

HOUSE BILL NO. 485

1/25 Introduced
1/25 Referred to Business & Labor
2/12 Hearing
2/14 Adverse Committee Report
2/15 Bill Killed

1 HOUSE BILL NO. 485

2 INTRODUCED BY _____

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE
5 DEPARTMENT OF ADMINISTRATION DURING THE TERM OF A COLLECTIVE
6 BARGAINING AGREEMENT FROM MAKING ADJUSTMENTS TO THE
7 CLASSIFICATION SPECIFICATIONS OR CRITERIA USED FOR
8 ALLOCATING POSITIONS IN THE CLASSIFICATION SPECIFICATIONS
9 AFFECTING EMPLOYEES WITHIN A BARGAINING UNIT WITHOUT THE
10 PRIOR APPROVAL OF THE BARGAINING REPRESENTATIVE; AMENDING
11 SECTION 2-18-203, MCA."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 2-18-203, MCA, is amended to read:

15 "2-18-203. Review of positions -- change in
16 classification. (1) (a) The department shall continuously
17 review all positions on a regular basis and, except as
18 provided in subsection (1)(b), adjust classifications to
19 reflect significant changes in duties and responsibilities.
20 in-the-event

21 (b) During the term of a collective bargaining
22 agreement, the department may make no adjustments are-to-be
23 made to the classification specifications or criteria
24 utilized for allocating positions in the classification
25 specifications affecting employees within a bargaining unit;

1 ~~the department shall consult with without the prior approval~~
2 ~~of the representative of the bargaining unit prior--to~~
3 ~~implementation--of--the adjustments, except for blue-collar,~~
4 ~~teachers, and liquor store clerks classification plans,~~
5 ~~which shall remain mandatory negotiable items under the~~
6 ~~Collective Bargaining Act.~~

7 (2) Employees and employee organizations will be given
8 the opportunity to appeal the allocation or reallocation of
9 a position to a class. The grade assigned to a class is not
10 an appealable subject under 2-18-1011 through 2-18-1013.

11 (3) The period of time for which retroactive pay for a
12 classification appeal may be awarded under parts 1 through 3
13 of this chapter or under 2-18-1011 through 2-18-1013 may not
14 extend beyond 30 days prior to the date the appeal was
15 filed. This provision shall not affect a classification or
16 position appeal already in process on April 26, 1977."

17 NEW SECTION. Section 2. Extension of authority. Any
18 existing authority of the department of administration to
19 make rules on the subject of the provisions of this act is
20 extended to the provisions of this act.

-End-