

RETALIATION INVESTIGATION EXECUTIVE SUMMARY

This report summarizes a workplace investigation into complaints filed against Montana's Department of Public Service Regulation (DPSR) Commission President Brad Molnar. Personnel 1 submitted a written complaint on September 4, 2025, about President Molnar's "insensitive" and "insulting" behavior. Personnel 2 made a report concerning President Molnar's behavior which made her uncomfortable to Personnel 3 on September 4, 2025. Personnel 4 filed a written complaint on September 30, 2025, alleging retaliation and a hostile work environment.

Personnel 5 contacted Communication and Management Services, LLC (CMS), on Wednesday, October 1, 2025, to review the concerns and assign CMS to investigate the complaints. CMS assigned Greg Ross, Human Resource Consultant, to conduct the review. The purpose of the review is to gather information, determine whether substantiated findings violate agency policy or law, and to provide this report to the DPSR Response Team for their consideration in determining the appropriate response.

The fact-finding process involved interviews with complainants and witnesses, and evaluation of substantiated findings in relation to DPSR policies and procedures and relevant employment law. The respondent, Commissioner Brad Molnar, through his attorney, declined to participate in the investigation. In addition, we reviewed dozens of emails and watched video footage from 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 DPSR Code of Conduct Policy – Section 2.2.6 and 2.7.1.6, in President Molnar's interactions with agency management and staff. The evidence substantiates allegations of retaliation in violation of agency Personnel Policy 2.13 (Retaliation). A violation of MCA 49-2-301—Retaliation Prohibited was also substantiated. The evidence does not substantiate every alleged instance of inappropriate conduct or retaliation that was provided as an example, nor does it substantiate a hostile work environment under the Equal Employment Opportunity Commission (EEOC) and based on an individual's protected status; however, it does substantiate violations of anti-retaliation standards set forth by the EEOC, including retaliatory harassment.

CMS, LLC recommends DPSR management review this report and the substantiated findings to determine appropriate next steps. DPSR can consider recommendations offered by the investigation participants, which are summarized in the full report. DPSR should document its response to the substantiated complaints and any associated corrective action. DPSR should take measures to ensure investigation participants are not subject to further retaliation.

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