



ADMINISTRATIVE RULES OF MONTANA



24.26.102 BOARD MEETINGS, QUORUM

- (1) The Board of Personnel Appeals shall meet upon the call of the presiding officer or at the written request of at least three members. The board shall meet at a time and place designated by the presiding officer or members calling the meeting.
- (2) For the purpose of these rules, the term "representative quorum" means at least one of the appointed management board members, one of the appointed labor union or association members, and the presiding officer or the presiding officer's substitute.
 - (a) A representative quorum is required to do substantive business, including adopt any resolution, motion, or other decision that is not purely procedural.
 - (b) A favorable vote of the representative quorum is sufficient to adopt any resolution, motion, or other decision that is not purely procedural.
 - (c) All board members shall serve as impartial decision makers and are not appointed to serve the organizations they represent.
- (3) A single board member may issue a purely procedural order in a proceeding before the board. For example, a single board member may sign an order regarding a briefing schedule, or an order extending the time in which a party may file a brief.
- (4) Unless otherwise provided by statute and not subject to modification, upon a showing of good cause the board may suspend, waive, or modify these rules to expedite decision, to prevent manifest prejudice to a party, to assure fair proceedings, or to afford substantial justice.

Authorizing statute(s): 2-4-201, 39-31-104, 39-32-103, MCA

Implementing statute(s): 2-4-201, 2-15-124, 2-15-1705, MCA

History: NEW, 1978 MAR p. 74, Eff. 1/25/78; AMD, 1978 MAR p. 192, Eff. 2/24/78; AMD, 1984 MAR p. 599, Eff. 4/13/84; AMD, 2010 MAR p. 2841, Eff. 12/10/10; AMD, 2020 MAR p. 2422, Eff. 12/25/20.