

HOUSE BILL NO. 377

1/24 Introduced
1/24 Referred to Appropriations
1/25 Hearing
Died in Committee

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INTRODUCED BY Paul Hare Steve Hammond **SALES**

HOUSE BILL NO. **377**

A BILL FOR AN ACT ENTITLED: "AN ACT FREEZING STATE EMPLOYEES' COMPENSATION AND BENEFIT LEVELS AT THE FISCAL YEAR 1985 LEVELS; AMENDING SECTIONS 2-18-301, 2-18-303 THROUGH 2-18-305, 2-18-312 THROUGH 2-18-315, AND 2-18-703, MCA; REPEALING SECTION 2-18-311, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 2-18-301, MCA, is amended to read:

"2-18-301. Purpose and intent of part -- rules. (1) The purpose of this part is to provide the compensation necessary to attract and retain competent and qualified employees in order to perform the services the state is required to provide to its citizens.

(2) It is the intent of the legislature that, for the biennium ending June 30, 1985 1987, the:

(a) pay schedules provided for in ~~2-18-311~~ 2-18-312 through 2-18-315 supersede any other plan or systems established through collective bargaining after the adjournment of the 48th 49th legislature;

(b) pay levels provided for in ~~2-18-311~~ 2-18-312 through 2-18-315 may not be increased through collective bargaining after adjournment of the 48th 49th legislature; and

(c) total funds required to implement the pay schedules provided for in ~~2-18-311~~ 2-18-312 through 2-18-315 for any employee group or bargaining unit may not be increased through collective bargaining over the amount appropriated by the 48th 49th legislature.

(3) The department shall administer the pay program established by the legislature on the basis of merit, internal equity, and competitiveness to external labor markets when fiscally able.



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1 (4) The department may promulgate rules not inconsistent with the provisions of this part,
2 collective bargaining statutes, or negotiated contracts to carry out the purposes of this part."

3 Section 2. Section 2-18-303, MCA, is amended to read:

4 "2-18-303. Procedures for utilizing pay schedules. (1) The pay ~~schedules~~ schedule provided in
5 ~~2-18-311 and 2-18-312~~ shall be implemented as follows:

6 ~~{a}--The--pay--schedule--provided--in--2-18-311--indicates--the--annual--compensation--for--the--fiscal~~
7 ~~year--ending--June--30,--1984,--for--each--grade--and--step--for--positions--classified--under--the--provisions--of~~
8 ~~part--2--of--this--chapter.~~

9 ~~{b}~~(a) The pay schedule provided in 2-18-312 indicates the annual compensation for the fiscal
10 year years ending June 30, 1985 1986, and June 30, 1987, for each grade and step for positions
11 classified under the provisions of part 2 of this chapter.

12 ~~{c}~~(b) Each new employee shall advance from step 1 to step 2 of a grade after successfully
13 completing 6 months of probationary service. The anniversary date of an employee shall be
14 established at the end of the probationary period in accordance with rules promulgated by the
15 department.

16 ~~{d}~~(c) (i) The compensation of each employee on the first day of the first pay period in
17 fiscal year 1984 1986 shall be that amount which corresponds to the grade and step occupied on the
18 last day of the preceding fiscal year of 1983 1985.

19 (ii) The compensation of each employee on the first day of the first pay period in fiscal year
20 1985 1987 shall be that amount which corresponds to the grade and step occupied on the last day of
21 the fiscal year 1984 1985.

22 ~~{iii}--In--compliance--with--rules--adopted--to--implement--this--part,--each--employee--is--eligible--on~~
23 ~~his--anniversary--date--to--advance--one--step--in--the--pay--matrix--for--fiscal--year--1984--and--fiscal--year~~
24 ~~1985.---However,---if--the--employee's--anniversary--date--falls--between--(inclusive)--July--1--and--the--first~~
25 ~~day--of--the--first--pay--period--of--fiscal--year--1984--or--1985,--as--the--case--may--be,--he--will--advance--one~~

1 ~~step-on-the-first-day-of-that-pay-period:~~

2 (2) The pay ~~schedules~~ schedule provided in ~~2-18-311--and~~ 2-18-312 and the provisions of
3 subsection (1) of this section do not apply to those institutional teachers, liquor store
4 occupations, or blue-collar occupations compensated under the pay schedules provided in 2-18-313,
5 2-18-314, or 2-18-315.

6 (3) The pay schedules provided in 2-18-313, 2-18-314, or 2-18-315 shall be implemented as
7 follows:

8 (a) (i) The pay schedules provided in 2-18-313 indicate the annual compensation for the
9 contracted school term for teachers employed by institutions under the authority of the department
10 of institutions for fiscal years ~~1984~~ 1986 and ~~1985~~ 1987.

11 (ii) The compensation of each teacher on the first day of the first pay period in July, ~~1983~~
12 1985, shall be that amount which corresponds to his level of academic achievement and the step
13 occupied on June 30, ~~1983~~ 1985.

14 (iii) The compensation of each teacher on the first day of the first pay period in July, ~~1984~~
15 1986, shall be that amount which corresponds to his level of achievement and the step occupied on
16 June 30, ~~1983~~ 1985.

17 (b) (i) The pay ~~schedules~~ schedule provided in 2-18-314 ~~indicate~~ indicates the maximum hourly
18 compensation for fiscal years ending June 30, ~~1984~~ 1986, and June 30, ~~1985~~ 1987, for those
19 employees in liquor store occupations who have collectively bargained separate classification and
20 pay plans.

21 (ii) The compensation of each employee on the first day of the first pay period in fiscal year
22 ~~1984~~ 1986 or ~~1985~~ 1987, as the case may be, shall be that amount which corresponds to that grade
23 occupied on the last day of the preceding fiscal year.

24 (c) (i) The pay ~~schedules~~ schedule provided in 2-18-315 ~~indicate~~ indicates the maximum hourly
25 compensation for fiscal years ending June 30, ~~1984~~ 1986, and June 30, ~~1985~~ 1987, for employees in

1 apprentice trades and crafts and other blue-collar occupations recognized in the state blue-collar
2 classification plan who are members of units that have collectively bargained separate
3 classification and pay plans.

4 (ii) The compensation of each employee on the first day of the first pay period in fiscal year
5 ~~1984~~ 1986 or ~~1985~~ 1987, as the case may be, shall be that amount which corresponds to that grade
6 occupied on the last day of the preceding fiscal year.

7 (4) (a) (i) No member of a bargaining unit may receive the amounts indicated in the
8 respective pay schedules provided in ~~2-18-311~~ 2-18-312 through 2-18-315 until the bargaining unit
9 of which he is a member ratifies a completely integrated collective bargaining agreement covering
10 the biennium ending June 30, ~~1985~~ 1987.

11 (ii) In the event that negotiation and ratification of a completely integrated collective
12 bargaining agreement as required by subsection (4)(a)(i) of this section are not completed by July
13 1, ~~1983~~ 1985, retroactivity to that date may be negotiated.

14 (iii) In the event that negotiation and ratification of a completely integrated collective
15 bargaining agreement as required by subsection (4)(a)(i) of this section are not completed by July
16 1, ~~1983~~ 1985, members of the bargaining unit involved will continue to receive the compensation
17 they were receiving as of June 30, ~~1983~~ 1985.

18 (b) Methods of administration not inconsistent with the purpose of this part and necessary to
19 properly implement the pay schedules provided in 2-18-313 through 2-18-315 may be provided for in
20 collective bargaining agreements.

21 (5) The current wage or salary of an employee shall not be reduced by the implementation of
22 the pay schedules provided for in ~~2-18-311~~ 2-18-312 through 2-18-315.

23 (6) The department may authorize a separate pay schedule for medical doctors if the rates
24 provided in ~~2-18-311~~ 2-18-312 are not sufficient to attract and retain fully licensed and
25 qualified physicians at the state institutions.

1 (7) The department may develop programs which will enable the department to mitigate problems
2 associated with difficult recruitment, retention, transfer, or other exceptional circumstances.
3 Insofar as the program may apply to employees within a collective bargaining unit, it shall be a
4 negotiable subject under 39-31-305."

5 Section 3. Section 2-18-304, MCA, is amended to read:

6 "2-18-304. Longevity allowance. In addition to the compensation provided for in ~~2-18-311~~;
7 2-18-312, 2-18-313, 2-18-314, or 2-18-315, each employee who has completed 5 years of uninterrupted
8 state service shall receive the larger of \$10 a month or 10% of the difference between the base
9 compensation for his grade and step (where applicable) and the base compensation for the next
10 highest grade and corresponding step (where applicable) multiplied by the number of completed,
11 contiguous 5-year periods of uninterrupted state service. Service to the state is not interrupted
12 by authorized leaves of absence."

13 Section 4. Section 2-18-305, MCA, is amended to read:

14 "2-18-305. Allocation between wages and group benefits. (1) The dollar amounts shown in the
15 respective pay schedules provided in ~~2-18-311~~; 2-18-312, 2-18-313, 2-18-314, or 2-18-315, as the
16 case may be, represent the maximum amount allocated by the state for wages and group benefits,
17 exclusive of longevity as defined in 2-18-304. Except as provided in subsection (2) of this
18 section, that amount specifically allocated for group benefits shall be determined by 2-18-703. An
19 employee who elects not to be covered by a state employee group benefit plan will receive as wages
20 the amount shown in the appropriate pay schedule less the state contribution for group benefits as
21 determined by 2-18-703.

22 (2) Employees may, through collective bargaining, determine the allocation of the amounts
23 shown in the pay schedules provided in ~~2-18-311~~; 2-18-312, 2-18-313, 2-18-314, or 2-18-315, as the
24 case may be, between wages and group benefits, except that in no case may the group benefits
25 allocation be less than the amounts provided in 2-18-703."

1 Section 5. Section 2-18-312, MCA, is amended to read:
 2 "2-18-312. Statewide pay schedule for fiscal year-1985 years 1986 and 1987. The statewide
 3 classification pay schedule for fiscal year-1985 years 1986 and 1987 is as follows:

4 Annual Hours -- 2080

Note: Includes Insurance

5 Pay Matrix -- State

Matrix Type -- Annual

6 STEP

7 GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13
8 1	8,713	9,369	9,556	9,747	9,942	10,141	10,344	10,551	10,762	10,977	11,197	11,421	11,878
9 2	9,195	9,887	10,085	10,287	10,493	10,703	10,917	11,135	11,358	11,585	11,817	12,053	12,535
10 3	9,719	10,451	10,660	10,873	11,090	11,312	11,538	11,769	12,004	12,244	12,489	12,739	13,249
11 4	10,292	11,067	11,288	11,514	11,744	11,979	12,219	12,463	12,712	12,966	13,225	13,490	14,030
12 5	10,924	11,746	11,981	12,221	12,465	12,714	12,968	13,227	13,492	13,762	14,037	14,318	14,891
13 6	11,616	12,490	12,740	12,995	13,255	13,520	13,790	14,066	14,347	14,634	14,927	15,226	15,835
14 7	12,383	13,315	13,581	13,853	14,130	14,413	14,701	14,995	15,295	15,601	15,913	16,231	16,880
15 8	13,210	14,204	14,488	14,778	15,074	15,375	15,683	15,997	16,317	16,643	16,976	17,316	18,009
16 9	14,129	15,192	15,496	15,806	16,122	16,444	16,773	17,108	17,450	17,799	18,155	18,518	19,259
17 10	15,135	16,274	16,599	16,931	17,270	17,615	17,967	18,326	18,693	19,067	19,448	19,837	20,630
18 11	16,233	17,455	17,804	18,160	18,523	18,893	19,271	19,656	20,049	20,450	20,859	21,276	22,127
19 12	17,450	18,763	19,138	19,521	19,911	20,309	20,715	21,129	21,552	21,983	22,423	22,871	23,786
20 13	18,774	20,187	20,591	21,003	21,423	21,851	22,288	22,734	23,189	23,653	24,126	24,609	25,593
21 14	20,404	21,940	22,379	22,827	23,284	23,750	24,225	24,710	25,204	25,708	26,222	26,746	27,816
22 15	22,103	23,767	24,242	24,727	25,222	25,726	26,241	26,766	27,301	27,847	28,404	28,972	30,131
23 16	24,011	25,818	26,334	26,861	27,398	27,946	28,505	29,075	29,657	30,250	30,855	31,472	32,731
24 17	26,075	28,038	28,599	29,171	29,754	30,349	30,956	31,575	32,207	32,851	33,508	34,178	35,545
25 18	28,357	30,491	31,101	31,723	32,357	33,004	33,664	34,337	35,024	35,724	36,438	37,167	38,654

1	19	30,863	33,186	33,850	34,527	35,218	35,922	36,640	37,373	38,120	38,882	39,660	40,453	40,453
2	20	33,600	36,129	36,852	37,589	38,341	39,108	39,890	40,688	41,502	42,332	43,179	43,179	43,179
3	21	36,611	39,367	40,154	40,957	41,776	42,612	43,464	44,333	45,220	46,124	46,124	46,124	46,124
4	22	39,915	42,919	43,777	44,653	45,546	46,457	47,386	48,334	49,301	49,301	49,301	49,301	49,301
5	23	43,531	46,807	47,743	48,698	49,672	50,665	51,678	52,712	52,712	52,712	52,712	52,712	52,712
6	24	47,503	51,078	52,100	53,142	54,205	55,289	56,395	56,395	56,395	56,395	56,395	56,395	56,395
7	25	51,865	55,769	56,884	58,022	59,182	60,366	60,366	60,366	60,366	60,366	60,366	60,366	60,366"

8 Section 6. Section 2-18-313, MCA, is amended to read:

9 "2-18-313. Institutional teachers' pay schedules. (1)-(a)--The--12-month--pay--schedule--for
 10 institutional--teachers--for--fiscal--year--1984--is--as--follows:

11	Annual-Hours----2088				Note--Includes--Insurance		
12	Pay-Matrix----Teachers				Matrix-Type----Annual		
13	Term----Twelve-Months						
14	Education-Level						
15	YEARS-OF						
16	EXPERIENCE	BA	BA+1	BA+2	BA+3	MA	MA+1
17	(Step)	(Grade-1)	(Grade-2)	(Grade-3)	(Grade-4)	(Grade-5)	(Grade-6)
18	0	17,277	17,827	18,392	18,667	18,942	19,507
19	1	17,924	18,538	19,152	19,459	19,766	20,380
20	2	18,578	19,248	19,918	20,251	20,589	21,253
21	3	19,217	19,968	20,678	21,042	21,414	22,125
22	4	19,863	20,670	21,436	21,833	22,238	22,998
23	5	20,516	21,382	22,198	22,626	23,063	23,874
24	6	21,154	22,092	22,948	23,418	23,886	24,742
25	7	21,802	22,804	23,709	24,218	24,711	25,615

1	8	22,447	23,514	24,468	25,001	25,536	26,488
2	9	23,094	24,226	25,228	25,792	26,358	27,368
3	10	23,742	24,936	25,907	26,585	27,183	28,233

(b) -- The 9-month pay schedule for institutional teachers for fiscal year 1984 is as follows:

Annual Hours --- 1488
 Note: --- includes insurance
 Pay Matrix --- Teachers
 Matrix Type --- Annual
 Term --- Nine Months

Education Level

YEARS-OF EXPERIENCE	BA	BA+1	BA+2	BA+3	MA	MA+1
(Step)	(Grade-1)	(Grade-2)	(Grade-3)	(Grade-4)	(Grade-5)	(Grade-6)
0	13,228	13,648	14,064	14,278	14,477	14,900
1	13,713	14,174	14,634	14,864	15,095	15,555
2	14,198	14,706	15,209	15,458	15,712	16,210
3	14,683	15,240	15,779	16,052	16,331	16,864
4	15,167	15,779	16,343	16,645	16,949	17,519
5	15,659	16,307	16,913	17,240	17,567	18,179
6	16,136	16,839	17,481	17,834	18,185	18,827
7	16,622	17,379	18,052	18,428	18,809	19,481
8	17,105	17,906	18,621	19,021	19,422	20,136
9	17,591	18,440	19,191	19,614	20,039	20,798
10	18,077	18,972	19,768	20,289	20,657	21,445

(2) -- (a)(1) The 12-month pay schedule for institutional teachers for fiscal year 1985 years

1986 and 1987 is as follows:

Note: Includes Insurance

Annual Hours -- 2080
 Pay Matrix -- Teachers
 Term -- Twelve Months

Matrix Type -- Annual

Education Level

YEARS OF EXPERIENCE	BA	BA+1	BA+2	BA+3	MA	MA+1
(Step)	(Grade 1)	(Grade 2)	(Grade 3)	(Grade 4)	(Grade 5)	(Grade 6)
0	18,006	18,575	19,160	19,445	19,729	20,314
1	18,676	19,311	19,947	20,264	20,582	21,217
2	19,344	20,046	20,731	21,084	21,434	22,121
3	20,014	20,783	21,518	21,903	22,288	23,024
4	20,682	21,518	22,304	22,721	23,141	23,927
5	21,352	22,255	23,091	23,542	23,994	24,831
6	22,019	22,989	23,875	24,362	24,846	25,732
7	22,689	23,726	24,663	25,182	25,700	26,636
8	23,357	24,461	25,449	26,000	26,554	27,539
9	24,026	25,198	26,235	26,819	27,405	28,442
10	24,697	25,933	27,021	27,640	28,259	29,345

(b)(2) The 9-month pay schedule for institutional teachers for fiscal year ~~1985~~ years 1986 and 1987 is as follows:

Note: Includes Insurance

Annual Hours -- 1480
 Pay Matrix -- Teachers
 Term -- Nine Months

Matrix Type -- Annual

Education Level

YEARS OF

1	EXPERIENCE	BA	BA+1	BA+2	BA+3	MA	MA+1
2	(Step)	(Grade 1)	(Grade 2)	(Grade 3)	(Grade 4)	(Grade 5)	(Grade 6)
3	0	13,805	14,231	14,670	14,884	15,097	15,536
4	1	14,307	14,783	15,260	15,498	15,737	16,213
5	2	14,808	15,335	15,848	16,113	16,376	16,891
6	3	15,311	15,887	16,439	16,727	17,016	17,568
7	4	15,812	16,439	17,028	17,341	17,656	18,245
8	5	16,314	16,991	17,618	17,957	18,296	18,923
9	6	16,814	17,542	18,206	18,572	18,935	19,599
10	7	17,317	18,095	18,797	19,187	19,575	20,277
11	8	17,818	18,646	19,387	19,800	20,216	20,954
12	9	18,320	19,199	19,976	20,414	20,854	21,632
13	10	18,823	19,750	20,566	21,030	21,494	22,309"

14 Section 7. Section 2-18-314, MCA, is amended to read:

15 "2-18-314. Liquor store occupations pay schedules. ~~(†)-The--pay--schedule--for--liquor--store~~
 16 ~~occupations--for--fiscal--year--1984--is--as--follows:~~

17	Annual-Hours----2088	Note--includes--insurance
18	Pay-Matrix----Retail-Clerk	Matrix-Type----Hourly
19	Grade	\$/Hour
20	E1	6-868
21	E2	6-974
22	E3	7-468
23	E4	7-738
24	E5	8-812
25	E6	8-684

1 E7 9:249

2 E8 9:972

3 (2) The pay schedule for liquor store occupations for fiscal year-1985 years 1986 and 1987 is
 4 as follows:

5	Annual Hours -- 2080	Note: Includes Insurance
6	Pay Matrix -- Retail Clerk	Matrix Type -- Hourly
7	Grade	\$/Hour
8	L1	0.000
9	L2	7.225
10	L3	7.725
11	L4	8.004
12	L5	8.295
13	L6	8.905
14	L7	9.569
15	L8	10.313"

16 Section 8. Section 2-18-315, MCA, is amended to read:

17 "2-18-315. Blue-collar pay schedules. ~~(1)-The-pay-schedule-for-blue-collar-workers-for-fiscal~~
 18 ~~year-1984-is-as-follows:~~

19	Annual Hours----2080	Note--includes--insurance
20	Pay Matrix----Blue-Collar	Matrix Type----Hourly
21	Grade	\$/Hour
22	B1	7:249
23	B2	7:649
24	B3	8:649
25	B4	8:449

1	B5	8-849
2	B6	9-249
3	B7	9-649
4	B8	+8-849
5	B9	+8-449
6	B+8	+8-849
7	B++	++-249
8	B+2	++-649
9	B88	+2-849

10 (2) The pay schedule for blue-collar workers for fiscal year--1985 years 1986 and 1987 is as
 11 follows:

12	Annual Hours -- 2080	Note: Includes Insurance
13	Pay Matrix -- Blue-Collar	Matrix Type -- Hourly
14	Grade	\$/Hour
15	B1	7.607
16	B2	8.007
17	B3	8.407
18	B4	8.807
19	B5	9.207
20	B6	9.607
21	B7	10.007
22	B8	10.407
23	B9	10.807
24	B10	11.207
25	B11	11.607

1 B12 12.007
 2 B00 12.407"

3 Section 9. Section 2-18-703, MCA, is amended to read:

4 "2-18-703. Contributions. (1) Each agency, as defined in 2-18-601, shall contribute the
 5 amount specified in this section towards the group benefits cost.

6 (2) For employees defined in 2-18-701, other than members of collective bargaining units, and
 7 for members of the legislature, the employer contribution for group benefits shall be \$90 \$100 per
 8 month for the fiscal year ending June 30, 1984 1986, and \$100-per-month for each fiscal year
 9 thereafter. Permanent part-time employees who are regularly scheduled to work less than 20 hours a
 10 week are not eligible for the group benefit contribution. An employee who elects not to be covered
 11 by a state-sponsored group benefit plan may not receive the state contribution as wages. A portion
 12 of the employer contribution for group benefits may be applied to an employee's costs for
 13 participation in Part B of medicare under Title XVIII of the Social Security Act of 1965, as
 14 amended, if the state group benefit plan is the secondary payer and medicare the primary payer.

15 (3) For employees of elementary and high school districts and of local government units, the
 16 employer's premium contributions may exceed but may not be less than \$10 per month.

17 (4) Unused employer contributions for any state employee shall be transferred to an account
 18 established for this purpose by the department and upon such transfer may be used to offset losses
 19 occurring to the group of which the employee is eligible to be a member."

20 NEW SECTION. Section 10. Extension of authority. Any existing authority of the department of
 21 administration to make rules on the subject of the provisions of this act is extended to the
 22 provisions of this act.

23 NEW SECTION. Section 11. Repealer. Section 2-18-311, MCA, is repealed.

24 NEW SECTION. Section 12. Effective date. This act is effective on passage and approval.

-End-