

	Montana Operations Manual Policy	Category	Human Resources/ Employee Benefits
		Effective Date	11/15/2018
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Issuing Authority	Department of Administration State Human Resources		
Broadband Classification Policy			

I. Purpose

This policy establishes the occupation-driven framework, structure and principles for identifying and grouping similar jobs in the broadband classification system according to §2-18-102 and §§2-18-201 through 2-18-209, MCA.

II. Scope

This policy covers all employees in Montana's executive branch except the Montana University System, blue-collar employees, the Montana State Fund, elected officials, personal staff of elected officials, and any other employee specifically excluded under §§[2-18-103](#) and [-104](#), MCA.

An agency with broadband employees shall follow the provisions of this policy. Broadband classification is a management right under §39-31-303 (5), MCA, and is not subject to collective bargaining.

The Department of Administration's (Department) State Human Resources division reviews occupational standards regularly and may adjust occupational standards or change criteria used for classifying positions according to §2-18-203 (1), MCA. However, the Department must consult with the representative of a bargaining unit before making changes to an occupational standard or criteria if the change affects employees in a bargaining unit.

III. Broadband Classification Administration

A. Department Responsibilities

The Department is required to oversee and administer the broadband classification system, according to §2-18-201, MCA. To meet its statutory

obligations, the Department shall:

1. create, review, and update its policies and procedures for achieving the provisions in statute;
2. establish occupational standards used for classifying occupations;
3. determine relevant factors for classification;
4. anchor occupational standards;
5. review and approve proposed changes or updates to occupational standards or factors;
6. determine eligibility for delegated classification authority and establish agreements for agencies that effectively demonstrate the ability to achieve the provisions of this policy;
7. provide training and authorization to classifiers in the broadband classification system;
8. maintain a list of authorized classifiers;
9. audit and monitor classification actions for compliance with policy and procedures;
10. correct inaccurate agency classifications, upon request by agencies or upon the Department's review;
11. investigate classification and wage appeals at Step II, according to the rules established by Board of Personnel Appeals, Department of Labor and Industry;
12. provide interpretation and advisory opinions about classification issues;
13. classify positions or approve classification actions by consultants for small agencies or agencies without delegation agreements;
14. classify or approve all human resources positions and managers of human resources positions to avoid conflict of interest; and
15. classify positions as needed, when staff time and workload permit.

B. Agency Responsibilities

All agency positions must be classified using broadband procedures and standards. As provided by statute and within delegation agreements, agency human resources staff and agency managers have the following responsibilities for their classified positions:

1. agency managers shall assign work and determine essential functions performed by each subordinate position;
2. agency managers and agency human resources staff shall provide information to the Department about job responsibilities
 - a. during a job audit;
 - b. when responding to a classification or wage appeal; or
 - c. when the Department establishes new or revised job-description standards.
3. An agency without a delegation agreement may submit classification requests to a consultant. However, an agency must comply with requirements as outlined in Section IV. E. Consultants;

4. An agency with more than 100 employees shall seek delegated classification authority. If an agency with more than 100 employees is unable to obtain delegated classification authority, the agency shall seek the assistance of an authorized, approved consultant for its classification services as provided in Section IV. E. Consultants;
5. An agency shall submit any requests for proposed changes to job-description standards or classification factors to the Department for review and approval;
6. An agency shall inform employees about classification actions that may affect them; and
7. An agency shall provide the job evaluation justifying the classification decision for a position upon request.

An agency with a delegation agreement shall also:

8. classify positions into the appropriate job-description standard or job code established by the Department, according to the provisions of this policy and the procedures established by the Department;
9. participate in the process for creating new occupational standards if the agency has employees in the occupation under review;
10. provide a list of its classification actions upon request, which may be used during a classification audit;
11. provide background information about classification actions during an audit, appeal, or review, which may include emails, job audits, organizational charts, or other documentation; and
12. correct inaccurate classifications at the Department's direction.

IV. Procedures

All broadband positions must be classified by authorized classifiers into an occupation using an occupational standard. Classifiers shall evaluate and compare the work of a position using factors identified by the Department in the occupational standard and the procedures outlined in the Department's broadband classification manual.

A. Occupational Standards

The Department creates and establishes occupational standards for the broadband system. The Department determines the number of occupational standards and their levels. The Department's authorized classifiers shall classify all occupational standards. The Department shall consult with agencies and unions when creating or revising standards. The occupational standard must identify:

1. the purpose of the occupation;
2. any levels within an occupation;
3. representative tasks;
4. distinguishing characteristics between levels;

5. any statutory requirements;
6. minimum requirements for each level of the occupation; and
7. any other factors unique to an occupation or level for that standard.

The Department shall create and maintain “all other” job codes that will be used for any positions not meeting the criteria for the new occupational standard. The Department shall periodically review the pool of positions with “all other” job codes to determine if sufficient similarity exists to create a new occupational standard.

The Department shall adopt an effective date for the use of each new or revised occupational standard. The effective date of the standard may be retroactive. The Department may also suspend or retire an occupational standard. Suspended or retired occupational standards may not be used to classify a position. The Department will provide notification to agencies in writing for retroactive effective dates for a standard and when retiring or suspending standards.

The Department shall identify the mid-level for an occupational standard. The Department shall classify the mid-level of the work in an occupational standard into a pay band. Levels within an occupational standard other than the mid-level are not classified into a pay band. Pay bands may be used for reporting and analysis only, as required by §2-18-101 (17), MCA.

The Department shall work toward the goal of establishing occupational standards that eliminate the use of judgments and factors containing inherent biases based on sex whenever those occupational groups are dominated by males or females.

B. Classifying Positions

Only authorized classifiers may classify positions. Authorized classifiers shall follow the procedures in the classification manual when classifying a position. Classifiers shall evaluate the position compared to the job-evaluation factors in occupational standard. A position shall be classified into an occupational standard whenever the standard is available and meets the criteria as described in the broadband classification manual.

If the work of a position does not match an occupational standard as determined by an authorized classifier, the position may be removed from a job code and reclassified according to the provisions in Section G.
Reclassifications.

C. Delegating Classification Authority

The Department shall delegate classification authority to agencies demonstrating

acceptable performance within the provisions of this policy. An agency with delegated classification authority may classify its positions into an occupational standard. An agency with more than 100 employees shall pursue classification authority. A written agreement between the Department and agency must detail the extent of authority, provide guidelines, and outline procedures. An agency with classification authority shall remain in compliance with the terms of the delegation agreement, policies, procedures, timetables, and standards established by the Department.

An agency that does not remain in compliance with the terms of its delegation agreement may be subject to any of the following:

1. attend additional training or testing;
2. meet the agreed-upon provisions determined by the Department; or
3. have its delegation agreement revoked.
4. If a delegation agreement is revoked, the agency will be required to submit its classifications to a consultant, with Department review and approval, at the agency's expense;

D. Classification Audits and Reviews

The Department shall maintain the classification system's integrity. To ensure the integrity of the system, the Department shall audit an agency's classifications. The Department may correct a position's classification upon request by an agency or upon the Department's review. The Department may correct a position's classification when it identifies:

1. incomplete or erroneous information about essential job duties; or
2. inconsistent application of the classification procedures or standards within an agency.

If the Department identifies improper classifications or improper application of the classification procedures, the Department may remove classifiers from the list of authorized classifiers as provided in Section IV F. Authorized Classifiers. The Department may also withhold, suspend, or revoke delegated classification authority from an agency until the Department determines that the underlying classification problems are resolved.

E. Contracting with Consultants

An agency may contract with an authorized consultant to perform job analyses and recommend classifications. Before completing a classification action, an authorized consultant's recommendation must be reviewed by an authorized classifier employed by either a delegated agency or the Department. An authorized classifier must document his or her approval or denial decision of the contractor's recommendation in writing.

Consultants providing classification recommendations shall use the Department's current classification methodology. Each classification recommendation submitted by a consultant must include the job evaluation, organizational chart, and all supporting information.

An authorized classifier employed by either a delegated agency or the Department shall review all classification recommendations made by consultants. An authorized classifier must document his or her approval or denial decision of the contractor's recommendation in writing before completing a classification action.

F. Authorized Classifiers

The Department provides training and assessments for the methods used to classify positions. Individuals who meet all training requirements and successfully pass the classification assessment may achieve authorized classifier status. The Department shall maintain a list of authorized classifiers. To maintain classifier status, classifiers shall:

1. review new standards issued by the Department;
2. participate in creating or revising occupational standards for occupations within their agencies;
3. complete training updates and assessments; and
4. comply with statutes, policy, and the methods and procedures established the Department in the classification manual.

The Department may remove an individual classifier's authorized status based on:

5. violation of this policy
6. violation of the methods and procedures established by the Department in the classification manual;
7. violation of an agency's delegation agreement; or
8. extended absence from classification activities, as described in the classification manual.

An individual who was previously an authorized classifier and chooses to regain authorized classifier status shall complete additional training, successfully pass a classification assessment and demonstrate compliance with the methods and procedures established by the Department.

G. Reclassifications

Reclassification requests must be based on the classification methods and procedures in effect at the time of the classification request. The following reclassification types may occur:

1. **Change in classification method** – If a change in method occurs, agency classifiers or consultants shall review affected position classifications. If the change in method results in a change in classification, the effective date of the

new classification is the date the new method is applied to the position.

2. **Revision to a classification standard** – The Department may revise an occupational standard based on new statutory requirements for an occupation; changes to essential functions; updated representative tasks and responsibilities as the result of an occupational study; or after reviewing and approving an agency request to revise an occupational standard. When a position is reclassified based on a revision to a new standard, the effective date of the classification is the date the agency designee receives the reclassification request electronically or in writing.

After the Department establishes or revises an occupational standard, some jobs may no longer meet the criteria for the occupation. Authorized classifiers shall review positions in a job code to determine if the classification remains appropriate. Authorized classifiers may reclassify these positions to a different job code.

3. **Change in position duties** – A manager may request a reclassification due to significant changes in the duties of the position. When a position is reclassified to a different job code because of a significant change in the duties and responsibilities, the effective date of the new classification is the date the agency designee approves the reclassification request electronically or in writing.

Reclassification of a position does not guarantee a change in pay. Any resulting change in pay due to reclassification is governed by the Broadband Pay Policy and an agency's internal pay policy. To the extent that this policy applies to employees within a collective bargaining unit, the implementation of the agency's pay policy is a negotiable subject under 39-31-305, MCA.

V. Classification and Wage Appeals

Under [§2-18-203 \(2\)](#), MCA, employees and/or their exclusive bargaining representatives may appeal the classification assigned to their position. Employees and/or their exclusive bargaining representatives may not appeal a classification standard. The Board of Personnel Appeals, Montana Department of Labor and Industry, sets appeal issues and grievance procedures under [24.26.540 ARM](#).

Issues that do not directly affect the position's classification are not appropriate for a classification appeal and may be subject to internal complaint procedures. Appealable issues are found at [24.26.540 \(2\) \(b\) ARM](#).

The Department shall apply the classification standards in effect for the position's job code at the time the appeal is filed unless a review of the occupational standard is in progress. The Department must complete the review of the classification standard before addressing the appeal. Relevant standards used during an appeal are described in the broadband classification manual.

VI. Resources

- A. Montana Code Annotated, Title 2, Chapter 18
- B. Classification Appeals, ARM 24.26.540 et seq.
- C. The Broadband Classification Manual, https://hr.mt.gov/docs/Policies/Broadband_Classification_Policy.pdf
- D. [Occupational Standards](#),
- E. Market Analysis – contact Bonnie Shoemaker at bshoemaker@mt.gov
- F. Job Code Inventory – contact Bonnie Shoemaker at bshoemaker@mt.gov

VII. Definitions

All definitions under [2-18-101](#), MCA, apply to this policy. The following definitions also apply:

Authorized Classifier: A person who effectively applies the benchmark factoring methodology after successfully completing Department-provided training and assessments, demonstrates the ability to make accurate classification decisions, and is included on the list of approved classifiers maintained by the Department.

Benchmark Factoring Methodology: A method for classifying work using comparisons to occupational standards and factors determined by the Department.

Classification: A process of evaluating the work performed for a given position to determine the appropriate occupation, level and occupational wage range.

Factor: A measure of the distinguishing characteristics in an occupation.

Job Code: The unique identifier of an occupation and occupational wage range used by the Department. The bureau matches its job codes to the U.S. Department of Labor's Standard Occupational Classification (SOC) system, maintained by the Bureau of Labor Statistics.

Job Evaluation: A written decision justifying the classification determination.

Occupational Standard: A written description, also known as a classification standard or benchmark, identifying the type of work performed in a typical position of an occupation. An occupational standard contains information about an occupation and distinguishing factors, forming the basis for placement of a position into a job code. This description includes essential functions, common working titles, and other information used to describe an occupation.

Standard Occupational Classification (SOC): The SOC is a national job classification system developed by the federal government that lists occupations in which work is performed for pay or profit and excludes occupations that are unique to volunteers. Occupations are classified based upon the work performed with consideration given to required skills, education, training, or credentials.