

**Classified Personnel - Definition of**

The term "classified personnel" is defined for the purpose of this Board policy as those employees of the \_\_\_Public School whose positions of employment do not require professional certification under the provisions of Montana School Law, but who are employed for hourly work. Classified positions of employment shall include but are not limited to secretaries, bus drivers, bookkeepers, classroom instructional/library aides, custodians (other than those with stationary engineer's license) and any position that does not require certification or licensure under Montana School Law, and which is otherwise non-exempt under the Fair Labor Standards Act. When an employee is retained in both a classified and certified position during the course of a year, the provisions of the classified personnel policies shall apply to the employee's performance of duties in the classified employee's position.

All employees retained in a classified position (classified employee), shall be defined as "classified personnel" for the purpose of these Board policies.

The Board of Trustees will assure that "Classified" policy will provide for an impartial treatment of all employees, consistent with good personnel practices. All rules and regulations, Board policies and administrative procedures shall be available to employees in the school.

Classified personnel will be categorized on the basis of the conditions of the employment agreement. These categories are:

1. Full time/full year: 40 hours per week/52 weeks per year.
2. Full-time/part year: 40 hours per week but less than twelve months.
3. Part time: Normally works less than full time as defined by Montana law.
4. Temporary (as needed): Employed on any basis but duration of employment is indefinite. Generally paid on an hourly rate basis; being "on-call."
5. Seasonal, short term and temporary: As needed as defined by law.

A job or position description shall be developed for all ongoing regular positions filled by a classified employee.

**Classified Employment and Assignment**

Each permanent classified employee shall receive a contract of employment signed by the Chair of the Board of Trustees and thereafter shall receive a Change of Status Form for any substantial and significant changes in employment conditions affecting the employee's hours, assignment, or wages.

The employment of classified staff shall be on an at-will basis commencing from the first day of work.

Legal Reference: § 2-18-101, 601, MCA Definition of employees  
 § 39-2-503, MCA Termination at will  
Bowden v. The Anaconda Co. 38 St. Rep. 1974 (D.C. Mont. 1981).  
Scott v. Eagle Watch Inv., Inc., 251 Mont. 191, 828 P2d 1346 (1991)  
Prout v. Sears, Roebuck & Co., 236 Mont. 152, 722 P2d 288 (1989).

**Policy History:**

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