



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

---

***SECTION I - Identification***

---

**Working Title:** Business Services Supervisor

**Department:** Secretary of State

**Class Code Number:** 131995

**Division:** Business Services Division

**Class Code Title:** Business Operations Supervisor **Section/ Unit:** Corporate Compliance Unit

**Pay Band:** 5

**Work Address:**

1301 E 6<sup>th</sup> Ave.

Helena, MT 59601

**Position Number:** 66008

**Phone:** 444-3665

FLSA Exempt

FLSA Non-Exempt

**Profile Completed By:** Tana Gormely

**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 four Divisions: Elections, Business Services, Administrative Rules and Notary, 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 staff discharges 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:**

Provide direct supervision and oversight over corporate compliance technicians within the Division. This position involves recruitment and selection, assigning and reviewing work, training, establishing performance standards and evaluating performance, handling corrective action, and recommending termination if necessary. The incumbent is responsible for establishing objective, measurable and observable performance standards for subordinate staff. Monitors and manages the performance of all positions directly supervised and completes performance appraisals. Implements and monitors corrective action including assisting the Deputy with discipline and termination. Ensures all subordinates comply with State, Federal and departmental personnel rules, regulations, and policies.

Reviews business registration documents to make final determination of compliance with statutory requirements in Title 7, Title 15, Title 19, Title 32, Title 33, Title 30, Title 35, Title 61, Title 69, Title 71, Title 75, Title 76, Title 80, Title 82 and Title 85 MCA, and the administrative regulations set forth in Title 44, chapter 5 ARM. Specifically, review and final determination made by this position results in acceptance or rejection of business 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. The filing of business documents protects the entities name and provides the business entity the authority to transact business in the State of Montana under that business name. The rejection of these business documents may result in a delay in entities transacting business in the State, which may in turn have a negative economic impact to the State.

As the on-line application specialist the incumbent is responsible for working with contractors on ensuring Business Services on-line sites adhere to statutory requirements and follow best business practices while providing user-friendly functionality within the systems.

---

**SECTION II - Major Duties or Responsibilities**

**% of Time**

**A. Compliance Supervision and Oversight**

**55%**

Using extensive knowledge of the corporation's compliance laws, rules, policies, and procedures, the position supervises up to six compliance technicians, which involves recruitment and selection, assigning and reviewing work, training, establishing performance standards, evaluating performance, handling corrective action, and recommending termination if necessary. This work requires knowledge of supervisory principles and practices, SOS and State Personnel policies, procedures, and precedents, organizational theory, employment law, and program requirements; as well as extensive knowledge of and expertise in business filing documents, corporate compliance, and related rules, policies, statutes and regulations. The duties include:

1. Establishes and revises overall work plans, priorities, and procedures of the work unit, and monitors progress through meetings and consultations. Meets with staff and promotes information exchange for support and advancement of work unit goals and objectives.
2. Assigns work to subordinates according to individual job descriptions, needs, and abilities. Assists staff in clearly comprehending the direction, policies, workflows and procedures within the Division. Provides staff direction on all job related functions. Revises priorities as necessary, and monitors progress through regular communication with subordinates. Disseminates information to staff and coordinates projects
3. Identifies staffing needs and recommends allocation of human resources. Recommends and justifies requests for additional personnel if needed.

4. Reviews employee work products for compliance with quality, quantity, and other standards. Assists subordinate staff in solving complex aspects of work assignments. Reviews, monitors and approves employee timesheets and timely submits timesheets to payroll personnel for processing.
5. Identifies customer expectations for services provided by the work unit and ensures customer needs and expectations are addressed in work plans and staff performance appraisals. Monitors the achievement of work unit objectives and requirements and provides appropriate feedback, direction or corrective action to subordinates to ensure objectives are met.
6. Establishes objective, measurable and observable performance standards for subordinate staff. Monitors and manages the performance of all positions directly supervised and completes performance appraisals. Implements and monitors corrective action including discipline and termination. Ensures all subordinates comply with State and departmental personnel rules, regulations, and policies.
7. Prepares, presents or coordinates training for subordinates by assessing staff input and program requirements, professional development needs and budget limitations, arranging training to meet these needs, updating training material and ensuring the efficient implementation of training programs. Assesses the effectiveness of training activities, and modifies programs as appropriate.
8. Provides back-up in other units in Business Services as directed by Division Deputy on an as needed basis.
9. Determines and certifies the accuracy and completion of business entity documents based on SOS policies and rules. Ensures all documents are in compliance with MCA using knowledge of a variety of business filings and transactions including articles of organization, documents of incorporation, merger activities, assumed business names, trademarks, and partnerships. This duty also requires knowledge of Title 44 of ARM, Titles 7, 15, 19, 32, 30, 35, 61, 69, 75, 76, 80, 82 and 85 MCA, and the SOS history of filing policies, as well as sufficient knowledge to certify to the public and to a court of law that the documents contained in the SOS office are current and complete.
10. Updates business forms in accordance with changes in policy, laws or rule and works with IT staff in placement of forms on website. Ensures all business forms adhere to statutory requirements and are customer friendly.

**B. BSD On-Line Application Specialist**

**30%**

1. The position is responsible for working in conjunction with contractors staff to ensure the various Secretary of State Business Services on-line sites adhere to all statutory requirements, rules and policies. The work requires detailed analysis of business processes to ensure they are being met through the on-line services.
2. The position monitors system operations to identify and resolve problems and assess the need for further modifications or enhancements.
3. The position researches and evaluates business processes, the environment, and objectives of the end users to assist in establishing strategic plans for enhancements to the sites in order to achieve adherence to requirements and functionality together with ease of use for the end users.
4. The position coordinates with contractor on web development, enhancement, and maintenance efforts to ensure projects are completed within established timeframes while ensuring continuity of support for agency business needs.

5. This position will track project progress; ensure that staff understand and are properly trained to use the web applications; identify and evaluate potential problem or risk areas and report them to contractors and SOS IT staff; and monitor and report work processes and project status to the Division Deputy.
6. This position monitors Business Services information displayed on SOS home website and works with SOS IT staff on incorporating updates to the information and forms to ensure the content is accurate and up to date, links function properly, public alerts are posted and information is easy to access and user friendly.

**C. Customer Service Oversight**

**10%**

Using extensive knowledge of principals and processes regarding customer service, incumbent provides overall assistance to the community that enables Montana businesses to obtain and remain active and in good standing with SOS by:

1. Providing problem resolution to issues that arise;
2. Providing guidance on how to correct or complete documents;
3. Providing guidance over telephone and in person regarding completion of business registration documents;
4. Providing information in workshop settings to assist business registration customers.

**D. Other Duties as Assigned**

**5%**

This position performs a variety of other duties or projects as assigned by the deputy in support of the agency mission and work unit objectives. This includes exchanging information with agency staff and the public; providing training, professional and technical assistance; directing special projects; participating in ongoing training and educational programs; and performing a variety of other duties as assigned.

1. **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 transact 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 must have extensive knowledge of the business registration laws and provide guidance to staff on complex questions from the business community and distribution of workload while ensuring the laws are applied appropriately to each unique business 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 incumbent 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 incumbent advises business filers, confirms or rejects filing documents, and provides guidance to the compliance staff and businesses regarding their business registrations. In addition, the position is responsible for analyzing laws and procedures to determine where changes are needed in order to provide better customer service and improved compliance.

Supervision of these positions is complex because of the unique skill sets required, extensive training, and wide variety of business documents received each year.

In the course of performing their duties, the incumbent:

- a. Explains a vast variety of business documents to staff and works extensively with the business community, financial institutions, professional attorneys and CPA's that have a minimal understanding of the statutory guidelines, rules and policies for processing business documents.
- b. Monitors staff to ensure statutory requirements are being met to assist the business community with their endeavors.
- c. Provides priority assistance including compliance review and certification when there is an urgent need for the document to be filed quickly due to pending timelines. Customers request and pay for priority handling within 24 hours or expedite handling with 1 hour.
- d. Handles HR related issues that arise within the Division and ensures staff supervised are meeting their performance goals.

## **2. What do you consider the most complicated part of the job?**

Analyzing and evaluating Business Services business process needs and the innovation of unique solutions. These functions require the position to consider a range of variables related to process requirements, work priorities and objectives, available resources, technological capabilities and limitations of web based applications. This position also ensures statutory requirements and deadlines are met, oversees the filing of complex and difficult to understand business documents with restricted timeframes, deals with customers whose range of understanding of business filings is little to extremely high, and defends decisions before sometimes argumentative professionals or explains decisions to confused customers.

Incumbent must maintain extensive knowledge and expertise regarding consistently changing corporate laws, rules, procedures and policies while overseeing the daily supervision of compliance staff including quality of work, performance related tracking, monitoring and assisting staff with their work related tasks.

## **3. What guidelines, manuals or written established procedures are available to the incumbent?**

Titles 7, 15, 19, 32, 30, 35, 61, 69, 75, 76, 80, 82 and 85 Montana Code Annotated  
Title 44, Administrative Rules  
Training guidelines established by the Secretary of State's Office  
Documented policies and procedures regarding business documents  
HR related material  
Forms

## **4. 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 Supervision and Oversight
- Duty B: BSD On-Line Application Specialist

Duty C: Customer Service Oversight

**PHYSICAL**

- Light lifting (less than 25 lbs.)
- 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
- Problem resolution

5. Does this position supervise others?       Yes     No

**Number directly supervised: 6**

**Complexity level of the positions supervised: Band 4**

**Position Number(s) of those supervised: 66016, 66021, 66029, 66036, 66050 and 66070**

6. This position is responsible for:

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

---

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

---

**Critical knowledge and skills required for this position:**

Incumbent must be knowledgeable of the applicable articles of the Montana constitution, state and federal statutes, rules, regulations and policies governing their areas of responsibility, and must be able to identify, interpret, correlate, apply and communicate relevant information to customers, the public, other state personnel and agency staff.

Understand and be able to interpret MCA Corporate Statutes, keeping apprised of any national movements or changes in the area of Business Law.

Employee must have extensive knowledge and understanding of the theory, principles, practices, and procedures associated with the logical and physical design, development and support of large complex data management systems associated with business filings. These

systems may be in the stages of new development, requiring logical and physical design or they may be in production and require support and/or maintenance.

This person must have the ability to understand and diagram, to comprehend relationships between tables. This person must have an understanding of technical terminology in order to communicate and receive information for IT professionals. Employee is designated as a supervisor with HR skillsets and assists staff with filing corporate documents with a focus on corporate filings and their relationship to the Secretary of State's Office. The person in this position must possess a comprehensive knowledge of the rules, statutes (federal and state), regulations and procedures of the Business Services Division. The employee should possess considerable knowledge of the legislative mandates as well as an extensive knowledge of the business environment effecting Montana businesses. Other special knowledge areas include being well versed in legal terminologies and ramifications, private business organizational structures, business licensing procedures in Montana and an extensive knowledge requirement of processing information.

### **What behaviors are required to perform the 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:** Takes effective and appropriate action to perform job duties without being reminded. Willingly accepts more responsibility or more work. 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.
- **Sets Direction:** Effectively sets the direction for the work unit. Understands, promotes, and contributes to the mission of the agency. Provides staff with clear expectation and validates their performance. Encourage subordinates and directs work group toward common goal
- **Working with Employees:** Trains and coaches others, rectifies job-related problems, promotes team cooperation, and improves effectiveness within the work unit. Models expected behaviors and leads by example. Acts as resource to others by sharing ideas and best practices. Mentors others to help them grow professionally. Gains the respect of others, maintains confidentiality, and inspires others to do their best.

**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 checked="" 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 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:** Paralegal, Business or Public Administration, Management, or related field

**Related:**

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

WORD, Outlook e-mail

**Experience:**

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

- |   |  |
|---|--|
| <input type="checkbox"/> No prior experience required | <input checked="" type="checkbox"/> 3 to 4 years |
| <input type="checkbox"/> 1 to 2 years                 | <input type="checkbox"/> 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:** Equivalent combinations of education and experience may be considered.

---

***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: \_\_\_\_\_



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

**This section is to be completed by a trained classifier in or contracted by the agency or by the State Personnel Division.**

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_

Position Status:  Reclassified     Vacant     New Position     Career Ladder

Choice of Class Series:

*Position Summary:*

Classification Factor Level:

The predominant work of this position consists of:

Factor level Comparison:

Benchmark Comparisons:

***Classification Analyst:***

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***Agency Approval:***

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Upon completion of this section the classifier should make certain that the Job Code Number, Job Code Title and Pay Band on the first page of this document accurately reflect the Choice of Class Series and classification factor level determined above. Attach Organizational Chart, Audit Notes or other pertinent information.

This completed document should now be filed in: I:\Classref\Agencyjp\agency#\filename).  
File naming convention is: (position#)jp(date).doc (e.g. 000573jp0100.doc, where date is: month year).