

EXECUTIVE SUMMARY

Our report summarizes a workplace investigation into complaints filed against Montana Public Service Commission (“PSC”) President Brad Molnar. Personnel 1 [REDACTED] complained in writing to Personnel 2 [REDACTED] on May 11, 2025, and submitted a *Complaint Resolution Form* on June 25, 2025. Personnel 3 [REDACTED] complained in writing to Personnel 2 [REDACTED] and Personnel 4 [REDACTED] on May 20, 2025, with a *Complaint Resolution Form* completed on May 24, 2025. Personnel 5 [REDACTED] complained to Personnel 2 [REDACTED] on July 2, 2025, and submitted a *Discrimination Complaint Resolution Form* that same day.

Personnel 6 [REDACTED] appointed Communication and Management Services, LLC (CMS) on Friday, June 6, 2025, to review the concerns beginning on June 23, 2025, a mutually agreed-upon date. CMS assigned Greg Ross and Jim Kerins, HR Consultants, to conduct the review. The purpose of the review was to gather information, determine whether substantiated findings violate agency policy or law, and to provide this report to the agency Response Team for their consideration in determining the appropriate response.

The fact-finding process involved interviews with complainants and witnesses. The respondent, Commission President Brad Molnar, through his attorney, declined to participate in the investigation. In addition, we reviewed dozens of emails and watched video footage from several recordings of PSC public meetings. Substantiated findings were evaluated in relation to PSC policies and procedures and relevant employment law. The investigation is based on a preponderance of evidence standard. This means that the evidence must show that the fact to be proven is more probable than not.

We substantiated violations of PSC policy, specifically the 2.2 General Standards of Conduct and Performance section 2.2.6. in President Molnar’s interactions with agency management and technical staff; a violation of 2.12 Equal Employment Opportunity, Non-discrimination, and Harassment Prevention (section 2.12.2 establishes a no tolerance policy, “the department will not tolerate *any* behavior that negatively focuses on a protected class”) through repeated unwelcome sex-based comments. The evidence substantiates the allegations of retaliation in violation of PSC Personnel Policy 2.13 (Retaliation). The review found President Molnar misrepresented colleagues and facts on several occasions. While we did not find evidence the misrepresentations were malicious, they adversely affected “courteous, productive, and respectful working relationships.” The evidence does not substantiate the allegation of inappropriate conduct with Personnel 4 [REDACTED].

CMS, LLC recommends PSC management review this report and the substantiated findings to determine appropriate next steps.

PSC can consider recommendations offered by the investigation participants, which are summarized in the full report. PSC should document its response to the substantiated complaints and any associated corrective action. PSC should take measures to ensure investigation participants are not subject to further retaliation.

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