



## STATE OF MONTANA JOB PROFILE AND EVALUATION

The job profile is a streamlined position description and may serve as the core document for all human resource functions such as recruitment, selection, performance management and career and succession planning. It was developed, initially, for use in classifying positions in Pay Plan 020.

If you are converting a position to Pay Plan 020 and the position has not changed simply cut and paste the information needed from the current position description. The position description contains sections that are no longer used to classify the position, such as: Working Conditions and Physical Demands; Management and Supervision of Others; Supervision Received; Scope and Effect; and Personal Contacts. These may still be important to the position and may be included in **Section IV – Other Important Job Information**.

When working with a new position, classification request or change to a position in Pay Plan 020, complete the information below to provide the required documentation for classification.

### SECTION I – Identification

Working Title Compliance Officer	Job Code Number <b>434313</b>	Job Code Title <b>License Permit Technician</b>
Pay Band <b>3</b>	Position Number 66021, 66026	<input type="checkbox"/> FLSA Exempt   X <input checked="" type="checkbox"/> FLSA Non-Exempt
Department Secretary of State's Office		Division and Bureau Business Services Bureau
Section and Unit Compliance Unit		PO Box 202801 Helena, MT 59620-2801
Profile Produced By Mike O'Brien-		Work Phone 406-444-3118

**Work Unit Mission Statement or Functional Description** - This section should include a complete statement of the mission or function as it relates to the work unit.

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 four Divisions: Elections, Business Services, Management Services and Administrative Rules, and Records Management.

The Business Services Division's 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 Bureau 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 registration documents to make final determination of compliance with requirements in Title 30 and Title 35, Montana code annotated. Specifically, review and final determination results in acceptance or rejection of registration, renewal, amendment, reinstatement, authority and miscellaneous business filings for Profit and Non-Profit Corporations, Limited Liability Companies, Limited Partnerships, Limited Liability Partnerships, Assumed Business Names, and Trademarks. Prepares correspondence to applicant which details incorrect or absent information and provides for corrections. Provides guidance over telephone and in person regarding business filing procedures.

<b>SECTION II - Major Duties or Responsibilities</b>	<b>% of Time</b>
<p>This section should be a clear concise statement of the position's duties. Well written thorough task duty statements are required here to accurately evaluate the position.</p> <p>1. What are the major duties or responsibilities assigned to this position? Group duties in order of importance and estimate the percent of time needed to perform each duty. <b>NOTE:</b> Because you are identifying <b>major</b> duties usually 3-5, the quantity of time probably will not be less than <b>20%</b>. If a duty is essential but not performed routinely you should list it. For example, lobbying during the legislative session may not take up a large percent of total work time, but can be an essential duty.</p>	

50%

### **A. Compliance Corporate Documents**

Receives and processes a wide variety of business registration documents to make final determination of compliance with requirements in Title 30 and Title 35, MCA.

1. Reviews, researches and evaluates a wide variety of business transactions for the purpose of ensuring appropriate certification by the Secretary of State's office, according to Montana Code Annotated, Titles 30 & 35, and of Title 44 of Administrative Rules of Montana. These documents include articles of organization, documents of incorporation, merger activities, assumed business names, trademarks, partnerships, limited liability companies, various bonds, and others.
2. Compares information provided by businesses, corporations, and the general public to information on file with the SOS, the rules, guidelines and statutes applicable to business filing requirements, and internal procedures and operations.
3. Checks information for non-compliance with rules and requirements, inconsistencies, accuracy, and completeness; and determines whether business filing documents can be certified by the SOS.
4. Evaluates new information for compliance with Title 30 and Title 35, MCA, and analyzes changes in information to determine if changes can be accomplished within a legal framework.
5. Provides complete and correct information to business filers and the general public on over 100 requirements outlined in Titles 30 and 35, MCA, in writing and over the phone to ensure proper filing and education of customers.
6. Records conforming applications, materials and supporting documents, or rejects non-conforming materials. Informs the filer of problem areas that must be corrected.

### **B. Annual Reports**

30%

All business and corporations registered and doing business in the State of Montana must submit an Annual Report. This work involves updating all filings with changed or new information in a timely manner.

1. Processes annual reports documentation by answering the toll-free phone for customer inquiries and mailing out pre-printed paper report forms as requested.
2. Reviews annual report submissions for compliance with basic filing requirements according to statute and rules.
3. Logs into the automated internal cash management system to verify the fees submitted and the timeframe for submission of annual reports, using barcode technology. Verifies

accuracy of information and fees.

4. Accepts or rejects documents based on compliance review and fee assessment.
5. Generates a document number for those with fees assessed, and enters data into mainframe database. If unacceptable, creates correspondence to explain requirements and corrections needed to meet legal requirements.
6. Assists with annual renewal mailings, other registered and bulk mailings, address management, exchanging information with others in the agency, and participating in special projects.
7. Serves as back up in other areas of Business Services Division as required (reinstatements and other documents, certificate orders and copy-work requests).

### **C. Customer Service**

**20%**

1. Provides customer service and assistance to enable businesses to obtain and remain active and in good standing with SOS.
2. Drafts correspondence; informs customers of incorrect or incomplete information.
3. Provides guidance to others on how to correct or complete business registration documents, either by telephone or in person.
4. Provides information in workshop settings to assist business registration customers.

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

Each business in Montana is unique in the manner in which they organize, in the structure of their organization, in the inclusion of officers, directors, members, managers and partners, in the length of time they do business, in the number and value of shares offered, in the type of business they are in, and in the designations of authority they provide. The Compliance Officer has to maintain a broad knowledge of the business registration laws and apply it to each unique business registration document that is presented. There are currently over 150,000 active business files in the Secretary of State's Office.

With the above in mind, the Compliance Officer analyzes each business filing with a goal of certifying that all information presented meets the requirements of the law. As part of that process the Compliance Officer advises business filers, confirms or rejects filing documents, and provides guidance to businesses regarding their document filings. In addition, the Compliance Officer analyzes laws and procedures to determine where changes are needed in order to provide better customer service and improved compliance.

In the course of performing their duties, the Compliance Officer:

- a. Explains the document files for each corporation to people with very little understanding of business document filing and to professional attorneys, CPA's and bankers.
- b. Prevents businesses from being closed down because they have not registered their business. For example, customers call with an urgent need to demonstrate that their business is in good standing because the bank will not give them a loan or because they have been told by an enforcement agency that their business will be closed because it is not in good standing with the SOS office. Compliance Officers provide guidance to the customer to restore their business to good standing.
- c. Advises businesses on steps they need to take when their "good standing" is jeopardized for failure to register, renew, or amend their business documents. Compliance Officers have no authority other than providing official certification of current standing.
- d. Provides priority assistance including compliance review and certification when there is an urgent need for businesses to register. **Customers request and pay for priority (within 24 or one hour processing).**

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

Filing complicated and difficult to understand documents. Large volumes of work with tight deadlines. Dealing with customers whose range of understanding of business filings is from very little to extremely high. Needing to defend decisions before sometimes argumentative professionals or explain decisions to confused customers.

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

Titles 30 and 35, Montana Code Annotated  
Training guidelines established by the Secretary of State's Office.  
Forms.

5. Which of the duties and/or specific tasks listed under 1. (above) are considered "essential functions" that must be performed by this position (with or without accommodations)?

The following duties are considered essential functions because they require specialized expertise and skill and are the primary reasons the job exists:

Duty A: Compliance Corporate Documents  
Duty B: Customer Service

**PHYSICAL**

- Carry light items (papers, books, small parts)
- Remaining seated for extended periods of time, with occasional walking; standing; bending
- Operating a personal computer
- Communicate in writing, 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
- Analyzing, Synthesizing
- Coordinating
- Instructing

6. If this position supervises other positions, complete the following information.

The number of employees supervised is 0

List the complexity level of the subordinates.

Please list the Position Number for those supervised

Is this position responsible for:

- Hiring       Firing      Performance Management       Promotions  
 Supervision      Discipline       Pay Level       Other:

7. Please attach an Organizational Chart (optional).

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

**Please list the main knowledge and skill areas required for the job:**

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.

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

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

Employee should have the ability to communicate relevant and often complex information to customers.

Employee should have ability to prioritize work and focus on details.

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 detailed oriented, possess a proficiency and desire to resolve issues on their own.

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

**What behaviors are required to perform the duties?** **NOTE:** Identifying behaviors used for recruitment and selection and other HR functions are part of building a competency model (see **Creating Competency Models** in Guide). A position description will provide helpful information if a model has not been developed. Often “abilities” from the current PD can be stated as desired and observable behaviors. For example, “the ability to communicate clearly in writing” can be restated “writes clearly and concisely”.

- **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.
- **Written Communication:** Writes clearly, logically and effectively using proper style, tone, grammar, spelling and punctuation.
- **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.
- **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.

- **Responsive to Work Needs:** Willing to perform different jobs, cross train, or assist wherever needed. Is aware of co-worker workload and responds accordingly.
- **Takes Action:** Takes effective and appropriate action to perform job duties without being reminded. Willingly accepts more responsibility or more work.
- **Forward Looking:** Suggests improvements and new ideas, technologies, and approaches. Willingly applies new and evolving ideas, methods, designs and technologies to work.
- **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 an ethical manner.

**Education and experience:** Please check the one box that indicates the **minimum** educational requirements for this job, as it relates to a new employee on the **first day** of work (not the educational background of the person now in the position):

- |  |   |
|--|---|
| <input type="checkbox"/> No education required                             | <input type="checkbox"/> 2 year job-related college or vocational training      |
| <input checked="" type="checkbox"/> High school diploma or equivalent      | <input type="checkbox"/> College degree (Bachelor's)                            |
| <input type="checkbox"/> 1 year job-related college or vocational training | <input type="checkbox"/> Post-graduate degree or equivalent (e.g. Master's, JD) |

There may be a variety of fields of study that are acceptable. Business Administration, Public Administration or another related field. Please specify the acceptable fields of study:

Paralegal or Business Administration.

Other education, training (software), certification (CPA), or licensing (pilot, psychologist) required (please specify):

WORD, Outlook e-mail,

Please check the one box that indicates the minimum amount of job-related work experience needed as a new employee on the first day of work (not the experience of the person now in the position):

- No prior work experience required       3 to 4 years job-related work experience
- 1 to 2 years of job-related work experience       5 or more years of job-related work experience

Specific experience (optional):

- This agency will accept alternative methods of obtaining necessary qualifications.

For recruiting purposes please list examples of acceptable alternative methods of obtaining those qualifications. **These examples should appear on a vacancy announcement.**

#### **SECTION IV – Other Important Job Information**

List any other important information associated with this position, such as working conditions, supervision provided or received, scope and effect and personal contact.

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:**

**Signature**

**Title**

**Date**

**Immediate Supervisor:**

**Signature**

**Title**

**Date**

**Administrative Review:**

**Signature**

**Title**

**Date**