

39-2-904. Elements of wrongful discharge--presumptive probationary..., MT ST 39-2-904

West's Montana Code Annotated
Title 39. Labor
Chapter 2. The Employment Relationship
Part 9. Wrongful Discharge from Employment

MCA 39-2-904

39-2-904. Elements of wrongful discharge--presumptive probationary period

Currentness

(1) A discharge is wrongful only if:

(a) it was in retaliation for the employee's refusal to violate public policy or for reporting a violation of public policy;

(b) the discharge was not for good cause and the employee had completed the employer's probationary period of employment; or

(c) the employer violated the express provisions of its own written personnel policy.

(2)(a) During a probationary period of employment, the employment may be terminated at the will of either the employer or the employee on notice to the other for any reason or for no reason.

(b) If an employer does not establish a specific probationary period or provide that there is no probationary period prior to or at the time of hire, there is a probationary period of 6 months from the date of hire.

Credits

Enacted by Laws 1987, ch. 641, § 4. Amended by Laws 2001, ch. 583, § 2.

Notes of Decisions (167)

MCA 39-2-904, MT ST 39-2-904

Current through the 2019 Session. Statutory changes are subject to classification and revision by the Code Commissioner.

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