820,000	24,000	13,000	11,000	53,000	31,000	22,000	62,000	36,000	25,000
		Service occupations	158,000	8,000	-	8,000	19,000	1,000	18,000	23,000	2,000	21,000
Sales and related occupations		205,000	8,000	3,000	5,000	22,000	8,000	14,000	29,000	12,000	17,000	
Office and administrative support occupations		205,000	16,000	3,000	13,000	37,000	6,000	31,000	49,000	10,000	39,000	
Farming, fishing, and forestry occupations		8,000	-	-	-	2,000	-	2,000	2,000	-	2,000	
Construction and extraction occupations		41,000	4,000	-	4,000	8,000	-	8,000	9,000	-	9,000	
Installation, maintenance, and repair occupations		41,000	2,000	-	2,000	5,000	-	4,000	6,000	-	5,000	
Production occupations		52,000	3,000	-	3,000	7,000	-	7,000	9,000	-	9,000	

Transportation and material moving
occupations

79,000

2,000

-

2,000

6,000

-

6,000

6,000

-

6,000

*Due to rounding, some "Workers with strengthened protections"
and "Workers with new protections" cells may not equal the Total
Affected Workers for that row

	FY 2019-2020		FY 2020-2021		FY 2021-2022		FY 2022-2023		FY 2023-2024		FY 2024-2025	
	Lower Est.	Upper Est.	Lower Est.	Upper Est.	Lower Est.	Upper Est.	Lower Est.	Upper Est.	Lower Est.	Upper Est.	Lower Est.	Upper Est.
Estimated Wage Increase from PA Overtime Rule	\$0	\$0	\$3,565,467	\$3,984,681	\$13,211,856	\$14,765,256	\$19,871,561	\$22,207,985	\$20,450,344	\$22,854,819	\$20,450,344	\$22,854,819
Estimated State/Local Tax Revenue Increase	\$0	\$0	\$181,839	\$203,219	\$673,805	\$753,028	\$1,013,450	\$1,132,607	\$1,042,968	\$1,165,596	\$1,042,968	\$1,165,596
Estimated Induced Spending Boost to GSP	\$0	\$0	\$1,957,441	\$2,187,590	\$7,253,309	\$8,106,125	\$10,909,487	\$12,192,184	\$11,227,239	\$12,547,296	\$11,227,239	\$12,547,296
Total Economic Benefit	\$0	\$0	\$5,704,747	\$6,375,489	\$21,138,969	\$23,624,409	\$31,794,498	\$35,532,775	\$32,720,551	\$36,567,710	\$32,720,551	\$36,567,710
Jobs Created			22	25	83	93	125	140	129	144	129	144

	FY 2019-2020		FY 2020-2021		FY 2021-2022		FY 2022-2023		FY 2023-2024		FY 2024-2025	
	Lower Est.	Upper Est.	Lower Est.	Upper Est.	Lower Est.	Upper Est.	Lower Est.	Upper Est.	Lower Est.	Upper Est.	Lower Est.	Upper Est.
Savings												
Regulated Community	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable
Local Government	None	None	None	None	None	None	None	None	None	None	None	None
State Government	None	None	None	None	None	None	None	None	None	None	None	None
Total Savings	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable	Not calculable
Costs												
Regulated Community	6,961,025	6,961,025	14,315,133	14,734,347	21,954,959	23,508,359	28,058,135	30,394,558	28,636,918	31,041,393	28,636,918	31,041,393
Regulatory Familiarization	6,961,025	6,961,025	6,961,025	6,961,025	0	0	0	0	0	0	0	0
Adjustment	0	0	2,091,425	2,091,425	2,952,600	2,952,600	0	0	0	0	0	0
Managerial	0	0	1,697,216	1,697,216	5,790,503	5,790,503	8,186,574	8,186,574	8,186,574	8,186,574	8,186,574	8,186,574
Payroll (Minimum Wage)	0	0	0	0	0	0	0	0	0	0	0	0
Payroll (Overtime)	0	0	3,565,467	3,984,681	13,211,856	14,765,256	19,871,561	22,207,985	20,450,344	22,854,819	20,450,344	22,854,819
Local Government	0	0	0	0	0	0	0	0	0	0	0	0
State Government	0	0	125,000	125,000	0	0	0	0	0	0	0	0
Total Costs	6,961,025	6,961,025	14,440,133	14,859,347	21,954,959	23,508,359	28,058,135	30,394,558	28,636,918	31,041,393	28,636,918	31,041,393
Revenue Lost												
Regulated Community	0	0	0	0	0	0	0	0	0	0	0	0
Local Government	0	0	0	0	0	0	0	0	0	0	0	0
State Government	0	0	0	0	0	0	0	0	0	0	0	0
Total Revenue Lost	0	0	0	0	0	0	0	0	0	0	0	0
Number of PA Employer Establishments								282,911				
A Human Resource Specialist- (hourly rate of 30.19 plus benefits cost of 46% of base salary (\$13.89)								\$ 49.21				
USDOL regulatory familiarization time estimate								1				
USDOL adjustment time estimate								1.25				
USDOL management time estimate/year								8.67				
Number of Affected EAP workers with salary \$35,568-\$40,560								34,000				
Number of Affected EAP workers in PA with salary \$40,560-\$45,500								48,000				
Number of Affected EAP workers in PA with salary \$35,568-\$45,500								82,000				
Constant to calculate number of affected AEP workers in PA requiring additional managerial supervision								0.234				
USDOL 2019 Payroll cost per affected worker								\$ 183.92				
USDOL 2016 Payroll cost per affected worker								\$ 274.36				
PA Payroll cost per affected worker (2021 lower limit)								\$ 209.73				
PA Payroll cost per affected worker (2021 upper limit)								\$ 234.39				
PA Payroll cost per affected worker (2022 lower limit)								\$ 235.28				
PA Payroll cost per affected worker (2022 upper limit)								\$ 262.94				
PA Payroll Cost per affected worker in 2023 (lower limit, assumes 5.6% rate of change in 2022 OES data set used to determine PA salary threshold, based on historical data, 2012-2018)								\$ 249.39				
PA Payroll Cost per affected worker in 2023 (upper limit, assumes 5.6% rate of change in 2022 OES data set used to determine PA salary threshold, based on historical data, 2012-2018)								\$ 278.72				
2020 Threshold (Federal)								\$ 35,568				
2021 Threshold								\$ 40,560				
2022 Threshold								\$ 45,500				
Projected 2023 Threshold								\$ 48,230				
USDOL Proposed 2016 Threshold								\$ 47,476				