ADMINISTRATIVE
RULES OF
MONTANA

17.24.1252 RESTRICTIONS ON EMPLOYEE FINANCIAL INTERESTS: GIFTS AND GRATUITIES

(1) Except as provided in (2) of this rule, an employee who performs any function or duty under the Act may not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or any other thing of monetary value, from a coal company that:

(a) conducts or is seeking to conduct operations that are regulated by the department; or

(b) has interests that may be substantially affected by the performance or nonperformance of the employee's official duty.

(2) The prohibitions in (1) do not apply in the context of obvious family or personal relationships, such as those between the parents, children, or spouse of the employee and the employee, whenever the circumstances make it clear that it is those relationships rather than the business of the persons concerned that are the motivating factors. An employee may accept:

(a) food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon, dinner, or other meeting where an employee may properly be in attendance; and

(b) unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars and other items of nominal value.

(3) An employee who violates any of the provisions of this rule is subject to suspension without pay for a single violation and termination for repeated violations in accordance with existing rules on policies for termination and suspension.

Authorizing statute(s): 82-4-205, MCA

Implementing statute(s): 82-4-254, MCA

History: NEW, 1980 MAR p. 725, Eff. 4/1/80; AMD, 1989 MAR p. 30, Eff. 1/13/89; TRANS, from DSL, 1996 MAR p. 3042; AMD, 2024 MAR p. 260, Eff. 2/10/24.