

(7) "Exempt employee" means an employee in a position classified as executive, administrative or professional, as such terms are defined in 24.16.201 et.seq. ARM, not covered by provisions of the Montana Minimum Wage Law of 1971, and who may receive compensatory time where appropriate, in lieu of payment for overtime.

(8) "Exempt personal staff" means, as provided in 2-18-101, MCA, "those positions occupied by employees appointed by the elected officials enumerated in Article VI, Section 1 of the Montana Constitution or by the public service commission as a whole" who are exempt from classification and pay provisions of 2-18-204, 2-18-205, 2-18-207, and 2-18-1011 through 2-18-1013, MCA.

(9) "Full-time employee" means, as provided in 2-18-601, MCA, "an employee who normally works 40 hours per week."

(10) "Intermittent employee" means a person who normally works only a small number of days during a work period or season. It may be temporary employment during a seasonal period or during peak production. As opposed to a casual employee, an intermittent employee is attached to a particular agency.

(11) "Jurisdiction" means the extent of authority of any state or local government entity within which the limits of authority or control may be exercised.

(12) "Non-exempt or covered employee" means an employee in a position not classified as executive, administrative or professional, as such terms are defined in 24.16.201, et.seq. ARM, covered by the provisions of the Montana Minimum Wage Law of 1971, and who may be authorized to receive overtime pay where appropriate.

(13) "Part-time employee" means, as provided in 2-18-601, MCA, "an employee who normally works less than 40 hours per week."

(14) "Permanent employee" means, as provided in 2-18-601, MCA, "an employee who is assigned to a position designated as permanent on the appropriate list of authorized positions referenced in 2-18-206, MCA, and approved as such in the biennium budget"; may be in either a permanent status or a probationary status and include full-time, part-time or seasonal employees.

(15) "Permanent position" means, as provided in 2-18-101, MCA, "a position so designated on the appropriate agency list of authorized positions referenced in 2-18-206, MCA, and approved as such in the biennium budget." "Position" means, as provided in 2-18-101, MCA, "a collection of duties and responsibilities currently assigned or delegated by competent authority requiring the full-time, part-time or intermittent employment of one person."

(16) "Permanent status" means, as provided in 2-18-101, MCA, "the state an employee attains after satisfactorily completing an appropriate probationary period in a permanent position." (Applies only to permanent and seasonal employees; does not include temporary employees.)

(17) "Probationary period" means a period of time established by an agency to assess any employee's performance and conduct.

(18) "Seasonal employee" means, as provided in 2-18-601, MCA, "an employee assigned to a position designated as seasonal on the appropriate agency list of authorized positions referenced in 2-18-206, MCA, and for which the agency has a permanent need, but which is interrupted by the seasonal nature of the work." (A seasonal employee is a permanent employee who may attain permanent status after serving the appropriate probationary period in a seasonal position.)

(19) "Seasonal position" means, as provided in 2-18-101, MCA, "a position so designated on the appropriate agency list of authorized positions referenced in 2-18-206, MCA, and which is a permanent position but which is interrupted by the seasonal nature of the position."

(20) "Temporary employee" means, as provided in 2-18-601, MCA, "an employee assigned to a position designated as temporary on the appropriate agency list of authorized positions referenced in 2-18-206, MCA, created for a definite period of time not to exceed 9 months."

(21) "Temporary position" means, as provided in 2-18-101, MCA, "a position so designated on the appropriate agency list of authorized positions referenced in 2-18-206, MCA, created for a definite period of time not to exceed 9 months."

(22) "Transfer" means, as provided in 2-18-601, MCA, "a change of employment from one agency to another agency in the same jurisdiction without a break-in-service."

This glossary is a guide to be used with the policies in the Montana Operations Manual, Volume III. Many definitions in this guide are statutory and cited as such. Other definitions may also be found in specific policies. Others are commonly used terms not defined by statute or rule.

(1) "Agency" means, as provided in 2-18-101, MCA, "a department, board, commission, office, bureau, institution, or independent unit of state government and recognized in the state budget" and means, as provided in 2-18-601, MCA, (leave time) "any legally constituted department, board or commission of state, county or city government or any political subdivision thereof."

(2) "Break in service" means, as provided in 2-18-601, MCA, "a period of time in excess of 5 working days when the person is not employed and that severs continuous employment"; not employed means resigned, retired, discharged or terminated for any other reason and there is no expectation of continued employment; There is no break in service for an employee who is reinstated to a position, as provided in the Reduction in Work Force Policy, 3-0155.

(3) "Casual worker" means a person who works occasionally and intermittently and is not attached to a particular agency. He or she is usually unskilled and moves with seasonal fluctuating demands of the labor market. Sometimes applies to temporary employees.

(4) "Continuous employment" means, as provided in 2-18-601, MCA, "working within the same jurisdiction without a break in service of more than 5 working days or without a continuous absence without pay for more than 15 working days."

(5) "EEO Officer" means, an agency employee assigned to participate in the development, coordination and the implementation of statewide and agency personnel policies and/or EEO and affirmative action programs in accordance with the Equal Employment Opportunity Guidelines.

(6) "Employee" means, as provided in 2-18-601, MCA, "any person employed by an agency, except elected state, county and city officials, school teachers, and persons contracted as independent contractors or hired under personal services contracts"; a person employed in an agency, who has commenced work in a pay status and who has not resigned, been discharged, retired or been terminated for any other reason and who is assigned a position. Employees excepted from coverage by personnel policies are listed in 2-18-103, MCA.