

FAIR LABOR STANDARDS ACT LIVE-IN EXEMPTION

Attendant Name

First: Last: PPL ID:

Consumer Name

First: Last: PPL ID:

Employer Name (this must be completed)

First: Last:

The United States Department of Labor (US DOL) and Fair Labor Standards Act (FLSA) requires that Attendants are paid overtime for hours worked unless the Attendant is eligible for a "live-in exemption". Employers use this form to determine if their Attendant is eligible.

For more information regarding the Fair Labor Standards Act Live-In Exemption visit: <http://www.pplfirst.com>

This form needs to be filled out for every Attendant you have in Self-Directed Services.

Part 1: Applying for Live-In Exemption

Select which Residency Test option applies:

- ☐ Attendant lives with the Consumer seven days a week. This means they do not have another home.
- ☐ Attendant lives with the Consumer for an extended period of time. This means they work and sleep five days a week.
- Any five days in a week (120 hours or more)
 - Five days in a row

! IMPORTANT: Attendant is eligible if either of the above choices are selected.

- ☐ Attendant does not live with the Consumer.

Part 2: Cancelling Live-In Exemption

Select if applies:

- ☐ Attendant no longer lives with the Consumer they provide services to.

Agree and Sign

The Attendant and Employer confirm:

- We have read all of this form.
- The details provided are accurate and complete.
- We must inform Public Partnerships when the Attendant no longer lives with the Consumer.
- We agree to accept the risks if we fail to inform Public Partnerships.
- We know that all hours including overtime (over 40 hours per workweek) will be paid at regular hourly rates.

Attendant Signature:

Date:

Consumer or Employer or Representative Signature:

Date:

Live-In Exemption Frequently Asked Questions

The United States Department of Labor (US DOL) and Fair Labor Standards Act (FLSA) requires that Attendants are paid overtime for hours worked. An exception to this requirement is called “live-in exemption”.

What makes an Attendant eligible for the Live-In Exemption?

- The attendant lives with the Consumer 7 days a week. This means they do not have another home.
- The attendant lives with the Consumer for most of the week. This means they work and sleep 5 days a week at the Consumer’s home: Any 5 days in a week (at least 120 hours) **OR** 5 days in a row.

How does this affect me as an Attendant?

Live-In Exempt

- You will be paid at the regular hourly rate for all hours worked, if there are authorizations available.
- EVV time submission required.

Not Live-In Exempt

- You will be paid at 1.5 times the regular hourly pay rate (max of 16 hours overtime per week) for any hours worked over 40 hours.
- EVV time submission required.

How does the Live-In Exemption affect my paycheck?

- You are not paid overtime.
- If you qualify for the Live-in Exemption, you **may** also be eligible for the Difficulty of Care (DOC) tax exemption. The DOC exemption means no Federal or State taxes are deducted from your paycheck.

How do I become Live-In Exempt?

- Complete the FLSA LIE form (included or on My Account). This form is located in the Tax Information section of the ‘My Enrollment’ tile in My Account **AND**
- Upload or send proof of address to PPL by email, mail or fax. This proof must show your name and physical address, which is the same address as the Consumer.

What are examples of proof of address?

- Acceptable proof of address includes:
 - U.S. Driver's License or State Issued ID
 - Voter Registration Card
 - Bank Statement
 - Credit Card Statement
 - Utility Bill
 - Phone Bill

How do I become eligible for Difficulty of Care?

- Complete the DOC form. This form is located in the Tax Information section of the ‘My Enrollment’ tile in My Account.