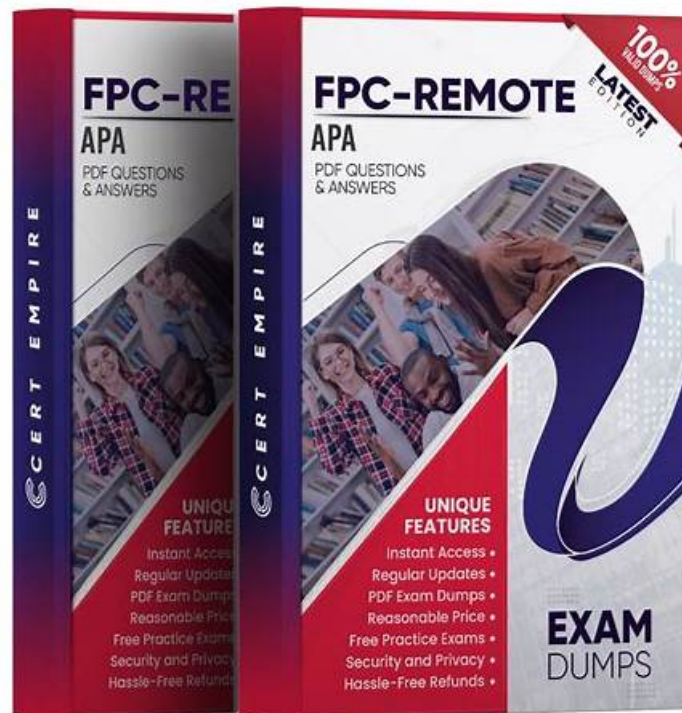


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## APA Fundamental Payroll Certification Sample Questions (Q92-Q97):

### NEW QUESTION # 92

Which test is used to determine if an employer-employee relationship exists?

- A. Substantial Presence Test
- B. Permanent Resident Test

- C. Common Law Test
- D. Time Test

**Answer: C**

Explanation:

Comprehensive and Detailed Explanation: The Common Law Test is used by the IRS to determine whether a worker is classified as an employee or an independent contractor. The test evaluates factors related to:

- \* Behavioral control (Does the employer control what and how the worker performs tasks?)
- \* Financial control (Are business expenses reimbursed? Is the worker making an independent profit or loss?)
- \* Type of relationship (Are there benefits like paid time off? Is the relationship expected to be long-term?)
- \* Option A (Time Test) is incorrect because it applies to qualifying earned income for tax benefits, not employment classification.
- \* Option B (Substantial Presence Test) is incorrect because it determines resident alien tax status.
- \* Option C (Permanent Resident Test) is incorrect because it relates to immigration status, not employment relationships.

Reference:

IRS Publication 15-A - Employer's Guide to Worker Classification

Payroll.org - Independent Contractor vs. Employee Compliance

### NEW QUESTION # 93

Employee privacy rights are NOT governed by:

- A. Company policy
- B. State regulations
- C. FLSA
- D. Federal law

**Answer: C**

Explanation:

FLSA governs wages and hours, not privacy rights.

Privacy laws are governed by federal/state regulations and company policies.

Reference:

Employee Privacy Rights (DOL)

### NEW QUESTION # 94

All of the following are reasons payroll keeps records except:

- A. demonstrate accuracy of paychecks
- B. demonstrate security of payroll
- C. periodic reporting
- D. compliance with laws

**Answer: B**

### NEW QUESTION # 95

Under the FLSA, all of the following categories are defined as "white-collar" exemptions EXCEPT:

- A. Executive
- B. S. Department of Labor - FLSA Exemptions
- C. Computer Hardware Operators
- D. Administrative
- E. Outside Sales

**Answer: C**

Explanation:

Payroll.org - White-Collar Exemption Criteria

Explanation:

Comprehensive and Detailed Explanation:

Under the Fair Labor Standards Act (FLSA), "white-collar exemptions" apply to certain salaried employees who meet specific duties and salary tests. The three main categories are:

Executive (Option A) - Managers with supervisory responsibilities.

Administrative (Option B) - Employees in non-manual work related to business operations.

Outside Sales (Option C) - Sales employees working away from the employer's place of business.

Option D (Computer Hardware Operators) is incorrect because this role does not qualify for exemption under the FLSA white-collar rules. Only certain IT professionals (software engineers, systems analysts, etc.) qualify under the Computer Employee Exemption.

### NEW QUESTION # 96

At the beginning of the year, an employee elected to buy group term life insurance as part of his benefit package through his company's cafeteria benefit plan. In May he took out an individual life insurance policy.

Since he no longer needs group coverage, he wants to replace the insurance option with increased contributions to his 401k plans. Is this possible?

- **A. no**
- B. yes, if both GTL and the 401k plan are part of the same cafeteria benefit program, he can switch
- C. yes but he will have to pay taxes on the amount.

**Answer: A**

### NEW QUESTION # 97

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