



# Employee Handbook

# EMPLOYEE HANDBOOK



- ◆ **My Responsibilities**
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- ◆ **Forms**

**MIKE HONEYCUTT**  
EXECUTIVE OFFICER

June 2018

Some items in this handbook are subject to change as laws and policies are amended. The handbook is updated periodically, however, it must be understood that the current edition cannot be considered the final authority on any subject it addresses until all resources are verified.



## **My Responsibilities**

The following four sections summarize responsibilities as a state employee:

### **Attendance**

You are responsible for arriving at and leaving work at the times agreed upon by your supervisor, including returning on time after lunch and break periods.

If you are unable to report to work, notify your supervisor before your usual workday. In general, absenteeism is when an employee has more than (6) occurrences of absences in the previous twelve months.

Be sure you understand your work schedule and ask your supervisor if you have questions.

### **Courtesy**

You are expected to behave courteously and responsibly at all times. Remember that the image of our organization rests upon the behavior of the employees who represent it. You represent the State of Montana. It is important for you to make a positive impression on those you serve and your coworkers. Your dress and appearance should be appropriate for the type of work you do. Your supervisor will let you know if there are any special dress requirements.

### **Ethical Behavior**

You are prohibited from using state facilities, equipment, or work time to conduct personal business. You are prohibited from using drugs (other than medication prescribed by your physician). Drinking alcohol, being intoxicated, or having open containers of alcoholic beverages of any kind on state premises, or while conducting state business, also is prohibited.

### **Safety**

Our department makes every effort to provide a safe and healthy work environment. It is your responsibility to perform your assignment and operate equipment safely. If during the course of your work you notice a situation that may endanger someone's health or safety, notify your supervisor immediately. Safety is everyone's responsibility.

If you are required to drive a vehicle on official state business, you must have a valid driver's license appropriate to the type of vehicle (s) you operate. In addition, all employees who drive or are passengers in any vehicle used in the conduct of state business are required to wear seat belts.



## **My Benefits**

**Health and Life Insurance Group Benefits** – The State of Montana has developed a comprehensive group insurance benefits program including medical, dental, vision, prescription and life insurance options. The state contribution covers all or most of the cost of your "core" medical, dental and basic life insurance.

**Annual Vacation Leave** – You earn annual vacation leave credits from your first day of employment, but you must be employed for six calendar months before you can use them. Full-time employees, you earn credits at a yearly rate calculated according to the following schedule:

<b>Years of Employment</b>	<b>Working Days Credit Per year</b>
1 day through 10 years	15
10 years through 15 years	18
15 years through 20 years	21
20 years or more	24

**Retirement** – There is no mandatory retirement age for state employees. Membership in the Public Employees' Retirement System (PERS) is mandatory for most state employees and begins on the first day of employment. Mandatory contributions to PERS are tax deferred and may not be refunded for any reason before termination of covered employment. In addition to PERS, the public employee's retirement division also administers the Game Wardens', Judges', Sheriffs', and Highway Patrol Officers' Retirement Systems for eligible state employees.

**Deferred Compensation** – The State of Montana deferred compensation program is a voluntary supplemental retirement program. The program allows you to defer, through payroll deduction, specified amounts of current income pre-tax before state or federal taxes are calculated. The amount you defer, and any resulting investment income, is not taxable until you begin receiving the money, usually at retirement.

**Holiday Leave – Paid** Holidays for state employees are:

- New Year's Day, January 1
- Martin Luther King Day, the third Monday in January
- Lincoln's and Washington's Birthday, the third Monday in February
- Memorial Day, the last Monday in May
- Independence Day, July 4
- Labor Day, the first Monday in September
- Columbus Day, the second Monday in October
- Veteran's Day, November 11
- Thanksgiving Day, the fourth Thursday in November & Christmas Day, Dec 25
- General election day in even number years is a state holiday

**Workers' Compensation** – If you have an accident on the job, Workers' Compensation insurance may cover you.

**Unemployment Insurance** – You are covered by unemployment insurance. You can receive benefits, in most cases, if you become unemployed through no fault of your own.



## **Important Employee Contact Information**

**DOL AUTOMATED PHONE LINE: 406-444-7323**

DOL Mailing Address: PO Box 202001  
Helena, MT 59620-2001

Payroll: 406-444-4992

406-444-5612

Payroll Supervisor: 406-444-4993

Human Resource Officer: 406-444-5684

Montana Public Employee Retirement Administration: 1-877-275-7372

State of Montana Health Care & Benefit Division: 1-800-287-8266

Medical Insurance Contact Allegiance: 1-855-999-1057

Dental Insurance contact Delta Dental: 1-866-496-2370

Prescription Insurance contact Navitus Customer Care : 1-866-270-3877

Montana Health Center Appointments (all locations): 1-855-200-6822

**Employee Assistance Program 24 HOUR Helpline 1-866-750-0512**



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Effective Date: 7/1/218

Category:

Leaves & Holidays

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**Annual Leave**

**# 1001**

## **POLICY**

Employees shall receive annual leave in accordance with 2-18-61, MCA and Department of Administration Annual Vacation Leave Policy. Employees must receive approval from their supervisor prior to taking annual leave. Advance written approval for use of annual leave is required. The *Standard Leave Request* form will be used for any leave over (1) working day.

### **Guidelines**

### **References and Authorities**

[2-18-611, MCA](#)

[mom.mt.gov](http://mom.mt.gov)

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**

*Standard Leave Request*





Effective Date: 7/1/2018

Category:

Leaves & Holidays

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

## Family & Medical Leave Act

# 1002

### POLICY

Employees are eligible for family and medical leave in accordance with the federal Family and Medical Leave Act (FMLA) and Department of Administration Family and Medical Leave Policy.

FMLA entitles qualifying employees of the State of Montana up to 12 weeks of unpaid, job-protected leave for specified family and personal reasons. To qualify, State employees must have worked for the State of Montana for a total of 12 months prior to the leave with a minimum of 1040 hours.

DOL employees should provide written notice to their supervisor or the agency Human Resource Officer requesting FMLA leave. A State of Montana Guide to FMLA provides eligibility criteria, definitions, terms, requirements, employee rights and responsibilities information to managers. A FMLA Employee Guide from the US Dept. of Labor provides eligibility criteria, definitions, terms, requirements, rights and responsibilities information to employees.

#### Guidelines

#### References and Authorities

[mom.mt.gov](http://mom.mt.gov)

[State of Montana FMLA Managers Guide](#)

[FMLA Employee Guide - US Dept. of Labor](#)

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):



Effective Date: 7/1/2018

Category:

Leaves & Holidays

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

## Holidays & Holiday Pay

# 1003

### POLICY

Employees shall receive holidays and holiday pay in accordance with 2-18-603 MCA, Department of Administration Holiday Policy. A full-time employee whose regular schedule calls for the employee to work on the day a holiday is observed shall receive 8 hours of holiday benefits. Management reserves the right to require an employee to work on the day a holiday is observed.

#### PAY FOR WORK PERFORMED ON A HOLIDAY

An employee who is designated as non-exempt under the Fair Labor Standards Act (FLSA) and who is required by management to work on a holiday or the day a holiday is observed shall be paid according to one of the two options outlined below, at management's discretion. The employee may either:

- 1) Receive the regular rate for all hours actually worked on the holiday, bank the holiday benefit hours actually worked (up to a maximum of 8) and receive equivalent time off at the regular rate, OR
- 2) Receive 1 1/2 times the regular rate for the hours actually worked on the holiday and receive holiday benefit hours paid at the regular rate.

An employee who is exempt from the FLSA and receives approval to work on the holiday will receive paid time off equivalent to the number of hours worked.

#### Guidelines

Time card codes

#### References and Authorities

[2-18-603, MCA](#)

[1-1-216, MCA](#)

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):



Effective Date: 7/1/2018

Category:

Leaves & Holidays

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

## Leave of Absence without Pay

# 1004

### POLICY

Classified employees may receive a leave of absence without pay in accordance with Department of Administration Leave of Absence Without Pay Policy.

Leave without pay must be approved in advance, and may be denied if the leave is not in the best interest of the Department of Livestock, at the discretion of the supervisor, bureau chief, division administrator, Executive officer, or designee.

#### Guidelines

#### References and Authorities

[mom.mt.gov](http://mom.mt.gov)

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):

*Standard Leave Request*



Effective Date: 7/1/2018

Category: Leaves & Holidays

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by: Mike Honeycutt, Executive Officer

## Jury Duty & Witness Leave

# 1005

### POLICY

Employees shall receive jury duty and witness leave in accordance with 2-18-619, MCA and the Department of Administration Jury Duty and Witness Leave Policy.

#### Guidelines

#### References and Authorities

[2-18-619, MCA](#)

[mom.mt.gov](http://mom.mt.gov)

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):

*Standard Leave Request*



Effective Date: 7/1/2018

Category:

Leaves & Holidays

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

## Maternity & Paternal Leave

# 1006

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

#### Maternity Leave:

Employees shall not be discriminated against or excluded from employment on the basis of pregnancy. Pregnancy shall be treated the same as any temporary disability for all personnel actions (e.g. length and extension of leave, retention of seniority, reinstatement, and/or fringe benefits).

In accordance with 49-2-310 and 49-2-311, MCA, it is unlawful for an employer to:

- 1) Terminate a woman's employment because of pregnancy;
- 2) Refuse to grant an employee a reasonable leave of absence for pregnancy;
- 3) Deny an employee who is disabled as a result of pregnancy and compensation to which she is entitled through accumulation of leave or disability benefits (the supervisor may require medical certification of the employee's pregnancy-related disability);

Maternity leave will be counted toward a Family Medical Leave Act (FMLA)- eligible employee's FMLA leave entitlement.

For the purposes of the policy, the definition of "disability as a result of pregnancy" shall include the conditions defined in 24.9.1201, ARM.

#### Parental Leave:

Employees shall receive parental leave in accordance with 2-18-606, MCA and Department of Administration Maternity and Parental Leave Policy.

#### Guidelines

#### References and Authorities

[49-2-310](#) and

[49-2-311, MCA](#)

[24-9-1201, ARM](#)

[2-18-606, MCA](#)

[mom.mt.gov](http://mom.mt.gov)

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):

*Standard Leave Request*



Effective Date: 7/1/2018

Category:

Leaves & Holidays

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**Military Leave**

**# 1007**

## **POLICY**

Employees shall receive military leave in accordance with the Montana Military Service Employment Rights Act (MMSERA, 10-1-1001, et seq., MCA) and the Uniformed Services Employment and Reemployment Rights Act (USERRA).

### **Guidelines**

### **References and Authorities**

[10-1-1001, MCA](#)

[Montana Military Service Employment Rights Act](#)

[Uniformed Services Employment and Reemployment Rights Act](#)

[Military Leave Considered Service, MCA 2-18-614](#)

[Paid Military Leave Requirement-Managers Guide](#)

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**



Effective Date: 7/1/2018

Category: Leaves & Holidays

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by: Mike Honeycutt, Executive Officer

## Public Office Leave

# 1008

### POLICY

Employees elected or appointed to a public office shall be granted a leave of absence in accordance with 39-2-104, MCA.

#### Guidelines

#### References and Authorities

[39-2-104 MCA](#)

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):



Effective Date: 7/1/2018

Category:

Leaves & Holidays

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**Sick Leave**

**# 1009**

## **POLICY**

Employees shall receive sick leave in accordance with 2-18-618, MCA and Department of Administration Sick Leave Policy.

Employees who will be out of the office on unscheduled leave must notify the appropriate authority (typically the immediate supervisor) as soon as possible, before their work shift. The supervisor may establish additional internal absence reporting procedures to accommodate work unit needs.

With prior approval, employees may share accrued sick leave and/or receive grants of sick leave from the Sick Leave Fund in accordance with 218-618, MCA and Department of Administration Sick Leave Fund Policy.

“Abuse of sick leave” is misrepresentation of the actual reason for charging an absence to sick leave and may include chronic, persistent, or patterned use of sick leave. Abuse of sick leave is unacceptable and may result in disciplinary action up to and including termination.

### **Guidelines**

### **References and Authorities**

[2-18-618, MCA](#)

[mom.mt.gov](http://mom.mt.gov)

<https://mom.mt.gov/>

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action up to and including termination.

### **Related Form (s):**

*Standard Leave Request*





Effective Date: 7/1/2018

Category:

Hours & Compensation

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

## Time Reporting

# 2001

### POLICY

An employee shall submit time records after the close of each biweekly pay period. Time cards will be an honest representation of every work day in the pay period to the nearest quarter hour. The pay period always begins on a Saturday. Report time worked each day as regular time, until 40 hours is reached for the week, then report all time worked over 40 hours as overtime or the applicable exempt or non-exempt comp time.

Time will be submitted for approval no later than 10 am the Monday following the end of a pay period. Earlier submission may be required due to holidays. Managers will submit time on behalf of the employee to the best of their knowledge to meet payroll deadlines.

Employees who fail to submit time records or intentionally submit inaccurate time records may be subject to disciplinary action according to the Discipline Policy.

#### **Guidelines**

Time card codes

#### **References and Authorities**

2-18-603, MCA

1-1-216, MCA

MOM 3-0110- Employee Record Keeping

#### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**



Effective Date: 7/1/2018

## Work Schedule & Rest Breaks

Category:

Hours & Compensation

# 2002

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

Regular office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. At the supervisor's discretion, an employee's workday, and/or work period may be scheduled differently than regular office hours to accommodate the mission of the agency and special circumstances of an employee.

#### **Alternate Work Schedules**

Employees may request alternate work schedules which will be approved only if such schedules do not interfere with providing adequate coverage or with the proper functioning of the division. An alternate work schedule is defined as a schedule that allows a full-time employee's entire work day and work week to start and/or end at an earlier or later time than the standard work schedule (8 a.m.—5 p.m., Monday—Friday). An alternate work schedule may have approval withdraw if such schedules interfere with providing adequate coverage or with the proper functioning of the division.

#### **Rest Breaks**

Employees may take one 15-minute rest break for each four hours of work. Supervisors will make an effort to ensure that staff members receive a break time, however, employees and supervisors recognize that a break may not always be possible. The breaks may not be combined into one 30 minute break. Rest breaks are not cumulative. No employee of the agency may start the work day late, extend their lunch hour or end the work day early to compensate for not taking duty-free breaks.

#### **Lunch Breaks**

Employees are entitled to a duty-free lunch break, which is not compensated. Employees are encouraged to take lunch breaks but a supervisor may allow an employee to forego a lunch break to shorten the work day or work week.

#### **Attendance**

Employees are expected to be at work, on time, every day. Arriving late and absenteeism causes disruption to agency programs and services provided to producers, and burden co-workers and supervisors unnecessarily. In general, absenteeism is excessive when an employee has (6) or more occurrences of absence in the previous (12) months.

#### **Guidelines**

Whenever possible, supervisors will distribute breaks in each work area so that all phones are covered at all times and at least one person in each skill or knowledge area is on hand to field questions from the public.

#### **References and Authorities**

29 C.F.R. 785.18

2-16-117, MCA

#### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**



Effective Date: 7/1/2018

Category:

Hours & Compensation

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

**Comp Time/Exempt**

**# 2003**

Approved by:

**Mike Honeycutt, Executive Officer**

## **POLICY**

Classified, FLSA-exempt employees shall accrue and use compensatory time in accordance with Department of Administration Exempt Compensatory Time Policy.

Appointed personal staff of elected officials, as described in 2-18-104, MCA, are not subject to this policy and shall accrue and use compensatory time at the sole discretion of the Board of Livestock.

### **Guidelines**

### **Reference**

Fair Labor Standards Act

2-18-104, MCA

MOM-3-0211-Exempt Compensatory Time

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**



Effective Date: 7/1/2018

Category:

Hours & Compensation

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

## Overtime & Compensation/ Non-Exempt

# 2004

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

Classified non-exempt employees who are subject to the provisions of the Fair Labor Standards Act (FLSA) shall receive overtime compensation at the rate of one and one-half times the employee's regular hourly rate or accrue compensatory time at the rate of one and one-half hours for each hour in a pay status over 40 hours in a work week, in accordance with Department of Administration Overtime and Nonexempt Compensatory Time Policy and the provisions of this policy.

No employee may receive overtime compensation or accrue compensatory time during a work week in which compensatory time off, annual leave, or sick leave was used. The supervisor may adjust an employee's schedule in a work week or require the employee to take time off without pay so that the employee does not become eligible for the payment of overtime or accrual of compensatory time.

Overtime should be avoided whenever possible. Daily work schedules may be modified within the 40-hour work week to accommodate workload fluctuations without accrual of compensatory time or payment of overtime. Employees must receive permission in advance from their immediate supervisor to work overtime or accrue compensatory time. If compensatory time will be accrued for overtime hours worked in lieu of payment at the overtime rate, an understanding to that effect must be reached between the employee and the supervisor prior to the authorization to work overtime hours. An employee's decision to accept compensatory time off in lieu of cash overtime payments must be made freely and without coercion of pressure.

Overtime and compensatory time shall be earned and used in increments of no less than one-half hour.

When accrual of compensatory time is authorized, the following provisions shall apply:

- 1) The maximum amount of compensatory time that may be accumulated is 120 hours. Work unit supervisors may establish lower maximums. If an employee reaches 120 hours of accrued compensatory time, overtime will be paid for all subsequent hours in pay status over 40 hours in a work week. No further compensatory time shall be accrued until the employee's accrued compensatory time balance falls below 120 hours.
- 2) An employee must have their supervisor's prior approval to use accumulated compensatory time. The dates when compensatory time off shall be taken shall be determined by agreement between the employee and the supervisor.
- 3) If employment is terminated, any unused non-exempt compensatory time will be paid to the employee at the regular rate of pay at the time of termination. The Executive Officer or designee may establish other timeframes in which lump sum payment for non-exempt compensatory time will be made.

#### **Guidelines**

#### **References and Authorities**

Fair Labor Standards Act

ARM 24.16.101- Wages and Hours

2-18-104, MCA

39-3-405 MCA Overtime Compensation

MOM-3-0211 Exempt Comp Temp

MOM 3-0210 Overtime and Non-Exempt

#### **Compliance:**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**

FLSA Overtime Election Form



Effective Date: 7/1/2018

Category:

Personnel

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

## Discipline & Termination/ Classified Employees

# 3001

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

Discipline and termination of classified employees shall be in accordance with ARM 2.21.6509

The Department of Livestock will use a progressive discipline process. Management will decide which step of the progressive disciplinary process is best in a given situation. The system is designed to give employees a reasonable opportunity to correct poor job performance or unacceptable conduct.

The informal progressive disciplinary steps are:

1. Coaching
2. Oral Warning

Due Process:

Anytime a Department of Livestock employee is suspected of wrong doing which may result in formal disciplinary action, management will consider the employee's response prior to issuing the discipline. This consideration is referred to as "Due Process".

The formal progressive disciplinary steps are:

1. Written Warning
2. Suspension without pay
3. Disciplinary Demotion
4. Discharge

An employee has the right to appeal formal disciplinary action that results in a suspension without pay for more than 10 working days, a disciplinary demotion, or a discharge through the steps outlined in the grievance policy. Probationary, temporary and short-term employees do not qualify to file a grievance.

### Guidelines

### References and Authorities

Discipline Handling Guide

Discipline ARM 2.21.6509

### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### Related Form (s):



Effective Date: 7/1/2018

Category:

Personnel

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**EEO**

**Equal Employment**

**Opportunity**

**# 3002**

## **POLICY**

It is the policy of the Department of Livestock to recruit, appoint, assign, train, evaluate, and promote all classified employees on the basis of merit and qualifications regardless of race, color, sex, political or religious affiliation or ideas, culture, social origin or condition, sexual orientation, national origin, ancestry, age, disability, or marital status when reasonable demands of the position do not require such a distinction, with the exception of special programs established by law.

The Department of Livestock will provide reasonable accommodation to any known disability that may interfere with a qualified disabled person's ability to compete in the selection process or to perform the essential functions of the job, except where the accommodation would create an undue hardship in the office. Employees shall be protected against retaliation for lawfully opposing any unlawful discriminating practice, including the filing of a grievance or the initiation of an external administrative or legal proceeding or testifying in or participating in any of the above.

The Department of Livestock is responsible for equal employment opportunity as a policy in the agency.

The responsibility for attempting to resolve employees' EEO complaints shall be the responsibility of the Human Resource Officer, who shall be designated as the agency EEO officer. Any inquiries, questions, requests for interpretations, or grievances should be referred to the EEO Officer.

### **Guidelines**

### **References and Authorities**

[49-3-101, et seq., MCA](#)

[Non-discrimination – EEO ARM 2.21.4005 et seq.](#)

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**



Effective Date: 7/1/2018

Category:

Personnel

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**EEO & ADA**

**Complaint Resolution**

**Procedure**

**# 3003**

**POLICY**

The Department of Livestock is committed to resolving complaints of discrimination in a fair and timely manner. This complaint resolution procedure is to be used when an applicant, client, customer, or employee alleges that discrimination has taken place. Management must investigate when reports are received. Complaints concerning discrimination are to be submitted to the agency Equal Employment Opportunity (EEO) Officer/Americans with Disabilities Act (ADA) Coordinator.

**Procedures**

Filing EEO and ADA Complaints:

Any applicant, customer, or employee who believes he or she or another person has been subjected to discrimination in violation of Department of Administration's Non-discrimination/Equal Employment Opportunity policy (ARM 2.21.400 et seq) is encouraged to report the incident (s) or actions (s) to the DOL EEO Officer/ADA Coordinator as soon as possible after the alleged discrimination occurs. Early reporting is encouraged because the ability to investigate and act on reports diminishes with time. Complaints, requests for accommodation, or questions should be addressed to : EEO Officer/ADA Coordinator, Department of Livestock  
PO Box 202001, Helena, MT 59620-2001

406-444-5684

All complaints must be filed in writing and contain:

1. The name, address, and telephone number of the individual or representative filing the complaint;
2. An explanation of the discrimination, complaint, or denial of service;
3. The corrective action or other remedy being sought; and
4. The signature of the person filing the complaint.

The complaint must be received within 90 calendar days of the alleged violation. This time may be extended up to a total not to exceed 180 days for good cause shown as determined by the EEO Officer/ADA Coordinator.

Processing EEO and ADA Complaints

Any supervisor who receives a report of alleged discrimination shall immediately notify the DOL EEO Officer/ADA Coordinator.

Upon receipt of a report alleging discrimination, the agency shall take all appropriate steps to prevent the alleged misconduct from continuing pending completion of the investigation. The agency will determine the steps to be taken by balancing the rights of the alleged victim, including the severity of the alleged conduct, and the rights of the accused.

The DOL EEO Officer/ADA Coordinator shall initiate an investigation or select another appropriate management representative to initiate the investigation no later than 10 working days after receiving notice of the alleged discrimination. The investigation shall include verification of the report, a recommended course of action, and written documentation of the investigation. The investigator shall submit the results of the investigation to the Executive Officer. The factual report shall remain confidential and may not be disseminated except to persons having a need or right to know which outweighs the privacy rights of the persons involved.

(continued)





Effective Date: 7/1/2018

Category:

Personnel

NOTES:

# EEO & ADA Complaint Resolution Procedure

continued

# 3003

Approved by:

Mike Honeycutt, Executive Officer

## EEO & ADA Complaint Resolution Procedure

(continued)

Within 5 working days of receiving the investigator's factual report, the agency will, in writing, inform complainant, any employees directly involved, their immediate supervisors, and the EEO Officer/ADA Coordinator of the results of the investigation and the agency's decision.

If the investigation finds that there is insufficient evidence that illegal discrimination occurred, the agency will inform all parties. Management may take disciplinary action because of unacceptable conduct that is not illegal. If the investigation finds that discrimination occurred, the agency will take appropriate action, including but not limited to disciplinary measures pursuant to the agency's disciplinary policy, which may include termination. The agency will, in writing, inform the complainant only that an action was taken, not the details of the action.

Neither management nor any employee will retaliate against any employee for filing a discrimination complaint or for participating in any way in a complaint procedure.

### Other Complaint Filing Option

An applicant, customer, or employee may concurrently file a complaint of unlawful discrimination with the Human Rights Bureau. The complaint must be filed either:

1. Within 180 days of the alleged incident; or
2. If the complainant initiates action to resolve the alleged discrimination in accordance with internal procedure or contract grievance procedure, within 300 days of the alleged incident.

In the event an individual chooses to pursue a complaint alleging EEO or ADA violation through an alternative procedure prior to exhaustion of the procedure established herein, the Department of Livestock shall have no obligation to continue to investigate the same or similar complaint through this internal procedure.

### Guidelines

### References and Authorities

State Non-discrimination/EEO Complaint Form

Non-discrimination – EEO ARM 2.21.4001 et seq.

### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### Related Form (s):





Effective Date: 7/1/2018

## Employee Records

Category:

Personnel

# 3004

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

An official personnel file will be maintained for each employee by the Human Resource office. The file will include personnel employment paperwork, policy acknowledgements, performance-related documents, and any other information required by law or deemed appropriate by the Human Resource Officer.

Employees may review the contents of their official personnel file with supervision by the Human Resource Officer. The Human Resource Officer will provide the employee copies of any of its contents upon request.

An employee's position title, dates of employment, and salary are public information and must be released upon request.

Employee personnel records must be kept in the office for 3 years after an employee is terminated. The records will then be transferred to the state records center OR retained with the DOL offices for 7 additional years.

#### **Guidelines**

#### **References and Authorities**

Records Retention Policy

#### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**



Effective Date: 7/1/2018

Category:

Personnel

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

## Supervisory Documentation

# 3005

### POLICY

The Department of Livestock will ensure supervisors maintain on-going written documentation of employee performance to provide employees with feedback on performance and support corrective disciplinary action when necessary.

Supervisory documentation is a written record of facts, incidents or other materials that do not directly become a part of the employee's personnel file.

Access to the supervisor documentation is limited to the supervisor and management officials in the employee's chain of command and those involved with any disciplinary action and /or review.

#### Guidelines

#### Reference and Authorities

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):



Effective Date: 7/1/2018

## Grievance Policy

Category:

Personnel

# 3006

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

Employees who have attained permanent status may file a grievance as provided in the Department of Administration's Grievance Policy (ARM 2.21.6515).

Employees facing suspension without pay, disciplinary demotion, reduction in force or termination may file a grievance. Employees cannot grieve performance evaluations, performance improvement plans, work assignments, oral and written warnings, working hours, or pay. Job classification and pay grievances are addressed by a separate process with the Board of Personnel Appeals. You are eligible to grieve if your employment status is not probationary or temporary, or short term.

**STEP I** Informal resolution with your supervisor.

**STEP II** Formal Grievance

- a) A formal grievance shall be filed in writing **within 15 working days** from the occurrence of the grievable event. The formal grievance shall be filed with the grievant's immediate supervisor, or the next level above the immediate supervisor. The standard state of Montana form for filing grievances will be used.
- b) A formal grievance shall **state specifically the law, written rule, policy, and/or procedure violated; when the action occurred, and the remedy desired by the grievant.** It shall be signed and dated by the grievant.
- c) Management shall respond in writing to a formal grievance **within 10 working days** of the receipt of management's response.
- d) The grievance is resolved at STEP II if the grievant accepts management's response, or if the grievant fails to advance the grievance to STEP III **within 10 working days** of the receipt of management's response.

**STEP III** Review by Department Head

The department head shall review the grievance and shall issue the final administrative decision on the grievance.

### HEARING

A hearing shall be conducted at STEP III, if the grievance is filed as the result of a suspension without pay for more than 10 working days, a disciplinary demotion, or a discharge.

Within 30 working days of the selection of the hearings examiner, the hearings process shall be completed, and the hearings examiner shall submit a written summary of findings and shall make a non-binding recommendation for resolution to the department head.

### Guidelines

### References and Authorities

Grievances ARM 2.21.6515

MOM—3-0125— Grievances

### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### Related Form (s):

Grievance Form



Effective Date: 7/1/2018

Category:

Personnel

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

**Probationary Period/  
Classified Employees**

**# 3007**

Approved by:

**Mike Honeycutt, Executive Officer**

## **POLICY**

All classified employees newly hired to state government into permanent or seasonal position with the Department of Livestock will complete a probationary period before attaining permanent status. The length of the probationary period will not exceed a total of 12 months. During the probationary period the agency may terminate the employment relationship for any reason.

An employee who has attained permanent status in a state agency and transfers to the Department of Livestock retains permanent status.

### **Procedures**

During the probationary period, the employee's performance and overall conduct should be observed and assessed by the employee's supervisor. The supervisor is responsible for recommending to the Bureau Chief or designee that the employee be retained as a permanent employee or be discharged.

### **Guidelines**

#### **References and Authorities**

MOM 3-0170-Probation

#### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**



Effective Date: 7/1/2018

Category:

Personnel

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**Reduction in Force**

**# 3008**

## **POLICY**

Classified employees may be laid off in accordance with Department of Administration's Implementing a Reduction in Force Policy.

### **Guidelines**

DOA—Reduction In Force—Guide

### **References and Authorities**

[mom.mt.gov](http://mom.mt.gov)

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**



Effective Date: 7/1/2018

## Sexual Harassment

Category:

Personnel

# 3009

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

Sexual harassment of employees by coworkers or supervisors is prohibited. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission of such conduct is made implicitly or explicitly as a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individuals; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive environment.

Violations of this policy may result in disciplinary action.

Examples of prohibited sexual harassment include, but are not limited to:

1. Propositions or pressure to engage in sexual activity;
2. Sexual assault
3. Repeated intentional body contact;
4. Repeated sexual jokes, innuendoes, or comments;
5. Constant staring or leering;
6. Inappropriate comments concerning appearance;
7. Display of magazines, books, pictures, or electronic documents with a sexual connotation;
8. A pattern of hiring or promoting sex partners over more qualified persons; or
9. Any harassing behavior, whether or not sexual in nature, directed toward a person because of the person's gender, sexual orientation, or marital status, including but not limited to, hazing employees working in nontraditional work environments.

### **Procedures**

If an employee feels they are being sexually harassed, they should take the following steps:

- Inform the individual that his/her behavior is unwelcome, offensive or inappropriate. Do not assume or hope that the problem will go away.
- If you are unable to confront the harasser or the harassment continues, notify your supervisor, the next level supervisor who is not involved in the alleged harassment, or the DOL Human Resource Officer.
- Keep notes. Keep a record of the dates, times, places, witnesses, and describe each incident. Save all notes, correspondence or related records in a safe place.

An employee who believes he or she has been the subject of sexual harassment must bring the alleged act to the attention of the agency Human Resource Officer within 90 calendar days. Early reporting is encouraged because the ability to investigate and act on complaints diminishes with time.

The Human Resource Officer shall investigate and respond to the complaint within 30 days calendar days of notification. The employee making the complaint shall cooperate with the Human Resource Officer during the investigation. As part of the investigation the person about whom the complaint is made shall be informed of the complaint and be given an opportunity to respond to the charges. **(continued)**



Effective Date: 7/1/2018

Category:

Personnel

NOTES:

## Sexual Harassment

continued

# 3009

Approved by:

Mike Honeycutt, Executive Officer

### Sexual Harassment

(continued)

The Human Resource Officer shall prepare a report and make a non-binding recommendation to the Executive Officer or designee.

If the complaint is against the Human Resource Officer the complaint shall be filed with the Executive Officer or designee who shall appoint another person to investigate the complaint.

The Executive Officer or designee shall make the final determination on the proposed action to be taken. The EO or designee's decision shall be given to the employee making the complaint and the employee about whom the complaint is made. If the employee making the complaint is not satisfied with the Executive Officer's or designee's decision, the employee may file an appeal with the Human Rights Bureau.

#### Guidelines

DOA—Nondiscrimination-EEO Guide

#### References and Authorities

Nondiscrimination – EEO ARM 2.21.4001 et seq

Executive Order—07-82 Prohibiting Sexual Harassment

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):

*State Non-discrimination/EEO Complaint Form*



Effective Date: 7/1/2018

Category:

Personnel

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**Exit**

**# 3010**

## **POLICY**

If you decide to leave employment, a minimum of two weeks, written, advance notice must be given in order to leave in good standing, unless your Division Administrator expressly waives this and accepts a shorter notice. You are expected to work each assigned day during that two-week period. Furthermore, use of paid leave cannot be granted beyond the last day you are physically present at work. Leaving in good standing entitles you to consideration for future rehire. You should provide your resignation letter to your supervisor and a copy to HR and payroll.

You are prohibited from altering, removing, damaging or destroying any public records, during the process of "cleaning out your desk". All records related to work performed on behalf of a state agency are the property of the State. An Exit Checklist will be completed and signed on the last day worked as verification that all state owned assets have been returned to the agency.

### **Lump-sum Payout:**

If the exit/termination was for a reason "reflecting discredit" on the employee, the exiting employee will not receive cash compensation for unused annual vacation leave. If the cause for exit/termination is abuse of sick leave, the lump sum pay-out of sick leave is forfeited.

Employee personnel records are confidential and access is restricted, except an employee's position title, dates and duration of employment and salary which are public information and must be released on request. You may choose to sign a Release of Information form to allow additional information about your employment to be shared.

### **Guidelines**

### **Reference and Authorities**

Privacy Act Notice: Personnel information is protected under the Constitutional Provisions of Article II, Section 10, according to state statute 2.21.6611

MCA 2-18-617 Vacation Leave

MCA 2-18-618 Sick Leave

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**

Release of Information

Exit Checklist





Effective Date: 7/1/2018

Category:

Personnel

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

## Performance Evaluation

# 3011

### POLICY

Classified employees will be evaluated according to the MOM Performance Management and Evaluation Policy. Agency managers will evaluate employees annually on their performance. Managers may also evaluate employees on competencies required for the position or work unit, including employee behaviors.

Your supervisor will provide you with a written/electronic appraisal that contains specific information about your performance. Your appraisal will address whether you've met your performance expectations and goals. You and your supervisor will discuss your strengths and weaknesses and explore ways to improve your performance and meet your goals.

Supervisors will create a Performance Improvement Plan for any employee that is rated 'Needs Improvement'.

Employees may submit written responses to performance evaluations, which will be retained with the evaluation. If an employee chooses to submit a response, the employee must submit the response to this or her supervisor or agency designee within 10 working days of the evaluation.

### Guidelines

### References and Authorities

[mom.mt.gov](http://mom.mt.gov)

### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### Related Form (s):



Effective Date: 7/1/2018

Category:

Personnel

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**Pay Plan**

**# 3012**

## **POLICY**

Agency Pay Plan rules will be consistent with the State of Montana Broadband Pay Policy and are subject to review and approval by the Department of Administration. Pay increases are not guaranteed.

Compensation decisions are not based on race, sex, religion, age, national origin, disability, marital status, political beliefs, or any other factors that would be in violation of federal or state civil rights laws.

This pay policy applies to our agency's broadband employees. It does not apply to employees in the blue-collar plan or any other position specifically excluded under sections 2-18-103 and -104, MCA.

When fiscally able, our agency may award pay adjustments to our employees.

### **Guidelines**

### **References and Authorities**

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**



Effective Date: 7/1/2018

## Recruitment & Selection

Category:

Personnel

# 3013

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

The Department of Livestock shall recruit, appoint, assign and promote employees on the basis of merit and job-related qualifications without regard to race, color, religion, creed, political ideas, sex, national origin, age, marital status, sexual orientation or physical or mental disability.

Development of selection procedures must be developed in advance of any review of applicant qualifications. Selection procedures must have written procedures.

All of the panel notes and scoring will be held by the hiring manager and turned in to the Human Resource office for review and storage.

Agency managers may:

- \* limit the competitive recruitment process to current employees of the agency;
- \* division;
- \* other appropriate internal unit

Agency managers may reassign current employees to temporary assignments not to exceed a period of (2) years without using a competitive process.

**External Recruitment:** Agency managers shall post a vacancy announcement for all positions open to external recruitment on the State of Montana Careers web site <http://statecareers.mt.gov> for at least (5) working days.

**Internal Recruitment:** Agency managers shall use a competitive process when recruiting internally to fill permanent positions. Internal vacancy announcements will be distributed by email to the LIVALL email list. The deadline to apply will be no less than (5) working days.

Prior to hiring the selected candidate, the hiring authority must review the various employment preferences which place additional obligations on the agency.

Selection materials are confidential and will be released only to persons involved in administering the hiring process. Hiring authorities or the Human Resources Office may discuss, upon request from an applicant, the selection process and scores related to that individual.

Employment is contingent upon successful completion of a background investigation, a determination that rests solely with the Department.

### **Guidelines**

#### **References and Authorities**

MOM 3-0165

2.21.3708 External Recruitment

2.21.3707 Internal Recruitment

#### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**

Authorization to Post

Consent to Release Driving Record

Applicant Release of Liability Form



Effective Date: 7/1/2018

Category:

Fiscal

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**Procurement**

**# 4001**

## **POLICY**

The Department of Livestock procurement policy is in accordance with Department of Administration Procurement Procedures and the Montana Procurement Act.

The Procurement Officer for the Department of Livestock shall complete all required training as provided by the Department of Administration, which includes as a minimum:

1. Basic Purchasing
2. Advanced Purchasing
3. RFP Process

All procurements must be reviewed and approved by the Procurement Officer to ensure compliance with Department of Administration Procurement Procedures, internal controls policy, asset management, and consistency in application across DOL work units.

### **Safety Item Requests and Purchases**

When a safety item is requested, the purchasing officer must agree or not if the item should be paid with the RTW (return to work) funds.

### **Guidelines**

### **Reference**

[mom.mt.gov](http://mom.mt.gov)

[Montana Procurement Act](#)

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**



Effective Date: 7/1/2018

## Travel & Allowable Expenses

Category:

Fiscal

# 4002

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

The Department of Livestock's travel policy is in accordance with the Department of Administration Employee Travel Policy.

Employees may be required to travel in order to perform essential duties of their position or participate in job related training. Employees and their supervisors must recognize that travel expenses can be a major budget consideration and be aware of the need for efficiency and economy in travel.

Advance approval from the work unit supervisor is required for all in-state travel, unless you work from a mobile office in the field. The Board of Livestock or designee must give advance approval for any out-of-state or foreign travel.

Reimbursement for travel expenses shall be made only for expenses incurred while traveling in connection with official state business and shall be in accordance with the State of Montana's Employee Travel Policy.

Employees who drive a personal vehicle on state business and are reimbursed for mileage must comply with the Motor Vehicle Safety Responsibility Act, Section 61-6-101, MCA and the mandatory liability protection provisions of Section 61-6-103 MCA, and must be aware of personal vehicle usage liability.

Frequency of Filing: Expense vouchers should be filed within 60 days of completion of the related travel/expenditure. Employees who do not file for reimbursement of travel and/or allowable expenses within 90 days after incurring the expense waive their right to reimbursement.

#### **Guidelines**

#### **References and Authorities**

mom.mt.gov

Motor Vehicle Safety Responsibility Act, 61-6-101, MCA

Motor Vehicle Safety Responsibility Act, (mandatory liability protection) 61-6-103 MCA  
MOM 1-0300- State Travel Policy

MCA 2-18-501

MCA 2-18-511

#### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**

Out of State Travel Request Form

State of Montana, Expense Reimbursement Form



Effective Date: 7/1/2018

## Cash, Check & Credit Cards

Category:

Fiscal

# 4003

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

This policy pertains to all persons accepting and working with cash, checks, and/or credit cards on behalf of the Department of Livestock.

#### **Cash**

- Deposits will be made as early as possible, when the cash balance reaches \$200 or, at a minimum, all funds will be deposited weekly.

#### **Credit Cards**

- Credit cards from customers and employees may only be used for purchases of services. DOL does not allow cash advances from credit cards.

#### **Check Cashing**

- Cashing employee checks is prohibited.
- Cashing of personal checks for non-employees is also prohibited.
- Cashing of 3rd party checks is prohibited for anyone.

#### **Guidelines**

#### **Reference**

[mom.mt.gov](http://mom.mt.gov)

17-6-105 (6) MCA

#### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**



Effective Date: 7/1/2018

## Contracts Administration

Category:

Fiscal

# 4004

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

The Department of Livestock adheres to the delegated purchasing agreement with the Department of Administration. This delegated authority is for supplies and “services”. The services are generally contracted. DOL complies with the requirements of Risk Management and Torte Defense (RMTD) contractual risk transfer policy.

Department contracts and agreements are signed by the Executive Officer. The original contract is filed in the Executive Officer’s office and the program manager is provided a copy.

#### Guidelines

#### References and Authorities

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):



Effective Date: 7/1/2018

Category:

Safety

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**Safety Culture**

**# 5001**

## **POLICY**

The Department of Livestock regards employees as its most valuable resource.

Once a month, the weekly management team meeting will serve as the agency safety committee meeting by including a safety topic on the agenda.

Employees of the DOL shall:

1. Maintain a “safety first” attitude and use common sense on the job;
2. Comply with all state and federal safety and health regulations, state safety policies and procedures, and internal policies and procedures;
3. Participate in on-the-job training when required;
4. Use personal protective equipment when required; and
5. Maintain clean and safe work areas.

### **Return To Work**

The Department of Livestock is committed to helping its injured workers return to work as soon as medically appropriate. The Return to Work program allows for temporary modification of an injured employee’s existing position and/or work schedule, or creation of a transitional duty assignment to accommodate temporary physical restrictions identified by the treating physician.

### **Guidelines**

### **References and Authorities**

Safety Programs, 39-71-1504, MCA

Firearms Possession and Storage (MOM Policy)

State of Montana Employee Safety Program

39-71 Part 15, MCA

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**





Effective Date: 7/1/2018

## Injury Reporting

Category:

Safety

# 5002

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

Employees will report all work-related injuries to agency management as soon as possible, no later than 24 hours after the injury occurs. Employees that do not seek medical attention at the time of injury are still required to submit the First Report of Injury form.

#### Procedure

##### **Step 1: Get Proper Medical Care.**

For an emergency, call 911. For non-emergencies, seek medical attention as soon as possible.

##### **Step 2: Know the facts of the accident.**

Discuss the how, when and where of the accident with your supervisor.

##### **Step 3: Fill out the First Report of Injury Form within 3 working days.**

A supervisor or appointed representative must fill out a First Report of Injury form with you— state law requires it. Be as complete as possible, and sign the form.

Use the Montana State Fund Policy Number: 030099766

##### **Step 4: Submit the First Report of Injury Form, as soon as possible to [shmartin@mt.gov](mailto:shmartin@mt.gov)**

If necessary, a First Report of Injury may be submitted online;

<https://www.montanastatefund.com/Froi/welcome.do>

Employees who fail to notify agency management of their work-related injury within 24 hours may be subject to disciplinary action according to the Discipline Policy.

#### **Guidelines**

#### **Reference**

#### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**

First Report of Injury Form



Effective Date: 7/1/2018

**ZERO Tolerance**

Category:

Safety

**# 5003**

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

**Mike Honeycutt, Executive Officer**

## **POLICY**

Violence will not be tolerated in Montana State Government workplaces. Hostile behaviors involving citizens and clients will be referred to law enforcement agencies and investigated by them, if necessary. State employees that injure or threaten co-workers will be subject to disciplinary action and criminal prosecution.

An Employee may not carry a firearm on his or her person or carry or store a firearm in a state-owned or leased building or vehicle unless the employee is:

- Specifically authorized by state or federal law to carry a firearm as a condition of Employment OR
- Engaged in firearm instruction or field work in which a firearm is carried for use associated with the discharge of official state business.

Use the Incident Report Form for Violent or Threatening Behavior to report threatening behaviors to your supervisor or law enforcement immediately.

### **Guidelines**

DOA Risk Management Preventing Workplace Violence Guidelines

### **Reference**

Firearms Possession and Storage (MOM Policy)

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**

Incident Report Form for Violent or Threatening Behavior



Effective Date: 7/1/2018

**Ethics & Conduct**

Category:

Ethics & Conduct

# 6001

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**POLICY**

The Department of Livestock Ethics and Standards of Conduct policy shall be in accordance with Department of Administration Ethics Policy and Employee’s Guide to Standards of Conduct in Montana State Government.

It is the goal of the agency to maintain a safe, respectful and productive work environment.

- A. Employees are expected to produce work that consistently meets or exceeds expectations and maintain the qualifications, certification, licensure and/or training required of the job.
- B. Employees are expected to be reliable and dependable; observe established work hours; utilize leave and related employee benefits in the manner for which intended; obtain permission prior to being off work, and schedule leave in a manner that minimizes work disruption.
- C. Employees shall maintain a courteous, productive, respectful and otherwise acceptable working relationship with coworkers, peers, supervisors, stakeholders, and the general public. Employees are prohibited from outbursts of anger, profanity and aggression in all manner of work related communication and in the workplace.
- D. Employees are expected to follow verbal or written instructions of their direct supervisor and of persons with duly delegated authority.
- E. Employees will follow safe work procedures to ensure a safe and healthy work environment.
- F. Employees are prohibited from either possessing or consuming drugs or alcoholic beverages during work hours, performing state business or representing the agency. Anyone who has been drinking/doing drugs must be sent away from the work site.
- G. Employees will report circumstances or concerns that may affect safety and satisfactory work performance to their supervisor, including any inappropriate (fraudulent, illegal, unethical) activities of other employees.
- H. Employees will follow dress codes as established by your supervisor (including personal protective gear).

Employees who fail to adhere to the behaviors, communication and conduct consistent with this policy will be subject to disciplinary action according to the Discipline Policy.

Employees are required to respect confidentiality and protect privacy of personal information including all computer systems.

**Guidelines**

**References and Authorities**

- 2-2-Part 1 MCA covers Standards of Conduct
- Employee’s Guide to Standards of Conduct in Montana State Government
- MOM # 03-0180OM # 318

**Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

**Related Form (s):**



Effective Date: 7/1/2018

Category: Ethics & Conduct

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by: Mike Honeycutt, Executive Officer

## Political Activities

# 6002

### POLICY

Montana law was amended in 1995 to specifically address political activities performed by state employees. While each individual has a right to participate in the electoral process, it is important to keep political activities separate from official duties. For that reason, any campaign activities performed by an employee must be carried out on the employee's own time and must not involve public funds, facilities or equipment.

#### Guidelines

#### References and Authorities

2-2-121 MCA— Rules of Conduct

2-2-103 MCA—Public Trust— Public Duty

State of Montana Political Activity Guide (DOA)

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):



Effective Date: 7/1/2018

Category:

Ethics & Conduct

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**Theft**

**# 6003**

## **POLICY**

Stealing from the state or from other employees will not be tolerated. Materials may not be removed from state premises without approval. Because of the state's need to prevent and detect theft, employees may be subject to questioning when theft is suspected, routine searches of the workplace, increased security patrols, and electronic surveillance.

Stealing is grounds for immediate termination and may cause the state to bring criminal charges against offenders.

It is not acceptable to rummage around other employees' work space or in their desks. If an employee needs to locate work related material or borrow something, permission must be obtained first.

Employees must take responsibility for their own possessions and use appropriate caution when bringing personal items to the office. Any incidents of missing materials should be promptly reported.

### **Guidelines**

### **References and Authorities**

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**



Effective Date: 7/1/2018

Category:

Ethics & Conduct

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

## Drug-Free Workplace

# 6004

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

The Department of Livestock is committed to a drug-free workplace.

It is the policy of the state of Montana that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance by any employee in the workplace is prohibited.

An employee who violates this prohibition is subject to disciplinary action, up to and including discharge, as provided in the Discipline Handling policy, ARM 2.21.6505 et seq. Disciplinary action may include required participation in an approved drug abuse assistance and rehabilitation program.

This policy statement is adopted in compliance with the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D).

#### Guidelines

#### References and Authorities

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):



Effective Date: 7/1/2018

## Computer Use

Category:

Use of State Property

# 7001

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

### POLICY

The state's computer system and all programs on it belong to the State of Montana. As used in this policy "the state" and "State of Montana" also mean the Department of Livestock. The State of Montana has serious business needs to monitor and/or retrieve information on its computer system for a variety of reasons that include, but are not limited to, trouble shooting software problems, retrieving work files, preventing system misuse, and ensuring compliance with software distribution policies.

Employees do not have a right to privacy in any materials created, accessed, sent, or received on state computer equipment whether password protected or not. User IDs and passwords must not be shared between employees, and passwords may be overridden by the state.

By using the state computer system, including but not limited to the Internet and the e-mail system, employees indicate their understanding that management may monitor, read, and review any and all information accessed or stored in the system and /or on their assigned state computer.

No one may use the state computer system or any of its programs to access or send foul, offensive, defamatory, or pornographic information. The state has a zero-tolerance policy against sexual and all other forms of harassment. Accessing or sending harassing or derogatory material, such as comments demeaning a person's sex, race, religion, disability, or sexual orientation, will not be tolerated.

Employees must not use the state computer system for streaming of multimedia material from the Internet unless there is a valid work-related reason to do so. Streaming uses an inordinate percent of the available bandwidth and cannot be permitted during hours of heavy usage. Examples of streaming multimedia are on-line music and online television. An employee or contractor who needs to access streaming content must have both a work-related purpose and written permission from a supervisor or higher authority. Supervisors and other authorities must consult with the DOL Information Technology Manager before approving any such requests.

Falsification of timesheets, for example by recording non-work time as work time, constitutes misuse of the state computer system and may lead to disciplinary action up to and including termination.

Documents deleted from any state computer system directories, including Outlook, may continue to exist and can be retrieved. A list of all Internet sites accessed by an employee or employees is available to management upon request or when computer security personnel observe and report potentially inappropriate use to management.

E-mail sent over the state system must be proper in its content. By way of example and without meaning to exhaust all possibilities, employees must not send chain letters or other types of communications that solicit voluntary participation in athletic betting pools, political causes, religious causes, or personal organizations. Spamming is also prohibited. Spam is unsolicited commercial e-mail or unsolicited bulk e-mail, and should not be forwarded.

Employees must not use the state computer system to accessed personal e-mail accounts such as Hotmail unless they have been granted an exception by the State Information Security Officer. Downloading or installing non-state standard software can expose the state computer system to viruses and other serious problems including license infringement and is prohibited. Playing computer games, including card games, is also prohibited.

The state computer system may not be used to conduct or operate personal businesses, whether commercial, for-profit, or not-for-profit. Employees who have questions about a particular use must ask their supervisor before using the state computer system for that purpose.

(continued)



Effective Date: 7/1/2018

Category: Use of State Property

NOTES:

Approved by: Mike Honeycutt, Executive Officer

## Computer Use

(continued)

# 7001

### Computer Use

(continued)

To ensure that the above guidelines are met, the state reserves the right to filter or block inappropriate Internet sites and will from time to time conduct unannounced surveillance of any and all computer use by state employees and contractors. While the state will take steps to block offensive material and delete it when discovered, that does not mean material that is still accessible is appropriate.

#### Guidelines

#### References and Authorities

[Employee Use of Information Technology](#)

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):





Effective Date: 7/1/2018

Category: Use of State Property

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by: Mike Honeycutt, Executive Officer

**E-Mail**

**# 7002**

## **POLICY**

All messages created, sent or retrieved, over the state's systems are the property of the State of Montana. Employees are required to use the state provided e-mail system for state business purposes. Privacy of e-mail is not guaranteed; employees should not have the expectation of privacy for any messages. It is the expectation that any message sent is subject to public scrutiny.

### **Guidelines**

In drafting e-mail and sending e-mail messages, employees are reminded that they should not include anything they are not prepared for the public to read. E-mail communications should resemble typical professional and respectful business correspondence.

### **References and Authorities**

[Employee Use of Information Technology](#)

### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

### **Related Form (s):**



Effective Date: 7/1/2018

Category:

Use of State Property

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

## State Telephone & State Issued Cellular Devices Use

# 7003

### POLICY

The state's telecommunication systems are provided to conduct state business. In addition to state business, the state's telecommunication systems may be used by state employees and officials for local and long-distance calls to children, teachers, doctors, daycare centers, baby sitters, and family members to inform them of unexpected schedule changes, and for other essential personal business. The use of the state's telecommunication systems for essential personal business must be kept to a minimum, and must not interfere with the conduct of state business. Essential personal long-distance calls must be charged to a third party non-state number or a personal credit card. Employees and officials may not accept incoming personal collect calls to a state phone number.

Employees issued a state cell phone or other state-owned handheld telecommunications device must sign a User Agreement and Policy Acknowledgement form and return it to Human Resources for inclusion in the employee personnel file.

Misuse of the state's telecommunication systems may lead to disciplinary action, up to and including termination.

#### **Guidelines**

#### **References and Authorities**

[ARM 2.13.102](#)

[State Cell Phone Use Policy](#)

**Compliance:** Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**

Cell Phone User Agreement



Effective Date: 7/1/2018

**Vehicle Use**

Category:

Use of State Property

# 7004

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

**POLICY**

Department of Livestock employees may operate state-owned vehicles while on official state business in accordance with ARM 2.6201 through 2.6214. Employees must complete a Vehicle Use Agreement before being allowed to drive a state-owned vehicle or operate a personal vehicle for state business use. Supervisors are responsible for ensuring the vehicle use agreement is completed and forwarded to Human Resources for inclusion in the employee's personnel file.

- Drivers must obey all traffic laws at all times.
- All employees will wear seat belts at all times and assure that all vehicle occupants do the same when the vehicle is in motion.
- Drivers will comply with all driving laws, rules and policies.
- Law enforcement employees performing urgent, bona-fide law enforcement activities may need to drive over the speed limit. The vehicle light bar should always be used in these instances.
- An Employee may not carry a firearm on his or her person or carry or store a firearm in a state-owned or leased building or vehicle unless the employee is:
  - Specifically authorized by state or federal law to carry a firearm as a condition of Employment OR
  - Engaged in firearm instruction or field work in which a firearm is carried for use associated with the discharge of official state business.
- Immediately report any vehicle damage or traffic accidents.
- Notification to supervisor should occur for any maintenance or repairs greater than \$100.
- No smoking or personal pets in vehicles.
- Vehicle should be locked at all times when unattended.
- Oil changes and other standard maintenance should be completed consistently and timely.
- Interior AND exterior of vehicles should be cleaned at least once every 60 days.
- Lease vehicles must also be cleaned immediately prior to entering a state shop.

Operating a vehicle is an essential part of the job for the employees that use them routinely. Violations to this policy may lead to revocation of the right to operate a vehicle for DOL and/or other disciplinary action up to and including termination.

**Guidelines**

**References and Authorities**

ARM 2.6.201 through 2.6.214 (State Vehicle Use Rules)

Vehicle Use, 61-11-203, MCA

Firearms Possession and Storage (MOM Policy)

**Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

**Related Form (s):**

Vehicle Use Agreement

Asset Loss Report Form



Effective Date: 7/1/2018

Category:

Use of State Property

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

## Public Information Requests

# 8001

### POLICY

All public records requests made as a “Freedom of Information Request (FOIA)” or “Right-to-Know Request” shall be sent to the Department of Livestock Executive Officer for review and approval prior to access to and/or copying of unprotected Department records.

#### **Guidelines**

DOA Public Records Policy and Fee Schedule

#### **References**

Title 2, Chapter 6, MCA, Public Records Generally

30-14-402 (4) MCA

Constitution of Montana, Article 2, sections 9 & 10

#### **Compliance**

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### **Related Form (s):**

Department of Livestock Public Information Request Form



Effective Date: 7/1/2018

Category:

Use of State Property

NOTES: The agency shall follow this policy unless it conflicts with negotiated labor contracts or specific statutes, which shall take precedence to the extent applicable.

Approved by:

Mike Honeycutt, Executive Officer

## Media Inquiries

# 8002

### POLICY

Employees are required to have prior approval from their Division Administrator to interact with the news media (answer questions, give interviews and appear on camera). Official spokespersons for the agency are the Department of Livestock Executive Officer and the State Veterinarian.

It is the policy of the agency to cooperate with news media representatives in their efforts to gather factual public information pertaining to activities of the department, as long as these activities do not interfere with individual rights or violate the law.

Refer general state government questions to the Governor's Office:

Communications Director: 444-9725

Press Secretary: 444-4514

#### Guidelines

#### References

#### Compliance

Failure to comply with any or all portions of this policy is grounds for disciplinary action, up to and including termination.

#### Related Form (s):

# EMPLOYEE HANDBOOK



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MIKE HONEYCUTT

Executive Officer