

CLASSIFIED PERSONNEL HANDBOOK

HYSHAM PUBLIC SCHOOLS

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TABLE OF CONTENTS

DEFINITION OF NON-CERTIFIED/CLASSIFIED.....	3
CLASSIFIED PERSONNEL PHILOSOPHY.....	3
HOLIDAYS FOR CLASSIFIED PERSONNEL 20-1-305, 20-1-307.....	3
WORKING DURING HOLIDAYS.....	4
HOLIDAYS FALLING DURING ANNUAL LEAVE.....	4
RETIREMENT PLANS 19-3-101, 19-3-412.....	4
VACATION LEAVE 2-18-611.....	4
RATE EARNED 2-18-612.....	5
ACCUMULATION OF LEAVE 2-18-617.....	5
PART-TIME EMPLOYEES.....	5
VACATION PAID OFF YEARLY.....	5
JURY DUTY 2-18-619.....	6
TERMINATION OF EMPLOYMENT.....	6
WORK SCHEDULE.....	6
SUPERVISION.....	7
SICK LEAVE.....	7
DRESS AND APPEARANCE.....	7
SCHOOL DISTRICT PROPERTY.....	8
FIRE PREVENTION.....	8
SECURITY.....	8
PAYDAY.....	8
TIME CLOCK.....	9
DRUG-FREE WORKPLACE POLICY.....	10
TOBACCO FREE WORKING AREAS.....	10
TELEPHONE.....	11
CHILD ABUSE AND/OR NEGLECT.....	11
SEXUAL HARASSMENT.....	12

DEFINITION OF NON-CERTIFIED/CLASSIFIED

The term non-certified/classified personnel is defined for the purposes of these board policies as those employees that hold positions in the areas of transportation, office, custodial, kitchen, teacher's aide, and part-time or seasonal employment. These employees do not require professional certification under the provisions of Montana School Law. The salary and benefits for these positions shall be set by the Board of Trustees.

The Board of Trustees retains the right to adjust the wage of any person employed in any non-certified/classified position after successful completion of the trial employment period.

For the purposes of this policy, employees known as non-certified/classified will be referred to as classified personnel.

CLASSIFIED PERSONNEL PHILOSOPHY

The Board looks upon the non-instructional operations of the school as essential to their central function, which is education. School business and support operations will be designed to support a good educational program.

The following areas are recognized as non-instructional with regard to normal school operation. Teacher's aides, although directly involved in instruction, are also covered under this section.

- Maintenance Supervisors
- Custodial Staff
- Kitchen Staff
- Secretaries/Administrative Assistants
- Teacher's Aides
- Clerks and Bookkeepers
- Other

HOLIDAYS FOR CLASSIFIED PERSONNEL 20-1-305, 20-1-307

The following days that occur on a regular classified personnel work day will be paid holidays for employees. Part time personnel shall be eligible for those paid holidays occurring during their tenure of employment on a prorated basis. Temporary/seasonal personnel will not be paid for these holidays.

School personnel are entitled to the following holidays:

- New Year's Day, January 1
- Memorial Day, last Monday in May
- Independence Day, July 4
- Labor Day, first Monday in September
- Thanksgiving Day, fourth Thursday in November
- Christmas Day, December 25
- State and national election days when the school building is used as a polling place and holding school would interfere with the election process at the polling place

If these holidays fall on a Saturday or Sunday, the preceding Friday or following Monday are NOT holidays.

WORKING DURING HOLIDAYS

The Attorney General has ruled that the law doesn't forbid the public employer involved from requiring employees to work on holidays or substitute holidays. However, if an employee is required to work on a holiday, he/she must either be compensated for the lost holiday or given an opportunity to receive a paid day off.

HOLIDAYS FALLING DURING ANNUAL LEAVE

It has also been ruled by the Attorney General that if a holiday falls during an employee's annual leave, that day must be counted as a holiday, and not as annual leave.

RETIREMENT PLANS 19-3-101, 19-3-412

All employees who meet the requirements for membership in the classified service are required to become members of the federal social security and state public employee retirement programs. Membership in the public employee retirement program may be waived if the employee is a member of the state teacher retirement program.

Membership in and deductions for these retirement plans are mandatory and become effective immediately upon commencement of employment. Part-time employees serving in employment that does not exceed the equivalent of 120 working days (120 day x 8 hrs = 960 hrs) in any fiscal year, is not required to participate in the public employee retirement system.

VACATION LEAVE 2-18-611

Each permanent full-time employee shall earn annual vacation leave credits from the first day of employment. For calculating vacation leave credits, 2080 hours (52 weeks x 40 hours) shall equal 1 year. Vacation leave credits earned shall be credited at the end of each pay period. However, employees are not entitled to any vacation leave with pay until they have been continuously employed for a period of 6 calendar months.

Seasonal employees shall earn vacation credits. However, such persons must be employed 6 qualifying months before they may use the vacation credits. In order to qualify, such employees must immediately report back for work when operations resume in order to avoid a break in service.

Permanent part-time employees are entitled to prorated annual vacation benefits if they have worked the qualifying period. An employee may not accrue annual vacation leave credits while in a leave-without-pay status.

Temporary employees do not earn vacation leave credits, except that a temporary employee who is subsequently hired into a permanent position within the same jurisdiction without a break in service and temporary employees who are employed continuously longer than 6 months may count as earned leave credits for the immediate term of temporary employment.

RATE EARNED 2-18-612

Vacation leave credits are earned at a yearly rate calculated in accordance with the following schedule, which applies to the total years of an employee-s employment with any agency whether the employment is continuous or not:

<u>Completed years of employment</u>	<u>Days</u>	<u>Hours/Day</u>	<u>Max Hours</u>
Less than 10 years	15	8	120
10-15 years (10-14)	18	8	144
15-20 years (15-19)	21	8	168
20 years on	24	8	192

Rate earned based on 2080 hours equaling 1 year of service

120/2080 .057692 x hours worked = hours earned

144/2080 .069231 x hours worked = hours earned

168/2080 .080769 x hours worked = hours earned

192/2080 .092308 x hours worked = hours earned

ACCUMULATION OF LEAVE 2-18-617

Annual vacation leave may be accumulated to a total not to exceed two times that maximum number of days earned annually as of the end of the first pay period of the next calendar year. Excess vacation time is not forfeited if taken within 90 calendar days from the last day of the calendar year in which the excess was accrued.

An employee who terminated his/her employment for reasons not reflecting discredit on himself/herself shall be entitled upon the date of such termination to cash compensation for unused vacation leave, assuming that the employee has worked the qualifying period set forth in 2-18-611.

However, if an employee transfers between agencies of the same jurisdiction, there shall be no cash compensation paid for unused vacation leave. In such a transfer the receiving agency assumes the liability for the accrued vacation credits transferred with the employee.

PART-TIME EMPLOYEES

Three hours/day (3/8)

1.25 days per month x 9 months = 11.25 days/year

11.25 x 37.5% = 4.21 days x 8 hours = 33.75 hours

Six hours/day (3/4)

1.25 days per month x 12 months = 15 days/year

15 x 75% = 11.25 days x 8 hours = 90 hours

VACATION PAID OFF YEARLY

All employees who are NOT year-round employees (work 12 months) will be paid off each year for their unused vacation hours.

JURY DUTY 2-18-619

Each employee who is under proper summons as a juror shall collect all fees and allowances payable as a result of the service and forward the fees to the appropriate accounting office. However, if an employee elects to charge his juror time off against his annual leave, he shall not be required to remit his/her juror fees to his employer. In no instance is an employee required to remit to his/her employer any expense or mileage allowance paid him/her by the court.

An employee subpoenaed to serve as a witness shall collect all fees and allowances payable as a result of the service and forward the fees to the appropriate accounting office. Witness fees shall be applied against the amount due the employee from his/her employer. However, if an employee elects to charge his witness time off against his annual leave, he shall not be required to remit his witness fees to his/her employer. In no instance is an employee required to remit to his/her employer any expense or mileage allowances paid him/her by the court.

Employers may request the court excuse their employees from jury duty if they are needed for the proper operation of a unit of state or local government.

TERMINATION OF EMPLOYMENT

An employee who terminates employment with the agency is entitled to a lump sum payment equal to one-fourth of the pay attributed to the accumulated sick leave. The pay attributed to the accumulated sick leave shall be computed on the basis of the employee's salary or wage at the time he/she terminated his/her employment with the state, county, or city. Accrual of sick leave credits for calculating the lumpsum payment, therefore, shall be the responsibility of the agency wherein the sick leave rights or benefits he/she had accrued prior to July 1, 1971. However, where an employee transfers between agencies within the same jurisdiction, he/she shall not be entitled to a lump sum payment. In such a transfer, the receiving agency shall assume the liability for the accrued sick leave credits earned after July 1, 1971, and transferred with the employee.

An employee who receives a lump sum payment pursuant to this section and who is again employed by any agency shall not be credited with any sick leave for which the employee has previously been compensated.

Abuse of sick leave is cause for dismissal and forfeiture of the lump sum payments provided for in this section.

2-18-615—Absence from employment by reason of illness shall not be chargeable against unused vacation leave credits unless approved by the employee.

WORK SCHEDULE

The work schedule of classified employees will be determined by the needs of School District #1. Work schedules may be altered at the discretion of the Superintendent.

Number of work days and hours may be specified in the contract and may vary among employees according to necessity.

SUPERVISION

The general supervision of classified personnel shall be the duty of the Superintendent. Under the direction of the Superintendent, work supervision may be delegated to appropriate supervisors.

SICK LEAVE

Sick leave with pay shall be allowed whenever an employee's absence is found to have been due to illness of employee or a member of his/her immediate family, which prevents his/her attendance on the job and performance of duties on that day(s). Immediate family is defined as the employee's spouse, child or foster child, parent, mother-in-law, father-in-law, or as agreed between the employee and superintendent of his/her designee.

Employees are entitled to sick leave with pay after they have been continuously employed for 90 days. Sick leave is earned, however, from the first full pay period. Sick leave is earned at the rate of .046 hours sick leave per hour of service. There is no restriction as to the maximum number of days of sick leave that can be accumulated.

From time to time, the School District may require a doctor's or dentist's statement setting forth the fact that the employee and/or other individual(s) is/was ill or had a doctor's or dentist's appointment and/or the expected date of recovery. The School District does not establish any precedent and/or practice by requesting or not requesting a doctor's or dentist's statement.

When an employee suffers any accident or injury on the job, he/she should report this immediately to his/her Superintendent. Employees of this District are eligible for benefits under the Workman's Compensation and Industrial Accident Compensation. A form, available from the Clerk, must be used to report all accidents.

Each permanent full-time employee shall earn sick leave credits from the first day of employment. For calculating sick leave credits, 2080 hours (52 weeks x 40 hours) shall equal 1 year. Sick leave credits shall be earned at the rate of 12 working days that may be accumulated. Employees are not entitled to be paid sick leave until they have been continuously employed 90 days. ($96 \text{ hours per year} / 2080 = .046154 \times \text{hours worked} = \text{hours earned}$). An employee may not accrue sick leave credits while in a leave-without-pay status. (2-18-618)

Permanent part-time employees are entitled to prorated leave benefits if they have worked the qualifying period.

Full-time temporary and seasonal employees are entitled to sick leave benefits provided they work the qualifying period.

DRESS AND APPEARANCE

Clean and appropriate dress and appearance are expected of all employees. Such dress and appearance will be appropriate for the proper conduct of his/her particular job.

With the exception of maintenance, bus drivers, and kitchen workers, employees are expected to wear business casual attire, unless a specific task requires them to change into

different attire for that task. Employees are expected to be well-groomed and wear clean clothes without holes or tears. Employees should wear clothes suitable for the work environment. Clothes that are overly revealing, offensive, or inappropriate are not allowed.

Jeans may be worn only on the last day of the week.

No employee/staff member will wear earbuds or similar devices, while clocked in, between the hours of 8:00-4:00.

SCHOOL DISTRICT PROPERTY

All school district property (supplies and equipment) used by classified employees shall be requisitioned, used, and maintained according to administrative regulations. Personal use of district equipment is only authorized by the Superintendent or designee. Damage to school property must be reported to the employee's work supervisor immediately.

Under no circumstances will a classified employee give possession of the key(s) issued to him/her for school property to another party. District employees will be responsible for their keys.

FIRE PREVENTION

Custodians and maintenance persons will familiarize themselves with the maintenance and use fire extinguishers. They will also familiarize themselves with the procedure for reporting fires and immediate action after reporting the fire.

Custodians and maintenance persons shall know the location of the utility turnoffs in the building and how to operate these turnoffs. Before any utility service is restored, a complete safety check will be made of all equipment using the services of such utility.

SECURITY

The Board of Trustees and employees of School District #1 will not be responsible for moneys or personal valuables deposited in school lockers, desks or other accessible areas within the school.

PAYDAY

The pay day of classified personnel shall be the 20th of each month.

TIME CLOCK

Who uses the time clock?

The time clock is located in the main office and all classified personnel will use it.

When should you punch in?

You should punch in when you are ready to go to work. Employees are asked to remove their personal belongings before they punch in.

Do you get any breaks?

Rest periods of short duration, running from five to about 20 minutes, are common in industry. They promote the efficiency of the employees and are customarily paid for as working time.

Montana law does not require places of employment to give rest periods. At Hysham School, we will give an employee fifteen minutes twice a day providing an employee is at a job that time can be taken. Employees who are supervising students or a job that requires their attention will not be able to have a rest period.

Do you punch out for lunch?

Any employee who is relieved from their duty 20 minutes or more for the purpose of eating meals will check out.

These twenty minutes is the time from which you leave your duty until you return to your duty after eating. An employee is not relieved if he/she is required to perform any duties, whether active or inactive, while eating.

Hysham School employees who would not be relieved of duties while eating would be cooks, secretary and maybe some others if assigned supervision duties.

What hours should you work?

Some employee contracts state how many hours per week and what hours per day you are to work. If your contract states 40 hours per week or 2080 hours per year, this would mean five 8 hour working days unless permission is granted from the Superintendent to vary this schedule. Communicate with your Superintendent on any hour changes.

Any hours over 40 hours per week have to be approved by the Superintendent in advance. Our week period is from 12:01 a.m. Monday to 12 Midnight Sunday. Employees who voluntarily come in before their regular starting time or remain after their closing time, do not have to be paid for such periods if not approved or they do not engage in any work.

The work schedule of a classified employee will be determined by the needs of Hysham Public School. Work schedules may be altered at the discretion of the Superintendent.

How do I get paid for overtime hours?

Employees that have pre-approved overtime hours will not receive payment but compensation hours. For every overtime hour, it is calculated into 1 ½ compensation hours. Overtime hours have to be approved by the Superintendent in advance.

Who figures the hours/minutes worked on time cards?

It is the responsibility of the Clerk to review and determine the exact hours employees work. An employee can pencil in hours/minutes worked and the clerk will check your figures. The employee has a duty to monitor his work time per employment contract.

How are minutes figured?

6 minutes = .10	24 minutes = .40	45 minutes = .75 (3/4)
12 minutes = .20	30 minutes = .50 (1/2)	48 minutes = .80
15 minutes = .25 (1/4)	36 minutes = .60	54 minutes = .90
18 minutes = .30	42 minutes = .70	60 minutes = 1.0 hour

DRUG-FREE WORKPLACE POLICY

No employee engaged in work in connection with a federal grant shall unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined by regulation at 21 DFR 1200.11 through 1300.15.

“Workplace” is defined to mean the site for the performance of work done in connection with a federal grant. That includes any school building or any school premise; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district where work on a federal grant is performed.

As a condition of employment in any federal grant, each employee who is engaged in performance of a federal grant, shall notify his or her supervisor of his or her conviction of any criminal drug statute for a violation occurring in the workplace as defined above. Such notification shall be provided no later than five days after such conviction.

As a condition of employment in any federal grant, each employee who is engaged in performance of a federal grant, shall abide by the terms of the school district policy respecting a drug-free workplace.

An employee who violates the terms of this policy may be non-renewed of his or her employment, suspended, or terminated at the discretion of the board.

Sanctions against employees, including nonrenewal, suspension and termination shall be in accordance with prescribed district administrative regulations and procedures.

TOBACCO FREE WORKING AREAS

In the interest of having healthy employees and positive health models for students, Hysham Public Schools do not allow tobacco use, smoking, or vaping on any school grounds, by any employee.

TELEPHONE

All staff members should refrain from personal phone use during work hours except in case of emergency. Employees should not wear earbuds or other devices, while clocked in, during the hours of 8:00-4:00.

CHILD ABUSE AND/OR NEGLECT

Recognizing the potential harmful effects of child abuse and neglect, Hysham public Schools hereby support those sections within the Montana Code Annotated which are concerned with the reporting of suspected cases of child abuse and neglect and requires compliance of this law by all school employees who work during regular school hours. Legal Ref. MCA 41-3-201

Any school employee who fails to report known or suspected cases of child abuse or neglect, or who prevents another person from reasonably doing so are civilly liable for the damages proximately caused by such failure or prevention in accordance with Montana Law. MCA 41-3-207

Any “abused or neglected child” is a child whose normal physical or mental health or welfare is harmed or threatened with harm by the acts or omissions of his/her parent or other persons responsible for his/her welfare.

“Harm to a child’s health or welfare” means the harm that occurs whenever the parent or other person responsible for the child’s welfare: (a) inflicts or allows to be inflicted upon the child’s physical or mental injury, (b) commits or allows to be committed a sexual assault against the child or exploits the child or allows the child to be exploited for sexual purposes; (c) causes failure to thrive or otherwise fails to supply the child with adequate food or fails to supply clothing, shelter, education, or health care, though financially able to do so; or (d) abandons the child by leaving him/her under circumstances that make reasonable the belief that the parent or other person does not intend to resume care of the child in the future.

This law provides for all records concerning reporting of child abuse or neglect to be confidential and immunity from any liability, civil or criminal, that might otherwise be incurred or imposed, unless the person acted in bad faith or with malicious purpose. MCA 41-2-203

When a teacher, school official, or other employee who works during regular school hours suspects child abuse or neglect, that person should immediately notify social services.

Legal Ref: MCA as cited above; also see MCA Title 41, Minors, Chapter 3, Child Abuse, Neglect, and Dependency

SEXUAL HARASSMENT

The Hysham Public School District is committed to a positive and productive working and learning environment free of discrimination. Discrimination adversely affects morale and interferes with employee and student ability to work and learn. The District prohibits sexual harassment or intimidation of its employees or students, whether committed by a co-worker, supervisor, subordinate, contractor, substitute, volunteer, or student, and finds such behavior just cause for disciplinary action. Whereas sexual harassment substantially comprises the attainment of educational excellence, the District will not tolerate such behavior between members of the same or opposite sex.

Furthermore, the District prohibits retaliation against any employee or student because he/she has made a report of alleged sexual harassment, or against any employee or student who has testified, and state regulation prohibiting discrimination and will lead to disciplinary action against the offender. This policy applies to individuals attending any events on District property, whether or not District-sponsored and to any school-sponsored events regardless of location.

Inquiries of complaints should be directed to Ms. Glenda Skillen, Title IX/Section 504 Coordinator.