

NEWSRELEASE

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FOR IMMEDIATE RELEASE

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Corrections Settles Lunch Break Claim

The Department of Corrections has agreed to settle a claim by 14 Montana State Prison employees over lunch breaks during which the employees claimed to have spent the time working.

The state will pay the non-union employees a lump-sum amount of \$124,000 to settle the claims.

The case involved three shift commanders working in the command post, nine case managers and two hearings officers. None of the employees were responsible for direct care and custody of inmates.

Their original claim was for total damages in excess of \$250,000, not including attorney fees, which a successful claimant is entitled to claim.

“Obviously, the demands of operating a secure-care facility are different from those found in conventional work places,” Mahoney said, noting that the department earlier this year changed its policy to one that provides paid lunch breaks.

Under the prior policy, because the lunch break was not paid, employees were expected not to engage in work duties. Although the employees said they felt they were expected to work through their lunch breaks, no such requirement existed unless an emergency would occur in the prison.

The employees’ claims ranged from those who experienced little interruption in their lunch break to those who felt they should continue working by responding to questions and answering their telephones during the lunch break.

While the state disputed the substance of many of the claims, Mahoney said, the department agreed to settle the case because the potential damages could have been far higher than the agreed-upon amount, not including the legal costs the state would incur. Beyond that, he said, a trial involving 14 plaintiffs would have been complex and time-consuming.

“On behalf of the entire management team, I want to thank the shift commanders and managers who supported us through this entire process,” Mahoney said. “We now put this distraction behind us and turn our attention to the fulfilling the mission of our institution and rededicating ourselves to the safe and orderly operation of Montana State Prison.”

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