

**Proposed 2009 Session Legislation**

**Agency Name & No:** Administration 6101

**Priority Number:** 002 **Filename:** \6101\23-002

**Short Title:** Intermittent, On-Call Workers in State Operated Care and Custody Facilities

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**1. Purpose:**

Allow state-operated 24 hour care and custody facilities to hire intermittent, on-call workers to mitigate chronic staff shortages. These workers would not be covered by the state's health insurance program or receive leave or pension benefits. They would have no expectation of continuous employment. State law currently allows agencies to hire short-term workers under these conditions; however, employment is limited to 90 days within a twelve-month period.

**2. Background:**

The Department of Administration is proposing this legislation at the request of the Department of Public Health and Human Services. Montana State Hospital (MSH) administration wants to be more competitive and take advantage of the resources available through retired state workers to provide on-call staff support. Bill would be limited to workers in state operated care and custody facilities.

**3. Fiscal Impact by Fund Type:** *This impact should be as specific as possible.*

Any additional pay increase will be offset by reduced benefits.

**4. Summary Checklist [Check & complete all that apply]--**

- Housekeeping Only       Federal Requirement       Audit Recommendation (Audit No.)        Major Legislation
- Anticipated to be Controversial Legislation       Bill Draft has been included in Legislation Submittal (if available)
- Supports Submitted EPP Item Number        Local Government Fiscal Impact
- Increases FTE, or       Decreases FTE by      List FTE amount and program
- Increases Existing Revenue       Tax       Fee       Penalty [amount in #3]
- Decreases Existing Revenue       Tax       Fee       Penalty [amount in #3]
- Establishes New Revenue       Tax       Fee       Penalty [amount in #3]
- Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no):
- Legislation would affect other state agencies (list):
- Special Interest Groups Affected (list):
- Other: