

## Memorandum of Understanding

Department of Public Health and Human Services  
Montana Mental Health Nursing Center  
And  
Montana Nurses Association (MNA)

This Memorandum of Understanding is entered into, by and between STATE OF MONTANA DEPARTMENT OF PUBLIC HEALTH and HUMAN SERVICES, MONTANA MENTAL HEALTH NURSING CARE CENTER (MMHNCC), hereinafter referred to as the “Employer” or “Facility”, and the Montana Nurses Association, Local Unit #14, hereinafter referred to as “MNA” or “Union” (collectively the “Parties”) and shall serve as an one-time addendum to the current collective bargaining agreement, July 1, 2017- June 30, 2019. This Memorandum of Understanding is related to the closure of the Lewistown Infirmiry. The goal of this MOU is to preserve jobs and create the least amount of disruption to staff and residents of the MMHNC, due to the closure. No new nursing positions, as defined by the State of Montana SABHRS system, were created and therefore the parties agree to the following process:

1. Preference of changes in shift patterns will be given to bargaining unit employees who meet the minimum qualifications of the vacancy as per position posting. When qualifications and ability are equal, seniority will prevail.
  - a. Shift patterns minimum qualifications will be posted at the bottom of each bid pattern posting. For example:
    - i. Full-time shift pattern – minimum qualification to bid on a full-time shift pattern you must currently work full-time hours (36-40 hours/week).
    - ii. Part-time shift pattern – minimum qualification to bid on a part-time shift pattern you must currently work part-time hours (20-36 hours/week).
2. Seniority is defined as date of hire into an RN staff position, excluding time worked out of the bargaining unit, at the facility.
3. We enter this agreement with good faith effort, as verbally agreed upon by the bargaining parties on June 25, 2018. This MOU will be implemented as outlined in this document and concurrently as the document is being routed for signature.
4. The following are the dates of implementation as agreed upon by the parties:
  - a. The Director of Nursing will provide the MNA Union Representative two models for the day shift patterns by June 27, 2018. There is only one model of night shift patterns, thus no vote is needed.
  - b. The Union Representative will distribute the models to the bargaining unit employees for vote. Day shift nurses will vote on day shift patterns, Evening shift nurses shall have the choice to vote on the day shift pattern models or not. Appropriate electronic ballots will be forwarded to the nurses. MDS Coordinator and Infection Preventionist are excluded from

voting. The outcome will be determined by 50% plus one vote. The Union Representative will have the voting results to the Director of Nursing by July 9, 2018.

- c. The Director of Nursing will post the model elected, by the bargaining unit employees, with the new shift patterns by July 11, 2018.
- d. The Director of Nursing and/or The HR designee and at least one of the elected officers from the bargaining unit will contact each bargaining unit employee on July 16, 2018. Bargaining unit employees will make known their bid preference for the shift patterns, which will be awarded by seniority.
- e. The Director of Nursing will post the new shift patterns, for the bargaining unit employees, by July 27, 2018.
- f. DPHHS will provide notice to the Union Representative and the bargaining unit employees, of the implementation date of the shift patterns, with as much advance notice as possible. However, implementation may occur as early as August 1, 2018.

EXECUTED AND ENTERED into this 3rd day of July 2018.

FOR: STATE OF MONTANA  
DEPARTMENT OF PUBLIC HEALTH  
AND HUMAN SERVICES

  
Sheila Hogan (Jul 2, 2018)

Sheila Hogan, Director  
Department of Public Health and  
Human Services

  
J. Zoe Barnard (Jun 28, 2018)

Zoe Barnard, Administrator  
Department of Public Health and  
Human Services – AMDD

  
Dianne Scotten (Jun 28, 2018)

Dianne Scotten, Administrator  
Montana Mental Health Nursing  
Center

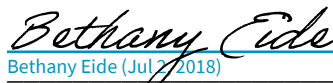
  
Mike Manion (Jul 3, 2018)

Michael P. Manion, Chief  
State Office of Labor Relations

FOR: MONTANA NURSES ASSOCIATION



Amy Hauschild, MNA Labor Representative

  
Bethany Eide (Jul 2, 2018)

Bethany Eide, Local #14, President

  
Pam Bristol (Jun 28, 2018)

Pam Bristol, Local #14, Secretary/Treasurer