

BROADBAND CLASSIFICATION AND PAY PLAN

I. LEGISLATIVE BRANCH CLASSIFICATION AND PAY PLAN REQUIREMENTS AND GOALS

- A. Section 2-18-201, MCA, requires the Legislative Council to develop a classification plan for Legislative Branch employees in a like manner to the development of the plan for Executive Branch employees by the Department of Administration.
- B. Section 5-11-105, MCA, requires the Legislative Council, with the concurrence of the Legislative Audit Committee and the Legislative Finance Committee, to adopt rules for classification and pay of Legislative Branch employees.
- C. The Legislative Council, the Legislative Audit Committee, and the Legislative Finance Committee believe that it is in the best interest of the Montana Legislature that a common, cooperatively founded means for establishing fair and competitive pay for legislative personnel be established.
- D. A major purpose of this pay plan is to ensure that like positions are treated equitably relative to classification and compensation and to support the duty of the Executive Director of the Legislative Services Division, the Legislative Auditor, and the Legislative Fiscal Analyst to set the compensation of their employees with the adoption of a Legislative Branch classification system, assignment of a pay range to each classification, and adoption and maintenance of pay administration rules.
- E. Because the Legislative Branch must compete with other entities both in Montana and in the region in attracting and retaining the most qualified staff possible, compensation must be competitive with other state agencies' compensation packages, as well as with compensation offered in the nongovernmental sector and compensation offered in other states.
- F. To achieve the goal of providing adequate compensation to attract and retain qualified employees, market factors must be considered in addition to technical classification factors. It has been the experience of legislative entities in Montana and other states that persons in professional positions in the Legislative Branch are often recruited into high level positions outside the Branch. To retain these individuals, the Legislative Branch establishes career ladders and associated staff levels in such cases.

II. CLASSIFICATION

- A. Position Classification. All positions in each of the Legislative Branch entities must be classified as provided in this plan. Classification relates jobs to one another so that similarities and differences can be analyzed in an objective manner.
- B. Classification by Division Directors. Classification is based upon the broadband single-factor method as applied by the Executive Director, the Legislative Auditor,

and the Legislative Fiscal Analyst for their respective division employees. The directors may seek assistance from the human resource manager or other appropriate sources in conducting classification work in accordance with this plan.

- C. **Position Classifications.** Position classifications established in conjunction with the implementation of this plan will remain so classified unless reclassification procedures are initiated and reclassification is approved.
- D. **Periodic Review.** Classification must be completed when a new position is created and periodically thereafter to maintain the classification scheme. Each position or staff level must be periodically reviewed to reestablish the requirements of the position or staff level. Reclassification may be appropriate when a position becomes vacant. The method for classification and reclassification is the same.
- E. **Classification Basis.** The basis for classification of positions in the Legislative Branch is the broadband single-factor method. The factors are evaluated using an updated position description and interviews with the employee in the position and the supervisor of the position by the human resource manager. The content of the position description and the interviews must be reviewed by the supervisor of the position. The collected information is then used to evaluate the position on a single-factor basis. Each Branch occupation was assigned to a band based on the knowledges, skills, and abilities required to perform the job and on the job's complexity. The Branch maintains a list of each factor assigned to an occupation and its ladder. A copy of the Broadband Classification Manual can be found at R:\Reference\ADMINMANUAL.
- F. **Classification Approval.** The final step in position classification involves review and approval by the Executive Director, the Legislative Auditor, and the Legislative Fiscal Analyst for their respective division employees. Upon approval of a classification, the position classification list must be updated to include the new or changed information.
- G. **Position Classification List.** A list of current job classifications is maintained by the human resource manager and is accompanied by supporting documentation for each.
- H. **Review of Classification.** An employee who disagrees with the classification set for the employee's position may initiate reclassification proceedings by written request to the division director. The employee shall then complete a reclassification request form available in R:\Reference\ADMIN MANUAL\Forms . The request for consideration of reclassification, if denied, may be appealed to a three-member panel made up of the Executive Director of the Legislative Services Division, the Legislative Auditor, and the Legislative Fiscal Analyst. The decision of the review panel is final.

III. COMPARABLE SALARIES AND MARKET ANALYSIS

- A. Section 2-18-301, MCA, indicates the intent of the Legislature that compensation plans for state employees be based upon an analysis of the labor market as provided in a salary survey. The Legislative Council is responsible for ensuring conduct of the Legislative Branch salary survey. The Executive Director of the Legislative Services Division, the Legislative Auditor, and the Legislative Fiscal Analyst shall cause a salary survey of comparable positions to be conducted each biennium. The division directors and the human resource manager shall identify comparable positions in state government, in the private sector, and in other state legislatures using sources and methods similar to those used for the occupation wage ranges in the Broadband Classification and Pay Plan.
- B. The division directors and the human resource manager shall identify an occupation wage range for each occupation in the Legislative Branch classification structure based upon analysis of the salary surveys. A list of pay ranges associated with each occupation title must be maintained by the human resource manager. The list can be found at R:\Reference\Personnel\Pay Plan.

IV. PAY ADMINISTRATION

- A. Policy. It is policy of the Legislative Branch that employee compensation reflect comparability with the state pay plan. The pay administration practices traditionally followed by the Legislative Branch entities parallel those associated with the state pay plan. This Legislative Branch Broadband Classification and Pay Plan furthers the goal of maintaining comparability with the state broadband pay plan.
- B. Salary Levels and Adjustments. All salary levels and adjustments with respect to an individual employee must be approved by the Executive Director of the Legislative Services Division, the Legislative Auditor, or the Legislative Fiscal Analyst for their respective employees.
- C. Initial Hiring Level. Unless a training position exception or other documented exception is used, a person new to the Legislative Branch is initially hired at a salary equivalent to the entry salary for the pay range to which the position's classification is assigned.
- D. Pay Exception. If a person being hired has demonstrated ability, skills, experience, or other job-related qualifications that make the person's hiring especially attractive, the person may be hired at a salary within the pay range for the classification. Support for the exception must be documented, and the documentation must be retained in the individual's employment file.
- E. Training Assignment. A training assignment will be made when a person hired does not meet the minimum requirements for the position. The duration of the training assignment will be based on the time expected to provide the necessary qualifying experience and training. The training assignment may be extended at the discretion of the supervisor for specific periods until minimum requirements are met.
- F. Initial Probationary Period. Each person initially employed by a Legislative Branch entity for other than a temporary session-related position may serve a

probationary period of up to 1 year as determined appropriate by the Executive Director of the Legislative Services Division, the Legislative Auditor, and the Legislative Fiscal Analyst for their respective divisions.

- G. Promotion and Transfer. For the purpose of this plan, a promotion involves the assignment of an employee from a position at a lower classification to a position at a higher classification that has a position description different than the employee's incumbent position. An increase in compensation because of a change in the occupation wage range or reclassification or as part of a market adjustment is not a promotion for the purpose of this pay plan.

If an employee from within the Branch is transferred to a different position at the same or a higher classification, the employee must be compensated at a salary within the occupation wage range of the new position. If an employee is transferred to a position with a lower classification, the employee may be paid at a level not to exceed the maximum level for the occupation wage range assigned for the position to which the employee is transferred.

Any exception to this policy must be proposed to the appropriate director and the rationale documented by the employee's supervisor, with documentation maintained in the individual's employment file.

- H. Salary Progression. Salary progression within a range, if any, is based on job performance, improvement in personal knowledge that contributes to job performance, and demonstrated ability to assume increased responsibilities. Each division shall establish specific evaluation criteria on which to base pay decisions in relation to specific position descriptions for positions. Periodic assessment of the evaluation criteria with respect to each employee must be reflected in performance appraisals maintained in the individual's employment files.
- I. Reclassification and Pay. An incumbent in a position that is reclassified is entitled to receive any additional compensation that may accrue because of a higher classification. The compensation of an incumbent may not be decreased because of a reclassification. An incumbent in a position that is reclassified to a lower pay range than the pay range in which the incumbent is paid at the time of reclassification must be placed at a salary in the new pay range that does not result in a pay decrease for the incumbent. If there is no corresponding salary in the new pay range that is not lower in pay than the incumbent's current pay, the incumbent's pay must be maintained at the salary at which the incumbent is paid at the time of reclassification. An incumbent whose salary is frozen under such circumstances is not entitled to future pay increases until the pay range and applicable performance factors allow a pay increase.
- J. Occupation Wage Ranges. The pay ranges for the Legislative Branch must be based on occupation wage ranges established through the Broadband Classification and Pay Plan. Market for each range is established by using surveys of other state legislatures and the private and public sectors. The ranges can be found at R:\Reference\Personnel\PayPlan. The occupation wage ranges do not move with the statutory adjustments adopted by the Legislature.

The methodology for the occupation wage ranges may be found at
R:\Reference\Personnel\Pay Plan.

- K. Form of Pay Recommendation. Any recommendation for salary change for an employee other than a change based upon a statutory formula must be written by an appropriate supervisor and reviewed by the employee. The recommendation must state a specific base pay salary recommendation and the basis for the recommendation. The affected employee may prepare written comments for submission with the recommendation. The recommendation is subject to final approval by the Executive Director of the Legislative Services Division, the Legislative Auditor, or the Legislative Fiscal Analyst for an employee of the respective division.
- L. Individual Statutory Salary Adjustments. Individual salaries must be adjusted in accordance with statutory longevity allowance as adopted by the Legislature under 2-18-304, MCA. Individual salaries must be adjusted to reflect any statutory adjustments as adopted by the Legislature unless such adjustment will cause the base pay of an employee to go above the maximum salary in the employee's occupation wage range.

V. ADOPTION AND AMENDMENT OF PLAN

- A. The Legislative Broadband Classification and Pay Plan is effective as of June 24, 2006, when it was approved by the Legislative Council with the concurrence of the Legislative Audit Committee and the Legislative Finance Committee.
- B. The plan may be amended by action of the Legislative Council with the concurrence of the Legislative Audit Committee and the Legislative Finance Committee following a reasonable opportunity for staff comment on the proposed amendment. Data and implementation documents must be maintained as changes are adopted in accordance with this plan.

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July 1, 2006

Approved by the Legislative Council June 5, 2006

Concurred in:

Legislative Audit Committee June 20, 2006

Legislative Finance Committee June 9, 2006

Amended

Susan Fox, Executive Director

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February 1, 2007