

Memorandum of Understanding

Between

Montana Department of Corrections

And

Montana Federation of Public Employees Department of Corrections Consortium

The Montana Department of Corrections and the Montana Federation of Public Employees Department of Corrections Consortium have a collective bargaining agreement. The collective bargaining agreement will expire on 30 June 2025.

The parties agree to the terms of this Memorandum of Understanding. The parties agree that the terms of this memorandum of understanding shall supersede any conflicting language that may exist in the collective bargaining agreement. Additionally, the parties agree to present the terms of this agreement during the bargaining of the successor collective bargaining agreement with the intent of inserting these terms into the collective bargaining agreement.

Section 1. U.S. Marshal Task Force. The parties agree to the following procedures regarding the establishment and organization of task forces working in conjunction with the U.S. Marshal Service.

Subsection 1. Probation Officers chosen to serve on the task force shall be members of the bargaining unit represented by the union.

Subsection 2. Probation Officers shall serve on the task force for a period of up to five years.

Subsection 3. It is the philosophy of the parties that the task force position should rotate every five years to qualified officers. Should at the end of the five-year term no applicants apply, or it is determined by the employer that the applicants are not suitable for the task force, then the current task force Probation Officer may reapply for a successive five-year term.

Subsection 4. Task force officers will return to their previous position at the end of the five-year term.

Subsection 5. Within the five-year term should the employer feel the task force officer has been inappropriately placed on the task force, the employer may return the officer to their previous position and reopen the task force position.

Subsection 6. The five-year term of a task force officer shall commence on the date when the officer is deputized pursuant to the applicable federal law.

Subsection 7. Task force officers who were deputized prior to March 1, 2024 and have served less than three years on the task force, will serve an aggregate 5-year term, commencing from the date they were deputized.

Section 2. Recruitment and Selection of U.S. Marshal task force positions:

Subsection 1. The employer will advertise open task force positions for a period of not less than ten (10) business days.

Subsection 2. Task force positions will be available only to those Probation Officers working in the office which has a task force agreement with the U.S. Marshal Service.

Subsection 3. Probation Officers interested in serving on the task force shall write a letter of application and submit the letter to their Captains.

Subsection 4. Applicants must have a minimum of four years' experience as a Probation Officer with the Department of Corrections.

Subsection 5. Applicants will not be considered if they are under discipline or on a plan of improvement.

Subsection 6. Applicants must be in compliance with all department required training.

Subsection 7. Applicants may be required to complete validated physical abilities testing, due to the law enforcement deputized and physical nature of task force assignments.

Subsection 8. Applicants will be interviewed by a team composed of the employer's management for that office and representatives from the law enforcement agency with oversight of the task force.

Subsection 9. Probation Officers chosen to serve on the task force shall be by a joint decision of the employer and the law enforcement agency with oversight of the task force.

Subsection 10. Should no applicants apply for a newly created task force position, the employer may assign a Probation Officer to the task force. However, the employer cannot require the officer to work more than forty (40) hours per week.

DATED THIS: 5/30/2024

FOR: STATE OF MONTANA

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