

**MEMORANDUM OF UNDERSTANDING  
TO CONTRACT EFFECTIVE  
July 1, 2023 THROUGH June 30, 2025**

**by and between  
State of Montana  
Department of Transportation  
And  
American Federation of State, County and Municipal Employees, Council 9**

This Memorandum of Understanding (MOU) is entered into this 3/6/2024 by and between the State of Montana, Department of Transportation ("Employer"), and American Federation of State, County and Municipal Employees, Council 9 ("Union").

The Employer and the Union agree to the following provisions in the implementation of the Transportation Operations for the 2023-2025 contract term.

Transportation operations defined as work that falls under Manual on Uniform Traffic Control Devices or contract administration supports. Examples include but are not limited to: flagging, road closures, material testing, quality or quantity measurement and verification.

1. In case of an emergency or shortage of employees, the Employer may utilize any employee from any bargaining unit to perform transportation operation duties on a temporary assignment.
2. A temporary assignment will not exceed 14 working days.
3. Any employee assigned on a temporary assignment must possess the necessary qualifications.
4. Employees assigned temporary transportation operations duties will receive their regular pay rate and will remain in the CBA of their regular position.
5. Employees temporarily assigned to transportation operations will continue to report to their permanently assigned work location prior to the temporary worksite. Upon mutual agreement, other arrangements may be made.
6. This agreement is not intended to be used for the purpose of overtime reduction.

This MOU amends Labor Agreement No. 001, as described herein. In all other respects, Labor Agreement 001 remains unchanged.

Dated this 3/6/2024.

For: THE STATE OF MONTANA

DocuSigned by:  
*Malcolm Long, Director*  
FADC5831DC584E8...  
Malcolm Long, Director  
Montana Department of Transportation

DocuSigned by:  
*Karol Anne Davis*  
382B3999E2BE4DB...  
Karol Anne Davis, Chief  
State Office of Labor relations

For:

DocuSigned by:  
*Timm Twardoski*  
88930181108B4DF...  
Timm Twardoski, Executive Director  
AFSCME Council 9