



**STATE OF MONTANA
SECRETARY OF STATE'S OFFICE
JOB PROFILE AND EVALUATION**

SECTION I - Identification

Working Title: Annual Report Specialist

Department: Secretary of State

Class Code Number: 434313

Division: Annual Reports Unit

Class Code Title: License Permit Tech
Pay Band: 3

Section/ Unit:
Work Address:
1301 E. 6th Ave.
Helena, MT 59601

Position Number: 66018

Phone: 444-5522

FLSA Exempt

FLSA Non-Exempt

Profile Completed By: Tana Gormely, Deputy

Work Phone: 444-2896

Work Unit Mission Statement or Functional Description:

The Secretary of State is one of six executive branch officers originally designated by the Montana Constitution of 1889. The duties of the secretary of state include: interpreting state election laws and overseeing elections; maintaining the official records of the executive branch and the acts of the legislature; reviewing, maintaining, and distributing public-interest records of businesses and nonprofit organizations; filing, publishing, and maintaining administrative rules adopted by state departments, boards and agencies; attesting to the governor's signature on executive orders, proclamations, resolutions, extradition papers, and appointments; preserving the state seal; filing and maintaining records of secured financial transactions, such as liens; serving on the state Board of Land Commissioners and the Board of Examiners; and commissioning notaries public. The Secretary of State's Office is divided into five units: Elections, Business Services, Management Services, Administrative Rules and Notary, and Records Management.

The Business Services mission is to serve the business community of Montana and other states and countries by ensuring the accurate and efficient filing, retention, and certification of business documents. The Secretary of State's Office works for and with its customers, continuously striving to improve service. Our office strives to provide responsive and responsible service to our customers with a commitment to continuous improvement, new ideas, and innovative approaches.

Business Services staff discharge the duties of the Secretary of State to provide a central processing and evaluation point for business registrations. The staff reviews, approves, maintains, and distributes records of business and non-profit organizations.

Describe the Job’s Overall Purpose:

Reviews business annual reports to make final determination of compliance with statutory requirements under Title 35, Chapter 1, Part 11; Chapter 2, Part 9 and Chapter 8, Part 2 of the Montana Code Annotated along with administrative regulations set forth in Title 44, Chapter 5 ARM. Reviews and makes final determination resulting in acceptance or rejection of the annual report for domestic and foreign Limited Liability Companies and Profit and Non-Profit Corporations. The filing of the annual report retains the Limited Liability Company and Corporation’s good standing with the Secretary of State’s office and prevents involuntarily dissolution of their company. The rejection of the annual report may result in the business not adhering to their statutory deadline resulting in the involuntarily dissolution of their business. Prepares correspondence to applicant that details incorrect or absent information and provides resolution for correction to the annual report. Position provides verbal guidance to over 115,000 businesses via the telephone and in person regarding annual report procedures to ensure compliance with the above-referenced laws and regulations. Assists on-line users in successfully filing their annual report through a web based application. Assist with resolving issues related to the on-line Annual Report application and monitors the application to ensure timely submission of those annual reports.

Incumbent sorts and mails intent notices, dissolution and revocation notices to businesses that did not successfully file their annual report. Position is responsible for prepping “filed” business documents by placing labels on document then scanning documents into approved image repository. The incumbent is responsible for successfully fulfilling corporate copy work and certificate requests and must have a comprehensive understanding of the types of business to ensure appropriate issuance of certificates. The position assist with backing up the front desk and is responsible for sending out “police” letters to companies transacting business in Montana that have not registered with the Secretary of State’s office. This position reports to a Business Operations Supervisor, and does not supervise other agency personnel.

SECTION II - Major Duties or Responsibilities **% of Time**

A. Annual Reports Compliance & Processing **45%**

Responsible for determining the accuracy and completion of business annual reports based on SOS policies and rules. Ensures annual reports are in compliance with MCA using comprehensive knowledge of Corporation and Limited Liability Company requirements. This duty requires knowledge of Administrative Rule Title 44 Chapter 5 and Title 35, Chapters 2 and 8 of the Montana Code Annotated.

1. Reviews information provided on business annual reports to identify filing type and statutory requirements for compliance with MCA. This involves research and analysis of annual report requirements.
2. Identifies in a timely manner any deficiencies appearing on annual reports and sends a professional and comprehensive letter to the applicant outlining the steps necessary to correct those deficiencies to retain the business’ “good standing” status and prevent involuntary dissolution.
3. Assesses fees for business annual reports meeting all statutory and policy requirements. This requires knowledge of applicable administrative rules and the SOS database used for electronic storage of business filings. Provides priority and expedite assistance including compliance review when urgency is requested by the business. Enters annual report

information into corporate database using knowledge of what data is required and understanding the system functions.

4. Provides guidance and assistance concerning annual reports submitted. Explains to businesses the nature of requirements and the criteria for filing their annual report with the Secretary of State's office.
5. Responds promptly to questions from on-line users in the successful filing of their annual report providing guidance to ensure the business remains in "good standing" and avoids involuntary dissolution.
6. Assists Annual Report Supervisor with language on out-going e-blasts notifying Corporations and Limited Liability Companies to file their required business annual report.

B. Copy Work and Certificate 15%

The incumbent is responsible for fulfilling corporate copy work and certificates requests submitted through a web based application or mailed, faxed and/or hand delivered. Incumbent must have a comprehensive understanding of the location of all business documents along with the different types of business documents and their related statutes to ensure appropriate issuance of certificates and processing copy requests. Registrations, renewals, reinstatements, amendments, dissociations, mergers, cancellations, voluntary or involuntary dissolutions and mergers are only a few of the business documents the incumbent must be familiar enough with to successfully perform their task.

C. Scanning Business Documents 15%

Incumbent is responsible for prepping business documents for conversion into digital format by scanning documents using a high-resolution scanner to create digital images for preservation and access to documents. The incumbent duties and responsibilities consist of the following:

1. Prep business documents by carefully placing "indexing" labels on filed business documents and avoid covering up vital information contained on each document.
2. Scan documents in high-end scanner and verify document is readable, quality of image is good in regards to resolution and shading and all information associated with document has been scanned.
3. Place scanned documents in retention box and label accordingly then deliver box to BSD retention expert for proper archiving and storage.

D. Distribution of Police Letters 10%

Secretary of State's Office receives a list of numerous businesses from Montana State Fund and the Montana Department of Labor that are transacting business in Montana without having registered with our office. The Annual Report Specialist is responsible in updating the "police" letter template specific for each business and sending the letter to that entity regarding the statutory consequences of not registering with our office.

E. Customer Service 10%

Using specialized knowledge of principals and processes related to customer service and provides customer assistance that enables businesses to remain active and in good standing

with SOS so they are authorized to transact business within the state by utilizing the following skillset:

1. Drafts detailed written correspondence that informs business customers of deficiencies found on their annual report that does not satisfy statutory requirements.
2. Provides guidance over the telephone, on-line and in person on how to complete or correct deficiencies on business annual reports.
3. Provides problem resolution over the telephone, on-line and in person on complex issues related to annual reports.

F. Other Duties as Assigned

5%

Performs a variety of other duties as assigned by the supervisor in support of the agency's mission and work unit objectives. This includes exchanging information with agency staff and the public; providing professional assistance; participate on special projects as assigned; participating in ongoing training and educational programs; and performing a variety of other duties as assigned.

Give specific examples of the types of problems solved, decisions made or procedures followed when performing the most frequent duties.

Each Corporation and Limited Liability Company is unique in the manner in which they organize, in the structure of their organization, in the inclusion of officers, directors, members and managers, in the length of time they do business, in the number and value of shares offered, in the type of business they are transacting and in the designations of authority they provide. This position has to maintain a comprehensive knowledge of the annual report laws and apply it to each business annual report submitted. There are over 115,000 active Corporations and Limited Liability Companies on file with the Secretary of State's Office.

With the above in mind, the Annual Report Specialist analyzes each business annual report to determine if the information presented adheres to all statutory requirements. As part of this process, the incumbent is responsible through written communication of advising the customer of any deficiencies they discovered during their analysis of the annual report. The incumbent will provide guidance to the business community on the proper procedures and guidelines for successfully filing an annual report with the Secretary of State's office. The incumbent will work with the BSD Supervisor on potential changes to laws and/or procedures to improve filing efficiencies and the quality of service we provide the business community.

In the course of performing their duties, the Annual Report Specialist:

- A. Explains the annual report statutory requirements to people with very little understanding of business document filing to professional attorneys, business representatives, and CPA's.
- B. Prevents businesses from being involuntarily dissolved for failure to successfully file their annual report which could jeopardize their authority to transact business in Montana.
- C. Advise businesses on necessary steps they must take when their "good standing" is jeopardized for failure to file their annual report.
- D. Provides priority assistance including compliance review when businesses are trying to meet statutory filing requirements and deadlines.

What do you consider the most complicated part of the job?

Reviews State Statutes and determines what information can or cannot be accomplished on business annual reports. Incumbent must be cognizant of office and legal staff interpretations and reviewing, processing large volumes of annual reports under time sensitive deadlines. Dealing with customers whose understanding of business requirements ranges from unsophisticated to very sophisticated and having to interact with sometimes argumentative customers.

What guidelines, manuals or written established procedures are available to the incumbent?

- Titles 35, Montana Code Annotated
- Training guidelines and policies established by the Secretary of State's Office
- Forms
- Internal Legal Memoranda

5. Which of the duties and/or specific tasks listed (above) are considered "essential functions" that must be performed by this position (with or without accommodations)?

- Duty A:** Annual Reports Processing
- Duty B:** Fulfillment of Copy & Certificate Requests
- Duty C:** Scanning Business Documents
- Duty E:** Customer Service

PHYSICAL

- Carry heavy to light items (boxes, papers, books, small parts)
- Remain seated for extended periods of time, with occasional walking; standing; bending
- Operate a personal computer and scanner
- Communicate verbally in person and over the phone

MENTAL

- Deal with the public on a regular basis
- Ability to multi-task
- Demands for accuracy in all aspects of work
- Ability to meet inflexible deadlines
- Computing arithmetic operations
- Comparing data
- Compiling information
- Interpreting
- Coordinating
- Instructing

6. Does this position supervise others? Yes No

Number directly supervised:
Complexity level of the positions supervised:
Position Number(s) of those supervised:

7. This position is responsible for:

- | | | | |
|---|---------------------------------|--------------------------------------|-------------------------------------|
| <input type="checkbox"/> Hiring | <input type="checkbox"/> Firing | <input type="checkbox"/> Supervision | <input type="checkbox"/> Pay Level |
| <input type="checkbox"/> Performance Management | | <input type="checkbox"/> Promotions | <input type="checkbox"/> Discipline |
| <input type="checkbox"/> Other: | | | |

8. Attach an Organizational Chart.

SECTION III - Minimum Qualifications - List minimum requirements for the first day of work.

Critical knowledge and skills required for this position:

Advanced knowledge of applying the principles and processes for providing quality customer service.

Knowledge of a variety of business transactions and the ability to learn and communicate business filing requirements related to annual reports and certificates.

Employee must be proficient on a computer, including typing no fewer than 40 wpm, and have considerable knowledge and experience working with window-based applications, including web-based applications and scanners.

Employee must have ability to be trained in operating and maintaining office equipment.

Employee should have familiarity with how to locate and interpret state and federal statutes, rules, policies and regulations.

Employee must have the ability to effectively communicate relevant and often complex information to business customers.

Employee must have ability to prioritize work and focus on details under strict timelines.

Employee must be able to perform complex procedures and compliance reviews in a very condensed time frame. To perform these duties the employee must be detail oriented, possess a proficiency and desire to resolve issues on their own.

Employee must have ability to relate daily work to a finished product and to foresee problems and develop solutions.

Behaviors required to perform these duties?

- **Verbal Communication:** Keeps appropriate individuals informed. Listens to others respectfully, understands or seeks clarification, and responds appropriately demonstrating tact and diplomacy. Expresses thoughts and ideas clearly. Maintains a positive work atmosphere by behaving and communicating in a manner that promotes cooperation with customers, clients, co-workers and managers.

- **Written Communication:** Writes clearly, logically and effectively using proper style, tone, grammar, spelling and punctuation. Written work products are appropriate to the intended audience
- **Flexible at Work:** Responds positively to changes in direction, priorities, responsibilities, personnel or assignments. Works effectively in a variety of situations and with a variety of individuals or groups. Maintains composure and displays restraint when faced with opposition, stress, or hostility from others.
- **Working with Others:** Relates to others in an open and accepting manner; is approachable. Offers and accepts opinions constructively. Adjusts to how individuals and the work unit will react. Treats others with respect. Constructively resolves disagreements. Is open to others' ideas and gives credit and recognition to others. Strives to create a positive work climate and energizes and inspires others to do their best.
- **Responsive to Work Needs:** Willing to perform different jobs, cross train, or assist wherever needed. Is aware of co-worker workload and responds accordingly.
- **Initiative:** Suggests improvements and new ideas, technologies and approaches to the workflow and Division needs. Willingly applies new and evolving ideas, methods, designs and technologies as changes arise in the office.
- **Efficiency and Focus:** Uses time effectively and prioritizes tasks. Is aware of workload and makes appropriate adjustments to meet deadlines and complete tasks. Handles interruptions or distractions and stays on task. Achieves goals.
- **Accuracy:** Ensures accuracy of work and makes corrections in a timely manner. Is conscientious and monitors own quality of work.
- **Attendance:** Arrives on time for work and demonstrates good attendance record.
- **Organizational Awareness:** Understands and follows the rules, policies and laws that govern work. Identifies key decision-makers; understands and respects the balance of authority. Acts in accordance with the State Ethics policy. Represents self and the office in a professional manner.

Education:

Check the one box indicating minimum education requirements for this position for a new employee the first day of work:

- | | |
|--|--|
| <input type="checkbox"/> No education required | <input type="checkbox"/> Related AAS/2-years college/vocational training |
| <input type="checkbox"/> High school diploma or equivalent | <input type="checkbox"/> Related Bachelor's Degree |
| <input checked="" type="checkbox"/> 1-year related college/voc. training | <input type="checkbox"/> Related Master's degree |

**Please specify the acceptable and related fields of study:
Required/Acceptable:**

Related:

Other education, training, certification, or licensing required (specify):

WORD, Outlook, e-mail, knowledge of statutes and ability to interpret and communicate clearly and effectively to others.

Experience:

Check the one box indicating minimum work-related experience requirements for this position for a new employee the first day of work:

- No prior experience required
- 1 to 2 years
- 3 to 4 years
- 5 or more years

Other specific experience (optional):

Alternative Qualifications:

This agency will accept alternative methods of obtaining necessary qualifications.

- Yes
- No

Alternative qualifications include:

SECTION IV – Other Important Job Information

Work is performed in a normal office environment, and the position requires the ability to communicate effectively in person, in writing, and over the phone. Work hours vary in complying with numerous deadlines, customer requests, interruptions and wide fluctuations in work volumes, and deadlines require the employee to be able to work under pressure for long periods of time.

SECTION V – Signatures

My signature below (typed or hand written) indicates the statements in Section I to IV are accurate and complete.

Employee:

Name: _____ Title: _____

Signature: _____ Date: _____

Immediate Supervisor:

Name: _____ Title: _____

Signature: _____ Date: _____

Deputy:

Name: _____

Title: _____

Signature: _____

Date: _____

Department Designee:

Name: _____

Title: _____

Signature: _____

Date: _____