

HOUSE BILL NO. 806

2/12 Introduced
2/12 Referred to State Administration
2/20 Hearing
2/21 Committee Report-Bill Do Pass
2/23 2nd Reading pass
2/25 3rd Reading Do Not Pass
2/25 Bill Killed

1 HOUSE BILL NO. 806
2 INTRODUCED BY O'Connell

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING ADJUSTMENTS
5 TO THE PERSONNEL CLASSIFICATION PLAN FOR STATE EMPLOYEES
6 WITHIN A BARGAINING UNIT UNLESS THE ADJUSTMENTS ARE
7 NEGOTIATED; PERMITTING EMPLOYEES AND EMPLOYEE ORGANIZATIONS
8 TO APPEAL ADJUSTMENTS IN CLASSES, POSITIONS, AND GRADES
9 UNLESS NEGOTIATED; AMENDING SECTION 2-18-203, MCA; AND
10 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

14 "2-18-203. Review of positions -- change in
15 classification classes, positions, or grades. (1) (a) The
16 department shall continuously review all positions on a
17 regular basis and, except as provided in subsection (1)(b),
18 adjust classifications to reflect significant changes in
19 duties and responsibilities.

20 (b) In the event no adjustments are to may be made to
21 the classification specifications or criteria--utilized--for
22 allocating--positions--in--the--classification--specifications
23 classes, positions, or grades affecting employees within a
24 bargaining unit, the--department--shall--consult--with--the
25 representative---of---the---bargaining---unit---prior---to

1 ~~implementation--of--the--adjustments,--except--for--blue-collar,~~
2 ~~teachers,--and--liquor--store--clerks--classification--plans,~~
3 ~~which--shall--remain--mandatory--negotiable--items~~ unless
4 negotiated under the Collective Bargaining Act.

5 (2) Employees and employee organizations will be given
6 the opportunity to appeal ~~the allocation or reallocation of~~
7 ~~a--position--to--a--class--The grade assigned to a class is not~~
8 ~~an appealable--subject--under--2-18-1011--through--2-18-1013~~
9 adjustments in classes, positions, or grades unless
10 negotiated under subsection (1)(b).

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

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

22 NEW SECTION. Section 3. Effective date. This act is
23 effective on passage and approval.

-End-



APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

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19 duties and responsibilities.

20 (b) In the event no adjustments are to may be made to
21 the classification specifications or criteria utilized for
22 allocating positions in the classification specifications
23 classes, positions, or grades affecting employees within a
24 bargaining unit, the department shall consult with the
25 representative of the bargaining unit prior to

1 ~~implementation of the adjustments, except for blue collar~~
2 ~~teachers and liquor store clerks classification plans~~
3 ~~which shall remain mandatory negotiable items unless~~
4 ~~negotiated under the Collective Bargaining Act.~~

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6 the opportunity to appeal ~~the allocation or reallocation of~~
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