

DIRECTORS *Digest*

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TWO *Little Words*

OFFICIAL PUBLICATION OF THE MONTANA FUNERAL DIRECTORS ASSOCIATION

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PRESIDENT'S MESSAGE

Tyson Moore

Thank You for Your Support

Time moves so quickly, and we find ourselves at the end of yet another year. Looking at events of the past year, I want to thank you all for your participation in supporting our association.

Together, we were able to get good legislation passed, providing the opportunity to better serve our fellow Montanans. If you haven't benefitted from SB 244, our intern license change, I would suspect you will at some near point in your organization. I know for many around the state, licensing students as interns has helped tremendously to ease the hiring burden. Thank you all for supporting this change. Increasing the pre-need dollar cap will also be a "win" for funeral homes and the families we serve.

Many of you attended our state convention in Miles City and the NFDA Convention & Expo in Las Vegas. It was great to have such a large delegation from Montana! I enjoyed talking with many of you. My takeaways from these conventions are:

1. AI is here, and we need to embrace it with optimistic caution. AI is a tool that can be most beneficial, but we cannot lose the personal touch and relationships fundamental to funeral service.

2. Call volume around the nation, for the most part, has retracted considerably. Firms I have talked with are seeing anywhere from about 6-11% decrease this year on average. Hopefully, we planned for this. My observation is this will likely remain for a couple of years before we return to pre-COVID numbers. Montana has seen lower levels of slow-down in some areas, which I attribute to the influx of people moving to the state.
3. Ownership is changing at a rapid pace. The season for the baby boomers to exit funeral service is in full force. The landscape of funeral home ownership is changing. We are seeing around the state and country that most funeral homes are being transferred to larger funeral groups from the previous owner/operator model. If you are making a change, remember you must let the Board of Funeral Service know. The forms are on the board's website.

Where do we go from here? Convention planning for June 2024 is well underway. The convention will be held in Missoula, and we hope to have a great program for all who can attend. We would like to provide meaningful education sessions, so we need your help. We would like to ask for your



Looking at events of the past year, I want to thank you all for your participation in supporting our association.

participation. What are you or your firms lacking? Where would you like to focus this next year? What education can we provide that will support you in your efforts to serve families better? Please take some time to think of how we can help you.

If you have questions, concerns or ideas, please reach out to me or any of our board members. Thank

you again for a great year, and I look forward to this next year together.

Regards,

Tyson
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EXECUTIVE DIRECTOR REPORT

James Brown, Esq., Executive Director

Looking Forward to a Prosperous New Year

Welcome to our final edition of the MFDA *Directors Digest* for 2023. It's hard to believe another year has come and is on its way out. The end of 2023 marks my eighth year representing the association. It seems like yesterday, the board brought me on board. To quote from line 284 of book 3 of *Virgil's Georgics*, "fugit inreparabile tempus" — it escapes, irretrievable time.

I am grateful for having had the good fortune to work with and for such a great group of Montanans. Every day I walk through the doors of my law office, I am inspired anew to serve your interests as you serve the interests of your local communities and families.

Headed into 2024, my team and I are committed to providing you the best service we can — just as we have since 2016. We hope to continue the momentum gained during the last half of this year. As I write this, the association just concluded the online fall district meeting.

We were very fortunate to hear from Melissa Schmidt, also known as the 'Funeral Babe.' She gave an informative and heartfelt presentation on cosmetic application tips. In order to ensure that you receive your continuing education credit for attending the district meeting, please get in touch with Terri James with your license number.

The MFDA Board also met in November for the final time in 2023. At that meeting, the

Board covered a variety of topics – including reviewing the Association's finances, the status of the Association's efforts to shore up the financial situation at the Board of Funeral Services, activities carried out at the MFDA National Convention in Las Vegas and the growth in cremation rates.

As to the last, NFDA reported in early September that the U.S. cremation rate is expected to top 80% by the year 2045. The cremation rate for 2023 was an estimated 60.5% of all dispositions. Montana is quickly becoming a leader in cremations, and the cremation rate in this state is projected to reach 85% by the year 2035.

NFDA also reported that 54% of respondents to their survey cited cost as the primary factor for choosing cremation over a traditional funeral. What is more, NFDA reported that almost 38% of respondents identified that they would prefer their remains to be scattered at a sentimental location as opposed to being buried or through interment.

NFDA's survey results are something every one of our members should take note of and plan for. The industry is changing due to customer demands. MFDA's members should be prepared to navigate the changing landscape to remain competitive.

Turning to next year's events, 2024 is an even-numbered year; thus, the Montana Legislature will not be in session. And consequently, please note that the association will not host



a mid-winter conference. However, as requested by you, our membership, MFDA will be holding its five in-person district meetings again in the Spring of 2024. Tyson Moore, Terri James and I will travel the state together and look forward to seeing you in person. We have penciled in the district meetings for May. Please visit the MFDA website regarding times, dates and locations. A 2024 schedule is also listed in this issue of the magazine.

You may have already noticed our 2024 membership renewal notifications and information in your email inbox. Terri James emailed out those membership renewal notices the week of December 1. Starting after Thanksgiving, you should find the hard copies of our membership notices in your mailbox. I am pleased to report that the MFDA Board voted, once again, to keep 2024 membership dues at the same level have been since the year 2000. So when you receive your 2024 MFDA membership notice, we hope our efforts to tighten the Association's spending belt while expanding member services and programs will be foremost on your mind.

On behalf of the MFDA board and myself, we wish you a Merry Christmas and a happy and safe New Year. MFDA hopes that 2024 is the best year yet for you. We look forward to seeing you at the annual state convention to be held in June in Missoula or at one of the other live MFDA events.

In the meantime, we encourage you to let us know if you have any questions about your membership or the benefits you received therefrom. Further, if there is anything 'we' can do to assist you or if there are additional benefits we can add that would be of service to your business, please let us know. Our goal is to help ensure that you have the resources to compete and thrive in today's challenging business environment.

Thank you for your support of the MFDA; and thank you for the underappreciated service you provide to Montana's communities. You and your work are valued!

Jim Brown, Esq.
MFDA Executive Director



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NFDA Update

By Chris Holt, NFDA State Association Representative

Happy fall, everyone. The weather is changing, and the holidays are around the corner. Hopefully, everyone is doing well. Here is a little information on what is happening with the NFDA so far.

The FTC is in the process of reviewing the Funeral Rule. There are seven specific issues they are considering: Online and Electronic Price Disclosures; Disclosure of Crematory Fees and Other Costs; Reduced Basic Services Fees; New Forms of Dispositions; Embalming Disclosures; Price List Readability and the Impact on People in Underserved Communities. The NFDA is our strongest advocate during this review process. The association, on our behalf, has submitted oral and written comments to the FTC's requests and proposals. The NFDA leaders and staff have also met FTC officials and been working with Members of Congress to ensure that the process is fair and the voice of the funeral service profession is heard. Please stay tuned.

Also, the NFDA has joined forces with eight other associations as the EPA continues its review of formaldehyde under the Toxic Substances Control Act. In a letter to EPA Administrator Michael Regan, the organizations request that the EPA convene a Small Business Regulatory Enforcement Fairness Act panel to further discuss the forthcoming proposal to regulate commercial and industrial activities involving formaldehyde and formaldehyde-based products.

We need to continue our support as formaldehyde is crucial in our profession to provide closure and transportation of the deceased over long periods.

Something interesting, the U.S. Department of Labor (DOL) has proposed changes to the white-collar exemptions to federal overtime pay requirements that could severely and negatively impact our profession and the economy generally. That is why the NFDA is working with the Partnership to Protect Workplace Opportunity (PPWO) to urge the administration to abandon its rulemaking. I believe this is something that will have to be addressed in the future.

Something to keep in mind: the Department of Veterans Affairs is expanding benefits to help pay for veterans' end-of-life expenses, the department announced recently. The expanded benefits include reimbursements for transporting remains to state and tribal veterans' cemeteries, in addition to previously eligible national cemeteries, allowances for VA plots or interments for tribal organizations and higher payments for non-service-connected burial benefits.

The NFDA convention in Las Vegas proved to be an informative and enlightening experience for all who were able to attend. NFDA offered more than 30 education sessions that offered information we need in our businesses right now and knowledge that will help us be better prepared to address the future needs of grieving families. The education sessions explored emerging issues like new methods of disposition, like alkaline hydrolysis and natural organic reduction; how to use technology, like AI, to better serve families; compassion fatigue and emotional wellbeing and digital marketing. However, NFDA also devoted time to traditional topics like embalming and restorative art, grief and cremation. The convention was a very interesting experience as well as the first time I have been to Las Vegas.

I hope this helps in recapping what MFDA and the NFDA are working on, on our behalf. I enjoy representing Montana with the NFDA, and I am always open to any suggestions or ideas to bring to the organizations. Stay well, and as always, God Bless. Thank you. ■



Medallion Vault & Casket Company

Medallion Vault & Casket Company, based out of Billings, Montana, is a second-generation family-run business.

It all started in 1980 when Dave McLendon opened Medallion Vault. Dave specialized in selling fiberglass vaults and stock tanks throughout Montana and Wyoming.

A few years later, Robert “Bob” Foslien joined the business as a partner and the decision was to focus the business on the funeral industry. A line of caskets was added to the offerings, and in 1982 Medallion Vault & Casket Company was created. The partners prided themselves in providing personal, friendly and professional service to funeral homes and ultimately to the grieving families those funeral homes served.

In 1995 Dave retired and Bob took over the business and began expanding the casket lines. His friendly and consistent service led to an expanding territory. Bob personally oversaw deliveries. He would make a point to have all of his caskets delivered to his customers in the morning so he could stop and go fishing on his drive home. He understood the meaning of work-life balance.

That same year, with the company growing, Bob hired John Letcher to help with deliveries. By 2000 another delivery driver was needed, and Sheldon Sollars joined the team. The company continued to thrive.



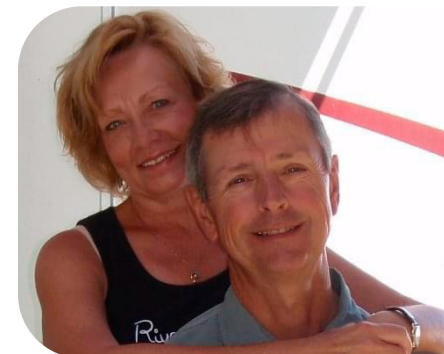
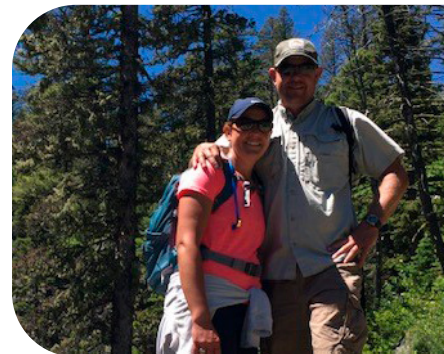
Bob brought his daughter, Jacqui, and son-in-law, Jeff Courts, onboard in 2004. “We started working and pretty much worked my father out of a job right away, which he wasn’t expecting,” Jacqui recalled. Because Jacqui and Jeff were doing so well, Bob decided he could retire. In 2006 Jacqui and Jeff bought the business.

With new leadership came new lines of caskets to better serve clients and growth in the territory that was served. Steve Wollenberg was hired to help with deliveries in 2007. Sheldon retired in December 2011 and John retired in September 2014.

Then in 2013 Matt Coon joined the team working in both sales and delivery. Matt has 20+ years of experience in the funeral industry and is a licensed funeral director. His experience and expertise made him a perfect fit for the job. The company continued to grow, and in 2014 they hired Harvey Kierkegaard as a delivery driver. By 2022 Matt had become a partner in the business and he currently serves on the MFDA Board of Directors.

“Harvey retired earlier this year,” said Matt. “He was an excellent employee, and he will be missed.”

Today, Medallion Vault & Casket Company continues to serve funeral homes throughout Montana and Wyoming. They offer a full line of American-made caskets, vaults and cremation urns. To learn more, please visit medallioncasket.com. ■





In mortuary school, you learn how to embalm, how to suture, how to make arrangements and what kinds of caskets families can buy. No one teaches you how to take a baby from a mother and then to a funeral home. No one tells you what to say to a mother when you take her baby away from her for the last time. It's a topic that most people are not comfortable discussing or (thankfully) don't have much experience with to share.

When I was an intern, I learned quickly that it doesn't matter how experienced you are — it doesn't get any easier and no one knows what the 'right' thing to say is. I was so nervous walking up to that hospital room. What would I say? How could I look this woman in the eyes knowing I had absolutely no idea what she was going through? Would she hate me for coming to take her baby from her?

All of my questions and concerns dissipated quickly when I stepped into the room and saw her still rocking the baby. The baby was tiny and swaddled and the mother was calm. I nervously introduced myself and so did the mother. We were about the same age and my stomach dropped when I realized I'd have to take that baby directly out of her arms. I explained what would happen and asked her what time she wanted to come to make arrangements. She rocked the baby during the entire conversation.

My boss back at the funeral home had sent me with a "baby carrying bag" that was used to bring infants back from hospitals and morgues. I was sick thinking about putting this woman's baby into the bag but at the time, I didn't have another option. Finally, after thoroughly explaining everything to the mother, it was time to take the baby into my care. I remember saying, "Your baby is safe with me" a few times to her and she handed me her child without me having to ask. I could barely keep my composure when I placed the baby into the carrying bag, but I zipped the bag up and went back to the funeral home to prepare for the arrangements.

I met with the mother and father and made arrangements for a memorial service that turned out to be very beautiful. I planned for a dove release, and we had a sunny day to remember the baby on. I worked with a pastor to help write the service, and I made sure the family had everything they needed to grieve properly. The pastor and I did the service together, and we were able to release the doves on an overlook on the Huron River in southeastern Michigan before placing the baby's urn in a niche.

TWO

Little Words

By Chelsea L. Cush, MS,
Faculty, Licensed Funeral Director, & Embalmer
Pittsburgh Institute of Mortuary Science

How do you comfort a woman who lost someone that she never got to meet? There were no memories to reflect on. No belongings with a familiar smell, no favorite t-shirt, no words to live by. No weird stories that she'd heard at every Thanksgiving dinner since childhood. Just an empty nursery to return home to after what was probably the longest day of her life.

That situation taught me a lot of things, and since then, I've made arrangements for many families who have lost children and infants, and I've gotten a lot better at the technicalities. I want to take this opportunity to share some of the tangible things.

Invest in a Moses basket. The last thing you want to do in front of a grieving mother is place her baby in a bag or, worse, on a cot that's made for an adult. A Moses basket is simply a wicker-carrying basket for a baby. You can place a blanket on top of the baby when you're carrying him or her out or invest in a Moses basket that closes. If you ever need to bring a child into your care from a hospital room, you'll be grateful that you have the basket. Placing someone's child into a bag that looks like it's been sitting in a closet since the 1980s is unacceptable, and we need to do better for our families.

Bring a small bouquet of flowers if you're doing a transfer for a baby from the hospital room. This gives the mother something to hold after you take the baby from her. Explain everything thoroughly — the mother wants to know exactly what is going to happen to her child once you leave that hospital room. Be gentle but be honest and be careful to use terminology the family will understand. Also, be realistic about expectations for visitations and viewing options.

Encourage families to bring sentimental items to keep with the baby throughout the visitation and the burial or cremation. Ask the parents if they have any toys or books they'd like to keep with the baby. Make sure to specify whether those items will be going home with mom and dad or staying with the baby throughout the disposition process. Any personalization goes a long way. Ask about songs they listened to with the baby or during the pregnancy, favorite colors or anything else special. If they bring up the color pink, ask your colleagues to dress in pink on the day of the service. Play the song mentioned by the family during the service. The 'little things' go a long way. Consider the way you set up the visitation; maybe instead of a tribute DVD playing, you play the baby's favorite show or movie. You can even discuss using your Moses basket for the baby during the visitation.

A few more tips that I want to share — don't cut baby clothing. Parents and family are often inclined to pick up the baby and carry him or her around. Take the baby's handprints and footprints (with permission). Get in touch with local organizations that specialize in dealing with the loss of infants and stillbirths. I worked with a wonderful organization that put together boxes for grieving mothers with some self-care items as well as some memorial gifts. Other organizations provide burial gowns for babies;

some are even made from recycled wedding dresses. Last, make sure you have a contact within an organization that helps parents to process this type of grief. Over the years, many mothers have shared with me how disappointing the lack of resources was for them when they were experiencing the loss of their child.

My last piece of advice leads me to the end of my story. When the mother came to pick up the register book and extra prayer cards from her baby's service, I walked her out to her car. She thanked me several times before saying, "Thank you for calling my baby a baby." I, obviously confused, asked her what she'd meant by that. She shared with me that she'd called several funeral homes prior to getting in contact with me. All of the funeral homes she'd previously spoken with had referred to her child as "the fetus." Two little words, eight letters, that was the deciding factor for her in choosing which funeral home she wanted to care for her child. Two words that I'll never forget, and I know she won't either. We, as an industry, have to do better for these women.

Months later, I received an envelope in the mail at the funeral home from the mother of this particular baby. It was a typed note, mostly thanking me for my services and updating me on how she and her family were doing. The last paragraph of this letter changed my life and made me realize I was exactly where I was supposed to be.

"You were the last person on earth to touch my child, and I was comfortable knowing that she was in good hands."

The gravity of that statement will stay with me forever. It's easy to get caught up in the day-to-day operations in our field and in any field for that matter. We have to remember the power we hold on the good days, the bad days and the really stressful days that have us on the verge of tears behind the wheel of a hearse. We are the conduit that takes families through the journey from presence to memory. I can't stress to you enough how important that job is. Cases that require less paperwork, particularly in the case of a fetal death, may seem easier, but they're absolutely not. We, as funeral directors, need to make sure we are meeting the needs of families and helping them to navigate their grief journey.

I hope sharing this story inspires a few new ideas around your funeral home. Just remember, it's often those "little things" that become the big things for a mother who has just lost her child.

Two words can change everything. ■

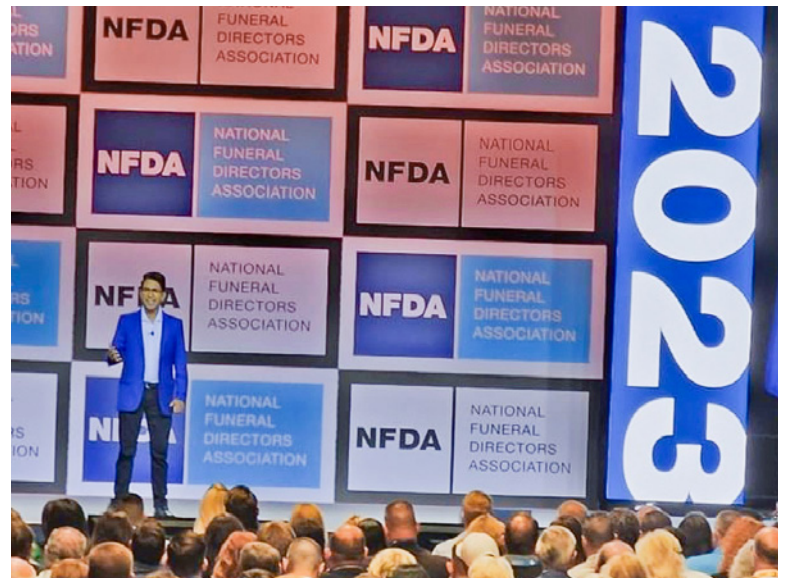
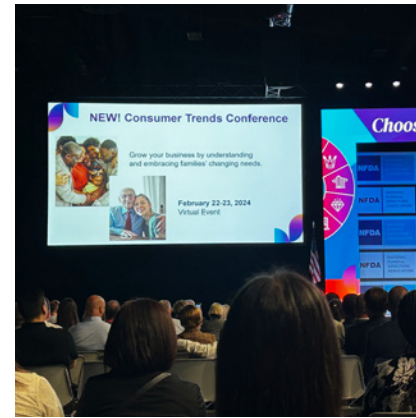
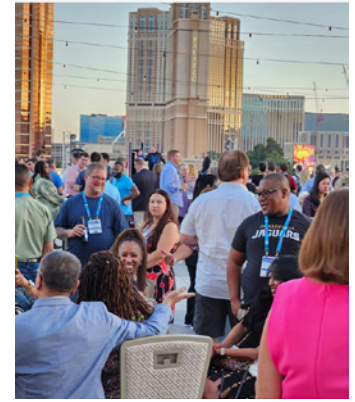
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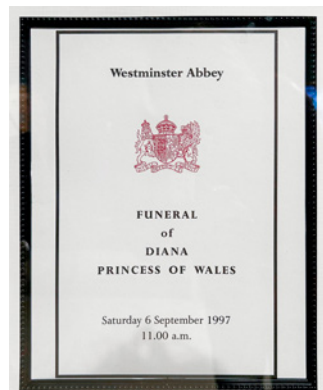
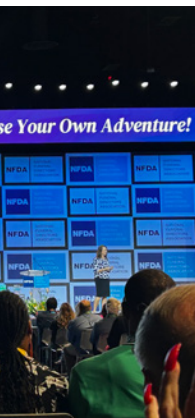
NFDA International Convention & Expo Recap

The NFDA held their convention September 10-13 at the Las Vegas Convention Center in Las Vegas, NV. It was an exciting event of important educational sessions and networking opportunities. Thank you to all who attended, and a big thank you to the sponsors! We hope to see you again next year. ■



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Connecting with peers is such an important part of any profession and #NFDA2023 is off to a fa... See more





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U.S. Cremation Rate Expected to Top 80% by 2045

By National Funeral Directors Association

NFDA's 2023 cremation and burial report shows the states in the western region of the U.S. are leading the pack in terms of the highest cremation rates in the country.

The U.S. cremation rate is expected to increase in the United States from 60.5% in 2023 to 81.4% by 2045, according to the National Funeral Directors Association's (NFDA) 2023 Cremation and Burial Report.

When it comes to cremation, the report reveals Washington, Nevada, Oregon, Montana, Wyoming and Colorado have emerged as frontrunners, and by the year 2035, these states are projected to have cremation rates reaching 80% or higher — reporting the highest cremation rates in the country. With projections indicating a continued upward trend over the next two decades, the increase in cremation sheds light on Americans' evolving preferences for cremation as a preferred choice for end-of-life arrangements.

Although the regions of the United States that are anticipated to lead in cremation by 2035 are primarily located in the western part of the country, there has been a significant shift in the Southeast, Great Lakes, and Mid-Atlantic regions as well. Between 2021-2023, the number of crematories in these areas has risen by 5.2%, signaling a shift in sentiment and increased adoption of cremation.

According to this year's findings, the rise in cremation is due to cost considerations, environmental concerns, an increasingly transient population, changing consumer preferences and fewer religious prohibitions against the practice. In fact, the percentage of U.S. consumers age 40 and older who feel it is "very important" to have religion play a part in the funeral process decreased by over 5% (49.5% to 44.3%) from 2012 to 2022.

"With the anticipated significant increase in the percentage of cremations over the next 20 years, our role as funeral directors is more important than ever to help families navigate the planning process and discuss all available options when it comes to end-of-life matters," said NFDA President Jack Mitchell, who also serves as President of Mitchell-Wiedefeld Funeral Home in Baltimore, Maryland. "Cremation is only one element of the memorialization process and should be approached that way. When cremation is part of a meaningful funeral or memorial service, we have found it to play a vital role in the healing journey."

NFDA's 2023 Consumer Preferences Survey unveiled compelling insights into the factors driving the increasing desire for cremation. According to the survey, a significant 54.4% of respondents cited cost-effectiveness as the primary reason for choosing cremation. Additionally, 42.5% expressed that cremation is easier, simpler and more convenient, while 24.1% stated that it aligns with their personal preference or family traditions. Further analysis of the survey data reveals that among those who prefer cremation,



data were collected from state vital statistics departments or similar state regulatory agencies for the years 2002-2021. Other findings presented in the report are from proprietary NFDA research studies, such as the 2023 NFDA Consumer Awareness & Preferences Study. With any statistical projection, there might be variations from year to year in an individual state. For the complete methodology, contact NFDA at (800) 228-6332. ■

NFDA is the world's leading and largest funeral service association, serving more than 20,000 individual members who represent nearly 11,000 funeral homes in the United States and 49 countries around the world. NFDA is the trusted leader, beacon for ethics and the strongest advocate for the profession. NFDA is the association of choice because it offers funeral professionals comprehensive educational resources, tools to manage successful businesses, guidance to become pillars in their communities and the expertise to foster future generations of funeral professionals. NFDA is headquartered in Brookfield, WI, and has an office in Washington, D.C. For more information, please contact (800) 228-6332 or visit www.nfda.org.

37.7% express a desire to have their remains scattered in sentimental locations, 17.3% indicate they have yet to decide on the disposition of their remains and 17% prefer a burial or interment at a cemetery.

NFDA's online consumer resource, Remembering A Life, helps families honor their loved ones in meaningful ways and begin the grief journey. The resource is for anyone who is grieving the death of a loved one or would like to support someone who is, and those who would like to preplan a meaningful tribute.

As the trusted leader and worldwide resource for the funeral service profession, NFDA lists Remembering A Life among their top resources because it provides families with the information they need based on their individual circumstances, whether a death has just occurred, they are planning in advance, want to support a friend who is grieving and more.

NFDA members may download a complimentary copy of the 2023 Cremation & Burial Report via the NFDA Store, (www.nfda.org/store, click the "Downloadable Products" category). Non-members may purchase the report for \$175.

The statistical projections contained in the 2023 NFDA Cremation and Burial Report were compiled by the University of Wisconsin-Madison Applied Population Laboratory Department of Community and Environmental Sociology. State-level deaths by "method of disposition"

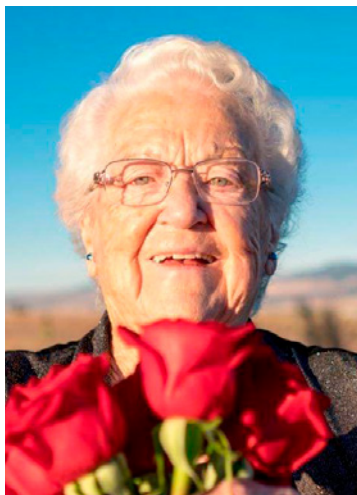
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Avalon Marie Fuller Billquist

Avalon Marie Fuller Billquist was born in Spokane, WA, on Sept. 7, 1926. She passed away on Oct. 10, 2023, at Ruby Valley Hospital in Sheridan, MT. Avalon was the oldest of four children born to Margaret Barrett and Lyle Fuller. She grew up in Mill Creek under the shadow of the stack.

Her parents were the leaders of the first 4-H club in Deer Lodge County when Avalon was in 9th grade, and 4-H remained a big part of her life. She graduated from Anaconda Senior High School in 1944 and then attended summer school at The Normal School, now U of M Western in Dillon, and received an emergency teaching certificate. She began her teaching career at Finn MT, teaching grades 1-8 in a one-room schoolhouse. She was 17, turning 18, one week later. She retired after teaching for 34 years.

She met her future husband, Ole Billquist, at Finn. They dated for eight years, marrying on Feb. 6, 1951, when Ole was on leave from the Army. They were married 60 years before Ole passed away in 2011. Avalon and Ole moved to Mill Creek in 1954, where they raised their four children — Jerry, Marty, Peggy and Sandy — in the log home they built. In 1988, they were forced to leave their beloved Mill Creek, moving to Galen Road. Avalon loved the views from her new home, but it wasn't Mill Creek. Avalon's family meant everything to her, and she was proud of each of her children, grandchildren and great-grandchildren.

Avalon and Ole were very active in the Grange. Avalon received her 75-year membership pin two years ago. The Grange provided numerous opportunities for the whole family. Avalon served as State Grange Junior Matron for many, many years and National Grange Advisory Committee for six years.

Avalon opened a ceramic shop in the 60s and provided classes until she retired around five years ago.

Avalon was preceded in death by her parents, Margaret and Lyle Fuller; husband, Ole Billquist (2011); siblings, Adell "Babe" and her husband, Verl Johnson, Mick and his wife, Lois Fuller, and Ron Fuller; and son-in-law, Dave Morley (2020).

She is survived by her son, Jerry and Bonnie Billquist, and their sons, Dan (Jodi) (great-grandsons Cameron and Evan), and Rob (Amanda); son, Marty and Joyce Billquist, and their daughter, Jessie (Doug Sather) (great-grandchildren Jaycee, Cody, Justin, Tucker, Jerzey and Jake); daughter, Peggy and Larry Ohman, and their children, Erica (Chris Worden) (great-grandchildren, Avalon and Axel), Kelsey (John Mitchell) (great-granddaughter Sawyer), and Adam; and daughter, Sandy Morley, and her children, Jeromy (Shannon) (great-grandchildren Arianna, Bethany and Roman) Amanda Morley (Trent Crismore) (great-grandchildren, Kimberlie, Tucker and Dalton).

In lieu of flowers, memorials in honor of Avalon are suggested to the Avon Grange #125, C/O Nancy Hartla PO Box 1367, Anaconda, MT 59711, **OR** Deer Lodge County 4-H Council, 811 E Park, Anaconda, MT 59711, **OR** Tri County Fair, PO Box 149 Deer Lodge, MT 59722 **OR** a charity of the donor's choice.

A funeral service for Avalon was held on Tuesday, Oct. 17, 2023, at Longfellow Finnegan Riddle Funeral Home Chapel, and a graveside service followed at the Avon Cemetery.

Please visit longfellowfinneganriddle.com to offer the family a condolence or to share a memory of Avalon.

Longfellow Finnegan Riddle Funeral Home and Cremation Services, along with Axelson Funeral and Cremation Services, have been privileged to care for Avalon and her family. ■



Jim Mitchell

Jim Mitchell, 88, a long-time Bozeman resident, passed away peacefully on Nov. 2, 2023. Jim was born in Orleans, NE, on Dec. 3, 1934. He attended the University of Nebraska at Kearney, where he graduated with a Bachelor of Arts. He married the love of his life, Bernie, in January 1958 in Colorado Springs, CO and was then drafted into the Army, where he and Bernie spent two years in Germany.

After military service, he moved to Hardin, MT, and worked at Bullis Mortuary. He left Hardin to attend mortuary school in San Francisco and returned to Hardin when finished. In 1973, he joined the ownership group with Howard Nelson and Rex Troth at Dokken-Nelson Funeral Service in Bozeman. Jim became sole owner of Dokken-Nelson in 1986, where he remained until his retirement in 2010.

He served as the President of the Montana Funeral Directors Association from 1981-1982 and was recognized for his 50 years of Funeral Director Service in 2014. Jim was a member of First Presbyterian Church for 50 years, where he served as an Elder and Deacon and sang in the choir. Jim served on the Bozeman School Board for six years and was a huge supporter of Bozeman Senior High School sports and music programs. He was Past President of the Bozeman Symphony Society and sang in the Bozeman Symphonic Choir for many years. Jim was Past President of the Bobcat Booster Club and loved his Bobcats. He wouldn't miss a game and planned trips to visit his kids and grandkids around Bobcat games. In 2003, Jim received the Community Excellence Service Award for outstanding service to the community and university, which recognized his numerous contributions to Montana State University and the city of Bozeman.

Following retirement, Jim served on the Bozeman Schools Foundation Board, where he helped raise funds for the Willson School Auditorium renovation. He was passionate about his volunteer work at Love In the Name of Christ. He was an avid reader and loved to travel, fly fish and spend time with his kids and grandkids.

Jim is survived by his wife, Bernie, of almost 66 years; daughter, Andrea (Blane) Edwards; son, Jim (Amy) Mitchell; sister, Joyce (VT) Miller; grandkids, Keaton (Breckyn), Hannah and Logan Edwards and Henry, Oliver and Maggie Mitchell; special friends, Chris, Monica, Taylor and Ashley Remely; and numerous nieces and nephews.

Should friends desire, memorials in Jim's name may be made to Love INC., P.O. Box 7117, Bozeman, MT 59771 or at loveincgc.org. ■



EEOC Proposes Updates to Its Harassment Guidance

By National Funeral Directors Association

The Equal Employment Opportunity Commission (EEOC) has published draft enforcement guidance regarding workplace harassment. According to SESCO Management Consultants, an NFDA Endorsed Provider Partner, highlights of the proposed guidance include broad protections for LGBTQ+ employees, virtual workplace harassment and non-work-related social media activity that contributes to a hostile work environment.

LGBTQ+ Protections

According to the proposed guidance, examples of harassment based on an individual's gender identity may include (i) harassment because an individual does not present in a manner that would stereotypically be associated with that person's gender; (ii) intentional and repeated use of a name or pronoun inconsistent with the individual's gender identity or (iii) denial of access to a bathroom or other sex-segregated facility consistent with the individual's gender identity.

Virtual Workplace Harassment

The proposed guidance cites examples of conduct that could be considered harassment, including (i) sexist comments made during a video meeting, (ii) racist imagery that is visible in an employee's workspace while the employee participates in a video meeting and (iii) sexual comments made during a video meeting about a bed being near an employee in the video image. While these examples cited by the agency focus on video conference technology, the EEOC opines that harassing conduct can also occur over instant messaging systems, internal electronic bulletin boards and other virtual communications systems.

Harassment Over Social Media

While noting that employers are generally not responsible for conduct that occurs in non-work-related contexts, the EEOC advises that an employer can be held liable when the conduct has consequences in the workplace and therefore contributes to a hostile work environment. In the context of social media, the EEOC notes that communications through social media accounts can affect the "terms and conditions of employment" and, therefore, may constitute harassing conduct. To illustrate this point, the proposed guidance offers the following example: "If an Arab-American employee is the subject of ethnic epithets that a coworker posts on a personal social media page, and either the employee learns about the post directly or other coworkers see the comment and discuss it at work, then the social media posting can contribute to a racially hostile work environment." Put starkly, according to the EEOC, social media posts that an employee has not personally viewed can contribute to a hostile work environment simply because the employee learned about the post as a result of the employee's coworkers discussing the post at work.

Employer Takeaways

According to SESCO, while the EEOC's new proposed harassment guidance, even if it becomes final, does not have the force of law, it is clear that the modern workplace environment can create opportunities for workplace harassment that can catch employers by surprise. Accordingly, SESCO recommends employers review and update their existing policies and procedures based on these changes to the workplace.

If you have questions about this or any other human resources issues, NFDA members can call SESCO's complimentary human resources hotline. Learn more at nfda.org/endorsedproviders. ■



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2024 MFDA SCHEDULE

January 25

Board Meeting

*Helena Great Northern Hotel
Helena, MT*

March 19-22

NFDA Advocacy

Caylord Hotel, Washington, D.C.

April 18

Board Meeting

Virtual

Spring District Meetings

- May 14 — *Butte/Anaconda*
- May 15 — *Missoula*
- May 16 — *Great Falls*
- May 22 — *Miles City*
- May 23 — *Billings*

June 23-25

2024 MFDA Convention

*Holiday Inn Missoula
Missoula, MT*

July 28-31

NFDA Leadership Conference
Ponte Verde, FL

October 20-23

NFDA Convention
New Orleans, LA

November

District Meeting
Virtual

Board Meeting

Virtual

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Montana Board of Funeral Services Report

By James Brown, Esq., MFDA Executive Director

On Nov. 17, 2023, the Board of Funeral Services met for the first time since February and only for the second time this year. The meeting was called to order by Chairman **Jim Axelson** at 10:00 AM. Chair Axelson announced that **Deacan Dan McGrath** was resigning from the Board. Mr. McGrath served as the Public Member of the Board. During public comment, the Montana Funeral Directors Association, by and through myself, noted its great displeasure at the lack of meetings being conducted by the Board of Funeral Service. The Association noted it worked hard to get a bill through the Legislature to ensure that the Board was fully funded to allow it to function fully. By not meeting, the Board is harming the industry and the public.

The Board elected the following as its officers:

Jim Axelson — Elected Chair
Tyson Moore — Vice Presiding Officer
Ralph Mihlfeld — Secretary/Treasurer
Jim Axelson — Screening Panel Chair
Jayson Watkins — Adjudication Panel Chair

Governor's Red Tape Initiative

The Governor's office held Board training in Helena recently. **Chair Axelson** noted he has spoken with the former legal counsel for the Board, and they have identified some areas where laws/rules can be revised/repealed. The Board indicated it will weigh in on any proposed changes by the Governor. Board member **Tyson Moore** asked why there is no action in relation to the implementation of SB 244. The board raised questions to the department as to how SB 244 is working in practice since it went into effect in July of 2023.

Possible Repeal of Continuing Education Requirements

The board undertook a discussion on whether to considering repealing or revising continuing education requirements. MFDA Board member **Fred Nelson** provided public comment that he opposed any repeal. Mr. Nelson reminded

the Board of Funeral Service members of the recent incidents in Colorado due to lack of requirements in the state of Colorado. MFDA raised questions about how this topic has even arisen and opposed the concept generally without knowing specifics.

There were various questions asked by the Board to the Department about current auditing practices and numbers. The Department stated that roughly 10 states don't require Continuing Education (CE), but that two states don't have a funeral board. **Rick Walter** noted that the funeral services profession is changing, and there is a need for persons in the industry to stay on top. **Jim Axelson** noted he asked this topic be discussed to ensure there was and is support for keeping the CE requirements. Jim noted that he believes CE is necessary to ensure that the funeral industry remains a profession, not a trade. **Tyson Moore** said that, without continuing education, there would be no need to even have a license. He suggested looking at adding certain areas of trade practice to mandatory education training. **Ralph Foster** raised CE requirements for those who want to go to an inactive status. The board generally felt that those who go to inactive status need to meet CE requirements in order to reactive their license.

Possible Legislation for the 2025 Montana Legislative Session

The board is considering pursuing legislation related to alkaline hydrolysis and better defining "disposition." **Chair Axelson** feels this is an area of regulation that needs to be considered and explored. **Ralph Mihlfeld** feels this is an area that should be regulated by the Board and State. **Jayson Watkins** said other states have already started to regulate this area in terms of disposition, and the state of Montana is behind it.

Susie Osborne, Board Executive Officer, reported the following as to Board finances:

FY 2023 — Total Revenue is \$209,700
FY 2023 — Total Expenses are \$77,600
As of Oct. 26, 2023, the board's cash balance is \$528,000

The Board engaged in an extensive discussion about the large cash balance, discussing whether to authorize a fee abatement or to offer additional services. **Chair Axelson** noted that many licensees are concerned about the unusually high license fees in this profession. The Board noted they are aware that persons other than licensed morticians are improperly making arrangements. The board would like the Department to start enforcing the scope of practice. ■

More information on the agenda and topics can be found on the Board of Funeral Service's webpage located at: <https://boardmeetings.dli.mt.gov/boardmeetings/fnr>

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