



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE**

Policy No. DOC 1.3.31	Subject: LABOR RELATIONS ADMINISTRATION
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 2
Section 3: Human Resources	Effective Date: March 15, 2005
Signature: /s/ Mike Batista, Director	Revised: 02/23/2015

I. POLICY

The Department of Corrections provides and administers a carefully planned and consistent approach to labor relations.

II. APPLICABILITY

All divisions, facilities, and programs Department-owned and contracted, as specified in contract.

III. DEFINITIONS

Chief Negotiator – The Governor’s designated collective bargaining representative who is attached to the State Human Resource Division, Department of Administration, or designee, as established by Executive Order 1-93 or its successor(s).

Director’s Designee/Agency Labor Relations Coordinator – For purposes of Department of Corrections’ labor relations issues, the Human Resources director, Department of Corrections, will serve as primary contact and labor issues coordinator for the Department of Corrections.

Designee – The person designated to act on behalf of the person responsible for specific decisions or actions.

IV. DEPARTMENT DIRECTIVES

A. Agency Spokesperson for Labor Relations

1. Delegation of Authority:
 - a. it is the responsibility of the director of the Department of Corrections (Department) to ensure that labor relations affairs of the Department are consistent with the goals and directives of the governor of the State of Montana as articulated by the governor’s chief negotiator, as well as in alignment with the mission and vision of the Department. The director designates the Human Resources director to be his designated agency labor relations coordinator responsible for the day to day affairs of the Department as they relate to contract negotiations, grievance administration, formal and informal communications with the union’s representative(s), bargaining units that represent employees of the Department, and with the chief negotiator.
2. Manner of Establishing Labor Relations Strategy and Parameters:
 - a. Prior to the beginning of each bargaining cycle, the director will consult with the governor’s bargaining designee and the Human Resources director to design the agency bargaining parameters and to give direction to those who will speak for the Department in all bargaining sessions. During the course of any labor negotiations,

the agency coordinator will present progress and issue reports to the director as requested and to the management team at each management meeting.

B. Grievance Processing

1. Those responsible to respond at the initial steps of any contractual grievance procedure will have full authority to resolve contract grievances. They are encouraged to do so provided only that they confer first with the agency coordinator prior to reaching any agreement which may change the way a collective bargaining agreement has been interpreted or administered. A grievance that reaches the final step prior to arbitration must be reviewed by the agency coordinator, or designee, for possible resolution or to draft the final response for the director's signature. Any grievance, which has been subject to a request for arbitration, may only be settled subsequent to discussion and agreement between the chief negotiator, the agency coordinator, and the director.

C. Tentative Agreements and Ratification of Tentative Agreements

1. Only the chief negotiator and the agency coordinator, or their designees, have the authority to reach tentative agreements on behalf of the Department.

D. Labor Management Committees

1. The Department is committed to utilization of any tools which will reduce labor management strife and increase labor management cooperation. Labor management committees should be utilized for the purposes of conflict avoidance and resolution in the work unit/facility/division before the conflicts become issues for negotiation or the grievance procedure. Labor management committees may not engage in contract negotiation nor resolve individual grievances.

E. Communications Protocols

1. Managers and supervisors at any level of the Department are encouraged to maintain open lines of communication with both union professional representatives and agency employees in their capacity as stewards, bargaining unit officers, or grievance representatives. In doing so, they need to be mindful of their restrictions related to bargaining and grievance resolution found in items C and D,

V. CLOSING

Provisions of this policy not required by statute will be followed unless the provisions conflict with negotiated labor contracts, which will take precedence to the extent applicable.

Questions concerning this policy should be directed to Human Resources

VI. REFERENCES

A. 2-15-112, MCA; 53-1-203; MCA

VII. ATTACHMENTS

None