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## APA Certified Payroll Professional Sample Questions (Q78-Q83):

### NEW QUESTION # 78

Although a worker is considered an independent contractor by the IRS, a worker may still be classified as an employee under the FLSA regulation when:

- A. Working for a determined period of time
- B. Economically dependent on the employer

- C. Not able to profit based on how well the job is done
- D. Not an integral part of the employer's business operation

**Answer: B**

Explanation:

Comprehensive and Detailed in Depth Explanation:

The Fair Labor Standards Act (FLSA) uses an "economic realities test" to determine if a worker is truly an independent contractor or should be classified as an employee.

Key factor:

\* If the worker is economically dependent on the employer, they are more likely to be an employee.

Other elements considered (but not determinative on their own) include:

- \* Whether the worker can make a profit/loss
- \* The permanency of the relationship
- \* Control over work
- \* Integration into the business

#So, the correct answer is B - Economically dependent on the employer

**NEW QUESTION # 79**

To maintain confidentiality of employee data, all of the following practices must be in place EXCEPT:

- A. Document destruction
- B. Release authorization
- C. File organization
- D. Record retention

**Answer: D**

Explanation:

Comprehensive and Detailed in Depth Explanation:

Maintaining confidentiality involves:

- \* Organized file systems (B#)
- \* Authorization protocols for data release (C#)
- \* Secure destruction of sensitive documents (D#)

Record retention (A) relates to data preservation, not protection or confidentiality. In fact, retaining records too long without secure storage can increase the risk of data breaches.

#Therefore, Answer A is correct

**NEW QUESTION # 80**

Federal tax withheld from a distribution of \$50,000 from a qualified retirement plan paid directly to a retiree age 65 is:

- A. \$15,500
- B. \$10,000
- C. \$0
- D. \$14,000

**Answer: B**

**NEW QUESTION # 81**

Under the FLSA, how many hours would be paid at time and one half for the following biweekly period, assuming that the employee is an assembly line worker?

WK	Mon	Tue	Wed	Thu	Fri	Sat	Sun
I	8	8	8	6	10	8	off
II	8	8	8	8	off	8	off

- A. 0
- **B. 1**
- C. 2
- D. 3

**Answer: B**

#### **NEW QUESTION # 82**

Employers funding a Qualified Small Employer Health Reimbursement Arrangement (QSEHRA) and fail to provide an annual notice to eligible employees face a penalty per employee of:

- A. \$11,800.00
- B. \$2,500.00
- **C. \$5,850.00**
- D. \$50.00

**Answer: C**

Explanation:

Comprehensive and Detailed In-Depth Explanation:

Under the 21st Century Cures Act, QSEHRAs must be disclosed annually to employees. Failure to notify can lead to a \$50/day penalty per employee, up to \$5,850 per employee per year.

#### **NEW QUESTION # 83**

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