

SENATE BILL NO. 128

INTRODUCED BY J. COHENOUR

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LONGEVITY LAWS FOR STATE EMPLOYEES; REMOVING THE REQUIREMENT OF CONTINUOUS EMPLOYMENT FOR STATE EMPLOYEES TO RECEIVE LONGEVITY PAY; PROVIDING THAT EMPLOYMENT AS A STUDENT INTERN DOES NOT APPLY TOWARD THE CALCULATION OF YEARS OF STATE SERVICE; AMENDING SECTION 2-18-304, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-18-304, MCA, is amended to read:

"2-18-304. Longevity allowance. (1) (a) In addition to the compensation provided for in 2-18-303, each employee who has completed 5 years of ~~uninterrupted~~ state service must receive ~~1.5%~~ 2% of the employee's base salary multiplied by the number of completed, ~~contiguous~~ 5-year periods of ~~uninterrupted~~ state service.

(b) In addition to the longevity allowance provided under subsection (1)(a), each employee who has completed 10 years of ~~uninterrupted~~ state service, 15 years of ~~uninterrupted~~ state service, or 20 years of ~~uninterrupted~~ state service must receive an additional ~~0.5%~~ 1% of the employee's base salary for each of those additional 5 years of ~~uninterrupted~~ service.

~~(c) Service to the state is not interrupted by authorized leaves of absence.~~

(2) (a) For the purpose of determining years of service under this section, an employee must be credited with 1 year of service for each period of:

(i) 2,080 hours of service following the employee's date of employment; an employee must be credited with 80 hours of service for each biweekly pay period in which the employee is in a pay status or on an authorized leave of absence without pay, regardless of the number of hours of service in the pay period; or

(ii) 12 ~~uninterrupted~~ calendar months following the employee's date of employment in which the employee was in a pay status or on an authorized leave of absence without pay, regardless of the number of hours of service in any month. An employee of a school at a state institution or the university system must be credited with 1 year of service if the employee is employed for an entire academic year.

(b) For calculating years of state service rendered prior to July 1, 2019, service must be continuous and

1 uninterrupted except as provided under subsection (2)(c). A break in service occurring on or after July 1, 2019,
2 does not reset the calculation of state service for an employee.

3 (c) State service is not interrupted by an authorized leave of absence.

4 ~~(b)~~(d) State agencies, other than the university system and a school at a state institution, shall use the
5 method provided in subsection (2)(a)(i) to calculate years of service under this section.

6 (3) For the purposes of calculating longevity, employment as a short-term worker or a student intern does
7 not apply toward years of service."

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9 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2019.

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11 NEW SECTION. Section 3. Applicability. [This act] applies to breaks in state service occurring on or
12 after July 1, 2019.

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