

Table Comparison of prior regulations and new final rule:

	Prior regulations (2004 until December 1, 2016)	New Rule
Salary Level	\$455 weekly	\$913 weekly 40th percentile of full-time salaried workers in the lowest-wage Census region (currently the South)
HCE Total Compensation Level	\$100,000 annually	\$134,004 annually 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	Nondiscretionary bonuses and commissions do not count towards 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 Dept. of Labor WHD Fact Sheet #17A for a description of EAP duties.	No changes to the standard duties test.