

MEMORANDUM OF UNDERSTANDING

by and between

**State of Montana
Department of Corrections**

And

Montana Federation of Public Employees

This Memorandum of Understanding (MOU) is entered into this 4/29/2020 by and between the State of Montana, Department of Corrections (“Employer”) and the Montana Federation of Public Employees (“Union”).

Effective Saturday, April 11, 2020, a \$4.50/hour pay differential will be paid to the following Employer staff:

1. Employer staff who are required by their Division Administrator, Warden, or Superintendent to work at the following correctional facilities, without the option to telework, during the COVID-19 state of emergency:
 - a. Montana State Prison, including the Riverside Special Needs Unit;
 - b. Montana Women’s Prison; and
 - c. Pine Hills Correctional Facility

2. Employer staff who are required by their Division Administrator to conduct work interfacing with the public in the following activities, without the option to telework, during the COVID-19 state of emergency:
 - a. Arrests;
 - b. Transports;
 - c. Call-Outs;
 - d. In-Person check ins with high risk / high needs offenders;
 - e. GPS installation or termination;
 - f. Hearings required to be done in person in a facility;
 - g. Required appearances in a facility;
 - h. Required IPPO activity in facilities, including sign-ups and GPS installation;
 - i. Essential drug testing;
 - j. Hospital Duty; and
 - k. US Marshalls / FBI Task Force field operations

3. Employees in all positions in all divisions are eligible for the \$4.50/hour pay differential if they are required by their Administrator, Warden, or Superintendent to work within the above-identified secured facilities as their primary duty station.

4. The pay differential is only for time worked at the above-identified facilities. Differential pay will not be provided for leave time (including without limitation approved paid COVID-19 leave) and time worked outside the above-identified facilities or job duties.
5. Employees who are disciplined because of misuse of leave or for refusing a mandatory overtime shift during the COVID-19 state of emergency lose any eligibility for differential pay.
6. Employees who have the ability to telework but choose not to are not eligible for the differential.
7. Payroll will process the differential based on actual hours worked within the above-described job duties or at the above-identified facilities. For staff who work in multiple locations inside and outside of the above-identified facilities, supervisors must differentiate for payroll the time that the employee is mandated to work within the above-identified facilities or job duties by indicating such time in the description field of the time sheet.
8. Differential pay will be provided for hours worked in excess of 40 hours per week only with prior approval of a supervisor.
9. New hires will not receive differential pay until they complete new employee orientation.
10. Differential pay is being offered to address the unique circumstances created by the COVID-19 pandemic. This pay is therefore not a right or entitlement. Management intends to continue this differential pay as long as the COVID-19-related emergency staffing status is in place. However, management reserves the right to discontinue differential pay for any reason at any time upon 24 hours' notice.

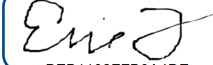
Dated this 4/29/2020.


For: THE STATE OF MONTANA

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Reginald D. Michael, Director
Montana Department of Corrections

For: MONTANA FEDERATION OF PUBLIC EMPLOYEES

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Eric Feaver, President
Montana Federation of Public Employees

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Michael P. Manion, Chief
State Office of Labor relations