

	<b>Current Regulations (2004 until effective date of Final Rule, 2016)</b>	<b>Final Rule</b>
Salary Level	\$455 weekly	\$913 weekly 40th percentile of full-time salaried workers in the lowest-wage Census region (currently in the South).
HCE (Highly Compensated Employee) Total Annual Compensation Level	\$100,000 annually	\$134,004 90th percentile of full-time salaried workers nationally.
Automatic Adjusting	None	Every 3 years, maintaining the standard salary level at the 40th percentile of full-time salaried workers in the lowest-wage Census region, and the HCE total annual compensation level at the 90th percentile of full-time salaried workers nationally.
Bonuses	No provision to count nondiscretionary bonuses and commissions toward the standard salary level	Up to 10% of standard salary level can come from non-discretionary bonuses, incentive payments, and commissions, paid at least quarterly.
Standard Duties Test	See WHD Fact Sheet #17A for a description of EAP duties	No changes to the standard duties test.