



Questions and Answers

FY2024 Justice Assistance Grant (JAG) Multi-Jurisdictional Drug Task Forces (MJDTF)

Responses to questions will be posted to this document within 7 calendar days of receipt, through the last Wednesday before the Funding Opportunity is closed.

The deadline for receipt of written questions is Wednesday, April 5, 2023 at 5:00 p.m. Please submit your questions to mthatcher@mt.gov.

The question and answer period is **open**.

Q1. In the upcoming grant we are looking to have full time Agents in the task force as we have in the past with associated agencies. We are also looking at doing part time Task Force Officers (TFO's) who would help full time Agents out with cases or may work interdiction and drugs cases within their own agencies jurisdiction. We are looking at this as we only have two (2) full time Agents in a time where drug crimes are at an all-time high and this would help get more cases and investigations under the task force as well as alleviate some of the work for large drug cases to be conducted by the full time Agents. My question is that in discussing this new option, we are looking at budgeting for contracted services for the TFO Agents in which they would be paid through grant monies for any time worked on cases that are drugs cases being investigated under the TATF. We know there would be at least 4 TFO's and maybe more that would work maybe a day or two a month under the TFO position unless they are helping the full time Agents with investigations and search warrants. So, we were thinking the contracted services line item along with fringe benefits for the TFO positions. Does this sound like we would be on the right track or not something that sounds plausible? Last minute idea we had and thought would get your opinion on it as I know some task forces have their TFO's in cooperating counties.

A1. If part-time or full-time TFO's are from cooperating counties, you should budget under contracted services, along with fringe benefits. If they are from the applicant agency, you should budget under personnel, along with fringe benefits.

Q2. I am recently the new Assistant Chief of Police for our department. I will be working also as the Project Director/Team Leader position for at least the next budget year due to we don't have the staffing to replace me in the task force at this time. Through the City I am an exempt employee who can get overtime and compensation time but not at 1 ½ times the rate of pay but only straight time. The position that I am operating in the task force as the Project Director/Team Leader is typically non-exempt employees as the Project Director is typically our Lieutenant and the Team Leader is a Sergeant Position. As stated above we do not have the man power at this time to replace me in the task force as we barely have enough man power to have a patrol unit. My question is do I list myself in the job description for the grant as a non-exempt or exempt as I am operating at the Project Director/Team Leader which typically are non-exempt employees who can get compensated at 1 ½ times their rate of



pay, or as an exempt employee due to my rank? In my opinion as I sit in the task force, I am not the ACOP for PD but rather a Team Leader and Project Director which are typically non-exempt employees.

A2. Because your role as Asst. Chief and an agency executive meets the criteria as exempt, even if you are paid to do different duties, as the task force Project Director/Team Leader, you would still be the Asst. Chief and remain an exempt employee. I believe you cannot classify an employee as both exempt and non-exempt. I recommend you research this further, maybe through Google. Here's a potential resource to reference: <https://www.payrollpartners.com/can-exempt-nonexempt-time/#:~:text=26%20Apr%20Can%20You%20Be%20Exempt%20and%20Nonexempt%20at%20the%20Same%20Time%3F&text=You%20can%20allow%20an%20employee,be%20one%20or%20the%20other.>