



Yellowstone County Classification and Compensation Policy

Policy Number _____

Updated May 2025

This Policy replaces Policy 01-03 and Policy 01-04 including the 01-04 addendum.

Overview

July 2003 the Yellowstone County Commissioners and staff met with representatives from Montana Public Employees Association (MPEA) to discuss compensation and classification processes. That meeting lead to a request for proposal sent out in December 2003. On March 31, 2004 representatives from MPEA, Teamsters Local 190, elected officials and management recommended the Hay Group for a classification and compensation study. An introductory meeting for all County employees was held June 2004.

Compensation Philosophy

(Yellowstone County must meet the terms and provisions under collective bargaining agreements. The following may or may not be applicable under certain collective bargaining agreements.)

Yellowstone County is committed to provide high quality services to the citizens through cost-efficient, progressive and innovative leadership. Total compensation should foster recruitment and retention of employees committed to public service and a desire to make a difference in the community.

Fiscal responsibility necessitates that the compensation be consistently administered throughout the County, based on principles of fairness and equity. The basis for the Hay Job Evaluation, Classification and Compensation Plan is to provide for internal equity and external competitiveness administered within the County's financial resources.

In summary, Yellowstone County's total compensation should be aligned with the mission, values, and culture to provide the best return on human resources investment.

The mission of Yellowstone County is to improve the function of County government, to serve its citizens and the region as efficiently and cost effectively as possible, through the joint efforts of our employees and leadership.

Starting rate on initial employment. The original appointment to a position is generally made at the minimum of the range. If qualified applicants are not available at the minimum of the range, the market for a particular position warrants or other extenuating circumstances, the department head or elected official may request in writing to the Commissioners approval to hire above the minimum of the range.

The department head or elected official shall take into consideration the internal comparison of salaries, available budget, and availability of applicants, market conditions or a combination of these. With prior approval of the Commissioners, a department head or elected official may hire up to the maximum of the range.

Upon satisfactory completion of probation an elected official or department head may request in writing to BOCC approval to compensate above the minimum of the range. **This is generally a 5% increase after initial probation not promotions.**

Temporary Compensation for out-of-class pay. Upon County Commissioners approval, if an employee is temporarily required to serve in and accept the responsibility for work in a position of a higher salary range for more than ten (10) working days, the employee may receive the entrance rate of the class assigned or five percent above the employee's current salary rate, whichever is higher. The higher rate starts on the first day of the assignment. Holidays and leave time will be paid at the higher rate for the duration of the assignment. The compensation period for a temporary assignment may not exceed ninety (90) days unless the Commissioners approve an extension.

Rate of pay for additional duties. Additional duties may result from vastly increased supervisory or administrative duties, duties not normally assigned to the position's classification but as such do not warrant reclassification, reorganization of internal functions, or departmental personnel cutback. Criteria used to evaluate pay for additional duties include compensation of extra work through overtime pay or compensatory time increase, available time before new duties, and the level of difficulty of new duties. The department head or elected official may request an increase in salary not to exceed the maximum of the range. The County Commissioners must approve all additional duties compensation adjustments. The general guideline rate of pay for additional duties is a 5% increase. Pay adjustments for qualifying additional duties may be temporary or permanent depending upon the duration of assignment. Holidays and leave time will be paid at the higher rate for the duration of temporary additional duty pay.

Budget parameters, the County's long-term ability to fund compensation and consistency throughout departments will be evaluated before approving salary adjustments.

It is the intent of Yellowstone County Board of County Commissioners to hold personnel costs at a fixed percentage of the budget. Department heads and elected officials are encouraged to consider efficiencies such as the increased use of technology as appropriate and position consolidation when vacancies occur. The long-term ability to fund and adequately compensate existing employees will be thoroughly reviewed prior to approving personnel actions and additional FTE.

Call Back

Non-Union hourly employees who are called back to work by management, not as an extension of the work shift, shall be paid for a minimum of two (2) hours at a premium rate of one and one-half times (1 1/2) their regular rate of pay. Each hour after two (2) hours shall also be paid the (1 1/2) one and one-half premium call back rate.

An example would be an hourly I.T. employee called back at night after their shift to fix a computer problem. Call-back pay is an additional payment an employer makes to an employee who is called back to work after their regular shift or off-duty hours. It's essentially a

guaranteed minimum pay for the inconvenience of being called in to work outside of their usual schedule.

NON-EXEMPT (Eligible for overtime) POSITIONS: **See Classification Specification**

- A. Department Heads and Elected Officials may, at their discretion allow some or all of their employees who are eligible for overtime to accrue and use FLSA compensatory time in lieu of cash overtime compensation. Where a Department Head or Elected Official chooses to allow the accrual of FLSA compensatory time, they must follow all of the provisions of 29 CFR Part 553, Application of the Fair Labor Standards Act to Employees of State and Local Governments. Department Heads and Elected Officials may rescind in writing allowing compensatory time at any time with a copy to the Payroll Office and County Auditor.
 - 1) The employee must agree in writing, in advance, to accept FLSA compensatory time in lieu of overtime pay, and must indicate his/her preference for FLSA compensatory time on a Yellowstone County Overtime/FLSA Compensation Time Selection form. An employee may change his/her overtime/compensatory time preference designation no more than once per fiscal year **in June**.
 - 2) In cases where an employee is represented by a labor union, the collective bargaining agreement must contain a provision that allows FLSA compensatory time in lieu of overtime pay.
 - 3) The employee must receive cash compensation, at the employee's current rate of pay, for any unused FLSA compensatory time when employment with the County is terminated.
- B. FLSA compensatory time accrues at a rate of one- and one-half hours for each hour a non-exempt employee works in excess of forty (40) hours in a workweek. Accrued time may be taken as approved paid time off **later at a later date** or cashed out in accordance with this policy and federal regulation.
- C. In addition to the provisions of the FLSA and its regulations, the County shall do the following when administering FLSA compensatory time:
 - 1) **Effective July 1 2007** Hours worked shall constitute time worked when computing overtime. ~~Vacation leave~~, Sick leave, Holidays and compensatory time taken is not counted toward the calculation of overtime. **Vacation hours are counted as hours worked.** Non-Union, FLSA covered employees required to work on a holiday shall be compensated at one and one-half times the hourly rate for the hours worked on the holiday plus the eight (8) hour holiday at straight rate.
 - 2) Require prior approval from the appropriate authority for a covered employee to work hours, which may result in the accrual of FLSA compensatory time.
 - 3) Establish a maximum limit of forty (40) hours of accrued FLSA compensatory time per eligible employee. Overtime hours worked by an employee that cause

the employee to exceed this limit must be compensated in the form of cash payment.

- 4) Require employees to report overtime hours worked on the time and attendance form reflecting the pay period in which the overtime hours were worked, so that the additional hours may be accrued as FLSA compensatory time.
 - 5) Record overtime in no smaller than 1/4-hour increments. The fractional increment may be rounded, provided that over a period of time, this practice does not result in the failure to compensate the employee for the entire time actually worked.
 - 6) Require employees to take FLSA compensatory time off in no less than 1/2-hour increments and report FLSA compensatory time used on a time and attendance form.
 - 7) Cash out unused FLSA compensatory time when a covered employee transfers from one County department to another.
 - 8) At the request of the employee, pay the cash equivalent, at the employee's current hourly rate, for all or any portion of the covered employee's accrued FLSA compensatory time balance.
- D. In order to maintain control over staffing and operational expenses, Department Heads and Elected Officials shall retain the discretion to:
- 1) Establish a lower maximum compensatory time accrual amount for a department than provided under this policy. This must be in writing with a copy to the Payroll Office and Auditors Office.
 - 2) At any time, pay the cash equivalent for all or any portion of a covered employee's accrued FLSA compensatory time balance; and/or
 - 3) Require an employee to take accrued FLSA compensatory time off during any workweek.

EXEMPT (Not eligible for overtime) POSITIONS: See Classification Specification

- A. State and federal law does not require the County to make the accrual or use of compensatory time available to exempt employees. Nothing in this policy guarantees that an exempt employee will be allowed to work hours that result in the accrual or use of compensatory time. In consideration of official duties performed by the employee outside a normal 40-hour workweek, a FLSA exempt employee with prior authorization from the appropriate supervisor or elected official may adjust his/her work schedule.
- B. Only those salaried positions, which meet all the requirements of the exemptions under the FLSA, shall be considered Exempt Positions by Yellowstone County.
- C. Employees who are exempt from the overtime provisions shall be suspended without pay as outlined in federal and state law Employees who are exempt from the

overtime provisions of the FLSA shall not be suspended without pay as a disciplinary action for less than one workweek, unless the suspension is for a major safety violation, in compliance with 29 CFR 541.118a5.

- D. The county may permissively deduct partial day benefits from exempt employees without losing their status as "exempt." However, if all benefits have been exhausted, the county may not deduct salary of the exempt employee for a partial day worked.

Classification Process Guidelines

Department Heads and Elected Officials must strive to ensure that the duties and responsibilities of employees under their supervision are consistent with those contained in the class specification. An accurate classification specification objective (also referred to as a job description) is to describe approximately 70% to 80% of the primary duties, tasks and accountabilities of the employee's job.

- Permanent changes of responsibilities impacting a budgeted position, which may reasonably require reclassification of the position or establishment of a new classification should be submitted as part of the annual budget process or during the mid year budget review for Board of County Commissioner (BOCC) action to approve or deny the requested potential change(s).
- If necessary, change in the responsibilities for a position may be submitted outside the budget process only if there is a demonstrated immediate need; however requested changes must be submitted to the BOCC for approval prior to assigning new duties and responsibilities that may change the classification of the position.

It is critical that management follow the process of review prior to reassignment of duties that may lead to reclassification of a position. Each January 1 through January 31 an employee ~~whether non-union or union (also refer to the collective bargaining agreement)~~ may begin a request for reclassification (not re-pointing job worth), when in the employee's opinion there has been a significant change in the major duties, tasks or accountabilities of the work assignments that is better represented by another current classification specification. The Board of County Commissioners reserves the right to accept a reclassification request outside of the January parameters ~~or to deny a reclassification request submitted in January.~~

Classification - The development of a generic description of the major duties/tasks, skills and abilities and qualification required for a position or series of positions, which are associated with a job family. The focus of classification/reclassification should be on whether the Class Spec to which an incumbent is assigned is an accurate description of approximately 70%-80% of the major duties/tasks and accountabilities of that employee's job. The classification specification or job description does not determine the specific duties or responsibilities of any position. Nor does a classification specification or job description limit or modify the discretion of the Board of County Commissioners, elected official or department head to assign, direct and control the assignments or work of employees under his/her supervision within the benchmarks of the classification.

Reclassification – A reassignment or change in allocation of an individual position by raising it to an existing higher classification, reducing it to an existing lower classification, or moving it to another existing classification at the same level based on the basis of significant changes in kind, difficulty or responsibility of the work performed.

Pricing (or re-pointing) is the determination of the relative worth of a position using the Hay Method of Job Evaluation, both compared to others within the organization and to the external market.

A Justification for Reclassification (Addendum C) must be completed by the employee or Elected Official/Dept. Head requesting a review of their position classification which includes where the anticipated new duties or reassigned duties came from, program efficiencies to be gained by the reclassification, why working within the current class is not a viable option, and the extent to which reclassification of the position will change the current staffing configuration. The Justification for Reclassification will be reviewed by the HR Director or designee and routed to BOCC for approval or denial to continue the review process.

If the Justification for Reclassification is approved the employee and employee's supervisor will complete a Position Description Questionnaire. The HR Director or designee may conduct a desk audit. The Justification for Reclassification and Position Description Questionnaire forms are on the Yellowstone County, HR intranet.

The HAY Classification Committee will evaluate new positions requiring the establishment of a grade level. The Finance Director must review all new positions regarding the fiscal impact. The Human Resources Department shall forward the classification of new positions to the Board of County Commissioners.

The Board of County Commissioners may accept and approve a reclassification recommendation in its entirety, accept any portion of the recommendation, instruct Human Resources to conduct further investigation and or modify the recommendation or reject the recommendation in its entirety.

Passed and adopted by the Board of County Commissioners of Yellowstone County, MT this the ____ day of _____ 2025. This policy shall be effective upon adoption date. The Board of County Commissioners reserves the right to modify, amend or alter the policy as needed.

ATTEST:

Jeff Martin
Clerk and Recorder

Mark Morse, Chairman

John Ostlund, Member

Mike Water, Member