- 2/12 Introduced
- 2/12 Referred to State Administration
- 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

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LC 1544/01

HOUSE BILL NO. 806 1 INTRODUCED BY Q'CAMPAN 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING ADJUSTMENTS 4 TO THE PERSONNEL CLASSIFICATION PLAN FOR STATE EMPLOYEES 5 6 WITHIN A BARGAINING UNIT UNLESS THE ADJUSTMENTS ARE NEGOTIATED: PERMITTING EMPLOYEES AND EMPLOYEE ORGANIZATIONS 7 0 TO APPEAL ADJUSTMENTS IN CLASSES, POSITIONS, AND GRADES UNLESS NEGOTIATED; AMENDING SECTION 2-18-203, MCA; AND 9 PROVIDING AN IMMEDIATE EFFECTIVE DATE." 10 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 13 Section 1. Section 2-18-203, MCA, is amended to read: "2-18-203. Review of positions -- change 14 in classification classes, positions, or grades. (1) (a) The 15 department shall continuously review all positions on a 16 regular basis and, except as provided in subsection (1)(b), 17 adjust classifications to reflect significant changes in 18 19 duties and responsibilities. (b) in-the-event No adjustments are-to may be made to 20 the-classification-specifications-or-criteria--utilized--for 21 22 allocating--positions--in--the-classification-specifications classes, positions, or grades affecting employees within a 23 bargaining unity--the--department--shall--consult--with-the 24

representative---of---the---bargaining---unit----prior----to



implementation--of--the-adjustments7-except-for-blue-collar7
 teachers7-and--liquor--store--clerks--classification--plans7
 which---shall---remain--mandatory--negotiable--items unless
 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--2-10-1011--through--2-10-1013 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 elassification 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-267-1977."

18 <u>NEW SECTION.</u> 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-

-2-

INTRODUCED BILL

LC 1544/01

APPROVED BY COMMITTEE ON STATE ADMINISTRATION

1	HOUSE BILL NO. 806
2	INTRODUCED BY APannell
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

Montuna Legislative Counce

1	implementationofthe-adjustments,-except-for-blue-collar,
2	teachers;-andliquorstoreclerksclassificationplans;
3	whichshallremainmandatorynegotiableitems 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	aposition-to-a-classThe-grade-assigned-to-a-class-is-not
8	an-appealablesubjectunder2-l8-l0llthrough2-l8-l0l3
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	notaffectaclassification-or-position-appeal-already-in
17	process-on-April-267-1977."
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 <u>NEW SECTION.</u> Section 3. Effective date. This act is
 23 effective on passage and approval.

-End-

SECOND READING -2-HB 806

LC 1544/01

Montana Legislative Council

HOUSE BILL NO. 806 INTRODUCED BY O'Cannell

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."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 Section 1. Section 2-18-203, MCA, is amended to read: 13 "2-18-203. Review of positions -- change in 14 classification classes, positions, or grades. (1) (a) The 15 department shall continuously review all positions on a 16 regular basis and, except as provided in subsection (1)(b), 17 adjust classifications to reflect significant changes in 18 duties and responsibilities. 19

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 unit7--the--department--shall--consult--with-the 25 representative---of---the---bargaining---unit----prior----to

1 implementation--of--the-adjustments7-except-for-blue-collar7 teachers-and--liquor--store--clerks--classification--plans; 2 which---shall---remain--mandatory--negotiable--items unless 3 negotiated under the Collective Bargaining Act. 5 (2) Employees and employee organizations will be given the opportunity to appeal the-allocation-or-reallocation--of 6 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 adjustments in classes, positions, or grades unless 9 negotiated under subsection (1)(b). 10 (3) The period of time for which retroactive pay for a 11 12 classification an appeal provided for in subsection (2) may be awarded under parts 1 through 3 of this chapter or under 13 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 not--affect--a--classification-or-position-appeal-already-in 16 17 process-on-April-267-1977;* 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 differenteed to the provisions of this act.

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

-End-

-2- THIRD READING HB 806

LC 1544/01