

Ministerial Exemption from the Minimum Wage Act

In the fall of 2022, the Human Resources department requested a legal review and clarification of how the ministerial exception applies to the Washington State Minimum Wage Requirements and Labor Standards.

Here in this Archdiocese, based on case law, it is already known that the Minimum Wage Act does not apply to seminarians, and by extension to priests and that this also includes religious schoolteachers (employees whose primary duty is teaching, instructing, or lecturing to impart knowledge) engaged in a “religious function”. In addition, the U.S. Department of Labor has issued two opinion letters that have further solidified and broadening the ministerial exception outlining that ministers meeting the “religious function” test are exempt from the FLSA requirements.

The legal review concluded that “based on the well-established ministerial exception, and the DOL opinion letters which analyze it in relation to the FLSA...the following positions fit within the ministerial exception for the purposes of exemption from the Minimum Wage Act:”

Pastoral Assistant for Faith Formation 2

Pastoral Assistant for Faith Formation 1

Pastoral Assistant for Liturgy

Pastoral Assistant for Music

Pastoral Assistant for Youth Ministry

Pastoral Assistant for Children's Faith Formation

Pastoral Assistant for Evangelization

Pastoral Assistant for Sacramental Preparation

Pastoral Assistant for Hispanic (Ethnic) Ministries

Pastoral Coordinator

Employees engaged in the duties associated with these position titles are considered exempt from overtime and by extension from the minimum wage threshold test to maintain their exempt status. As a result, beginning in 2023, employees in these roles have either maintained their status current exempt status or have transitioned back from non-exempt (overtime eligible) classification to being exempt from overtime.