

HOUSE BILL NO. 261

INTRODUCED BY M. LANGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE USE OF A PERSON'S PREVIOUS SALARY OR WAGE AS A FACTOR IN STATE AND LOCAL GOVERNMENT EMPLOYMENT DECISIONS; AND AMENDING SECTION 49-3-201, MCA."

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

Section 1. Section 49-3-201, MCA, is amended to read:

"49-3-201. Employment of state and local government personnel. (1) State and local government officials and supervisory personnel shall recruit, appoint, assign, train, evaluate, and promote personnel on the basis of merit and qualifications without regard to race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin, or previous salary or wage earned.

(2) All state and local governmental agencies shall:

(a) promulgate written directives to carry out this policy and to guarantee equal employment opportunities at all levels of state and local government;

(b) regularly review their personnel practices to ~~assure~~ ensure compliance; and

(c) conduct continuing orientation and training programs with emphasis on human relations and fair employment practices.

(3) The department of administration shall ensure that the entire examination process, including appraisal of qualifications, is free from bias.

(4) Appointing authorities shall exercise care to ensure utilization of minority group persons.

(5) Compliance with 2-2-302 and 2-2-303, which prohibit nepotism in public agencies, may not be construed as a violation of this section.

(6) To implement the prohibition of discrimination on the basis of a person's previous salary or wage earned, the state and political subdivisions of the state may not, as part of a recruitment or hiring process, ask a person or the person's current or previous employer the amount currently or previously paid to the person as salary or wages."

- END -

