

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
DEPARTMENT OF LABOR AND INDUSTRY (DLI)  
and  
MONTANA FEDERATION OF PUBLIC EMPLOYEES (MFPE)**

This Memorandum of Understanding (MOU) is entered into by and between the Montana Department of Labor and Industry (DLI), and the Montana Federation of Public Employees (MFPE).

This MOU is applicable to all DLI bargaining unit employees represented by MFPE working in the Unemployment Insurance Division, and the temporary employees working for the Unemployment Insurance Division helping with the additional claims caseload caused by the Covid-19 Pandemic.

Per this agreement the following will go into effect February 1, 2021:

- This MOU only applies to this one-time practice agreed on by DLI and the Union at the time of this agreement.
- DLI will convert up to 60 temporary Unemployment Claims Examiner positions to permanent positions, foregoing the competitive hiring process.
- These employees will be converted to permanent before their one-year temporary status ends to avoid having to terminate the employment relationship and to allow for continuity of UI adjudication.
- The newly established permanent Claims Examiner positions will be covered under the MFPE/DLI collective bargaining agreement.
- Compensation for the positions created in this MOU will be established per budgetary allocation by DLI, however, pay for these positions will not surpass those established in the collective bargaining agreement for the existing permanent Claims Examiners in the same classifications.
- Before each temporary position is converted to permanent, an email will be sent to the UI Call Center employees as well as to MFPE. Current permanent DLI employees may express interest in these positions and will be given hiring preference over current temporary employees.
- These positions will be subject to a Reduction in Force (RIF) when the caseload no longer supports the need for a higher number of employees. Any current DLI employees who apply for and accept these positions will be subject to the RIF.
- RIF's will be applied in a 'last in first out' basis within each work unit and corresponding job duties based on the original temporary employment hire date.
- Temporary employees who are converted in this MOU to permanent employment will not be required to serve a probationary period.
- Each employee affected by this agreement will receive a letter explaining their status and these changes along with a copy of the MOU.
- DLI Human Resources will provide MFPE a list of employees affected by this MOU.

**DATED** 2/3/2021.

**FOR: THE STATE OF MONTANA:**

**FOR: MONTANA FEDERATION OF PUBLIC EMPLOYEES (MFPE)**

DocuSigned by:

DocuSigned by:

*Kathleen P. O'Leary*

*Candice J. Spencer*

Kathleen O'Leary, Deputy Commissioner  
Department of Labor and Industry

Candice J. Spencer, President of Local Union 7781  
Montana Federation of Public Employees

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*Mike Manion*

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Mike Manion, State Chief Labor Negotiator  
Department of Administration

Brian R. Ehli, Field Consultant  
Montana Federation of Public Employees