

Family Outreach, Inc.  
**Temporary Service Provider Hiring Process and Guidelines**

- A. All applications will go through the following process:
1. *Applications*: all Temporary Service Provider applicants must complete a Temporary Service Provider application form, sign it, and return it to Family Outreach, Inc.
  2. *Reference and background checks*: applicants will sign a reference and background check form. Thorough reference and background checks will be conducted before an offer is made. After the application is turned in, letters of inquiry or calls will be made to at least two professional and four personal references. At least three positive references must be returned before an offer of Temporary Service Provider is made.
  3. *Interview*: After the references are returned, a Family Outreach, Inc. regular Service Provider will contact the applicant for an interview. All applicants for a particular job category will be asked similar interview questions, and their responses will be assessed based on similar model responses.
  4. *Conditional offer of Temporary Service Provider*: After the interviews are completed, a conditional offer of Temporary Service Provider will be made to the top applicant(s). After the conditional offer is made, Family Outreach Inc., may conduct medical inquiries or examinations to seek necessary information about physical (e.g., lifting restrictions) or mental impairments. Medical examinations/inquiries will be administered consistently to all candidates for a particular job category. If an examination or inquiry screens out an individual, the exclusionary criteria must be job-related and consistent with business necessity. All medical information will be kept strictly confidential on separate forms in separate files, and only “need to know” individuals (e.g., supervisors, families, medical care professionals, etc.) will be informed of specific restrictions.
  5. All Temporary Service Providers must provide verification of employment and identity, and fill out the W4, I9, and Support Disclosure forms. The I9 must be completed and returned to Family Outreach within 3 days of employment.
  6. *Provider Manual and test*: the Provider Manual will be provided to the selected applicant and staff will record the date the manual was given to the applicant on the application form. The applicant will complete the test in the manual and return it within 30 days. The test will be corrected and scored by Family Outreach. The results may be reviewed with the applicant. Applicants have 30 days to return the test, during which time Family Outreach, Inc. may begin the position of Temporary Service Provider. If test results are unsatisfactory or if the test is not returned within 30 days, Family Outreach, Inc. may not hire the individual or discontinue employment (if the individual was already hired).

7. *Provider list and files*: once the applicant has successfully completed reference and background checks, medical inquiries/examinations, and successfully completed the test in the Provider Manual, the applicant's name will be entered on the provider list and staff will be notified of the applicant's availability. All provider files will be kept at the secretary's desk and will not be removed without permission.

- B. Temporary Service Providers are not allowed to donate time to families. If a Temporary Service Provider is performing the same type of work they are paid to do, and a manager knows or should know about work being performed, the hours are considered "permitted and suffered" to work (i.e., compensable). Managers must direct Temporary Service Providers to cease working any hours that are not authorized.
- C. Temporary Service Providers are allowed to work overtime only if it is authorized in the temporary Service Provider contract, and if the work is pre-approved by the service coordinator. The service coordinator is responsible for managing temporary services budgets. If the service coordinator authorizes overtime, they must consider compensation at time and one-half (1.5) for any hours worked in excess of 40 per week. Total compensation cannot exceed the monthly maximums established in the temporary Service Provider agreement.
- D. Fair Labor Standards Act exempt and non-exempt assignments.

Any Temporary Service Provider not exempt under the Montana minimum wage statute who works for more than 40 hours in a work week must be paid for such overtime at the rate of one and one-half times the regular rate of pay (MCA 39-3-405).

The following Temporary Service Providers are exempt from the provisions of Montana's minimum wage and overtime law (i.e., complete exemptions MCA 3-39-402):

- a) Students participating in a distributive education program established under the auspices of an accredited educational agency.
  - b) Persons employed in private homes whose duties consist of menial chores, such as babysitting, mowing lawns, and cleaning sidewalks.**
  - c) Persons employed directly by the head of a household to care for children dependent upon the head of the household.
  - d) Immediate members of the family of an employer or persons dependent upon an employer for half or more of their support in the customary sense of being a dependent.
- E. A Temporary Service Provider performing a mix of exempt (e.g., respite) and non-exempt work are treated as if all hours worked were non-exempt (i.e., we must pay time and one-half for hours worked in excess of 40 per week).