

1 HOUSE BILL NO. 794
 2 INTRODUCED BY Michael Harris
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE
 5 DEFINITION OF A PAID HOLIDAY; AND AMENDING SECTION 2-18-601,
 6 MCA."
 7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 **Section 1.** Section 2-18-601, MCA, is amended to read:

10 "2-18-601. Definitions. For the purpose of this part,
 11 except 2-18-620, the following definitions apply:

12 (1) "Agency" means any legally constituted department,
 13 board, or commission of state, county, or city government or
 14 any political subdivision thereof.

15 (2) "Employee" means any person employed by an agency
 16 except elected state, county, and city officials,
 17 schoolteachers, and persons contracted as independent
 18 contractors or hired under personal services contracts.

19 (3) "Permanent employee" means an employee who is
 20 assigned to a position designated as permanent on the
 21 appropriate list of authorized positions referenced in
 22 2-18-206 and approved as such in the biennium budget.

23 (4) "Part-time employee" means an employee who normally
 24 works less than 40 hours a week.

25 (5) "Full-time employee" means an employee who normally

1 works 40 hours a week.

2 (6) "Temporary employee" means an employee assigned to
 3 a position designated as temporary on the appropriate agency
 4 list of authorized positions referenced in 2-18-206, created
 5 for a definite period of time not to exceed 9 months.

6 (7) "Seasonal employee" means an employee assigned to a
 7 position designated as seasonal on the appropriate agency
 8 list of authorized positions referenced in 2-18-206 and for
 9 which the agency has a permanent need but which is
 10 interrupted by the seasonal nature of the assignment.

11 (8) "Holiday" means a scheduled day off with pay to
 12 observe a legal holiday, as specified in 1-1-216 or
 13 20-1-305, except Sundays.

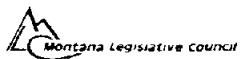
14 (9) "Vacation leave" means a leave of absence with
 15 pay for the purpose of rest, relaxation, or personal
 16 business at the request of the employee and with the
 17 concurrence of the employer.

18 (10) "Sick leave" means a leave of absence with pay
 19 for a sickness suffered by an employee or his immediate
 20 family.

21 (11) "Sick-pay plan" means a plan that:

22 (a) provides for an agency to make payments in lieu of
 23 wages to employees on account of sickness or accident
 24 disability; and

25 (b) meets the requirements of 42 U.S.C. 409(b) or (d).



LC 1883/01

1 †††(12) "Transfer" means a change of employment from
2 one agency to another agency in the same jurisdiction
3 without a break in service.

4 †††(13) "Continuous employment" means working within
5 the same jurisdiction without a break in service of more
6 than 5 working days or without a continuous absence without
7 pay of more than 15 working days.

8 †††(14) "Break in service" means a period of time in
9 excess of 5 working days when the person is not employed and
10 that severs continuous employment."

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

House BILL NO. 794

INTRODUCED BY McClellan Harris

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DEFINITION OF A PAID HOLIDAY; AND AMENDING SECTION 2-18-601,
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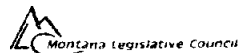
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