

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
MONTANA STATE HOSPITAL, STATE OF MONTANA, DPHHS  
AND MNA Local #7 of the Montana Nurses Association  
January 20, 2017**

Purpose: This Memorandum of Understanding (MOU) designates the process and compensation for emergent shifts to meet CMS identified staffing requirements.

The parties agree:

- Employees in the bargaining unit shall fill emergent shifts unless otherwise specified by mutual agreement. Management shall notify the union of emergent shifts.
- Management shall have the sole discretion to designate emergent shifts.
- Employees covered by the collective bargaining agreement that are presently eligible for overtime call shall be compensated for all hours worked during an emergent shift at double the current base salary rate in addition to all applicable wage differentials.
- Employees with an unscheduled call-off in the same pay period as agreeing to an emergent shift are still eligible to work the emergent shift but will receive regular compensation. In instances where an employee has volunteered to work an emergent shift, and due to an un-scheduled call-off the shift will be paid at a rate less than double the base rate, the employee is no longer obligated to cover the emergent shift; however, notification of the intent to vacate the emergent shift must be given to the Director of Nursing at least 24 hours before the shift start.
- All designated emergent shifts will be covered on a first-come first-serve basis, seniority does not apply.
- DPHHS agrees to provide MNA a listing of the total emergent shifts for each of the previous weeks including reporting shifts that were filled and shifts that were unfilled.
- The term of this MOU is January 20, 2017 through April 17, 2017. This MOU may be extended by mutual agreement.
- Staffing shall be a standing agenda item of PCC until permanent staffing levels have been consistently achieved. The March 2017 PCC will focus on implementation and staffing-related items.

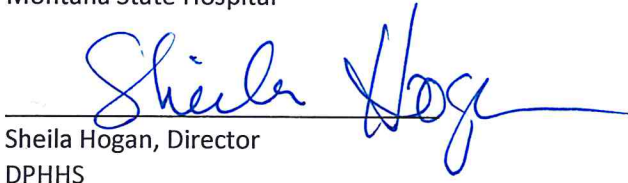
This agreement is signed this 7<sup>th</sup> day of April, 2017

FOR: STATE OF MONTANA

FOR: MONTANA NURSES ASSOCIATION

  
Jay Pottenger, Administrator  
Montana State Hospital

  
Jack Preston, President  
Montana Nurses Association Local #7

  
Sheila Hogan, Director  
DPHHS

  
Sandi Luckey, Labor Representative  
Montana Nurses Association

  
Mike Manion, Chief  
State Office of Labor Relations