

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-30518  
Summary Calendar

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MARTHA ANN FITZGERALD,

Plaintiff-Appellant,

versus

CALDWELL PARISH SCHOOL BOARD,

Defendant-Appellee.

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Appeal from the United States District Court for  
the Western District of Louisiana  
(USDC No. 98-CV-430)

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October 19, 2000

Before REAVLEY, DeMOSS and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Plaintiff-appellant Martha Ann Fitzgerald appeals from summary judgment against her on her claim for overtime wages under the Fair Labor Standards Act, 29

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\*Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

U.S.C. §§ 201-219 (FLSA). We agree with the district court and defendant-appellee Caldwell Parish School Board that she is an exempt employee under the short test promulgated by the Secretary of Labor pursuant to 29 U.S.C. § 213(a). *See* 29 C.F.R. §§ 541.207(a), 541.214; *see also Heidtman v. County of El Paso*, 171 F.3d 1038, 1041 (5th Cir. 1999) (applying the short test).

As Office Manager, Fitzgerald prepared a multi-million dollar budget, provided advice regarding the investment of school monies, and managed the school system's payroll. As a matter of law, her position's primary duty was directly related to the school system's management policies and general business operations, and it required the exercise of discretion and independent judgment. Thus, her position is exempt from the overtime provisions of the FLSA.

**AFFIRMED.**