

**ITEM NO. 114-102-R0302 ATTACHMENT**

**Proposed Tentative Agreement  
between  
International Union of Operating Engineers, Local #400  
and the  
Montana University System**

Modify the 1999-2001 collective bargaining agreement as follows.

1. PREAMBLE  
ARTICLE I Section A. Contract Term  
Section B. Negotiations Schedule

Change dates to reflect a July 1, 2001 to June 30, 2003 contract term.

2. ARTICLE VI Section B.5.f. Copies of Contract

Change to read: "Upon final ratification of this contract, the employer shall prepare a copy of the agreement and send it to the bargaining agent. Employees may access the agreement electronically or may request a copy from the employer or the bargaining agent."

3. ARTICLE X Section A. Probationary Period

Change the second sentence to read as follows: "The first three (3) months of employment of a newly hired employee into a full-time permanent position shall be a period of probation."

4. ARTICLE XI Section A.1.c. Charges by Quarter Hour (note title change)

Delete second sentence.

- ARTICLE XI Section A.2.e Charges by Quarter Hour (note title change)

Delete second sentence.

5. ARTICLE XI Section G.1. Group Insurance

Change the first sentence to read: "The employer contribution to health insurance for eligible employees shall be \$325.00 per month for the fiscal year ending June 30, 2002, and \$366.00 per month for the fiscal year ending June 30, 2003."

6. ARTICLE XIII Section D. Grievance Committee

Change to read: "Any grievance not resolved by means of the informal procedure may be submitted in writing by the bargaining agent to the Commissioner of Higher Education within ten (10) days of receipt of the Personnel Officer's response. Upon receipt of the request to convene a grievance committee, the Commissioner of Higher Education shall appoint a committee comprised of three (3) members selected by management and three (3) members selected by the bargaining agent to hear the grievance. No employee of the unit from which the grievance originated may be selected by management or the bargaining agent to serve on the committee. The grievance committee shall conduct the hearing at the unit from which the grievance originated and shall arrive at a decision within ten (10) working days following the date upon which the grievance is heard by the committee."

7. ARTICLE XIV Sections B.8. and B.9. Right to Warning Letter

Change to read: "Prior to discharge for any reason other than those set forth in subsection 10 below, the employer shall give the employee at least one (1) warning letter of the complaint against the employee. The warning letter shall be prepared, dated and signed, and shall clearly state the complaint against the employee. The bargaining agent shall receive a copy of all warning letters. The first warning letter that an employee receives will typically not remain in the personnel file for longer than six (6) months but may be retained for a longer duration not to exceed one (1) year in appropriate circumstances after discussion of the matter with the bargaining agent. If the warning letter is to remain in the file for longer than six (6) months, the employee will be provided an interim written progress report by the supervisor within six (6) months from the issuance of the warning letter. Warning letters are subject to the grievance procedure."

8. ARTICLE XV Section C.4. Compensatory Time

d. Payment on Death or Termination: Change the first sentence to read: "Upon termination or death, any unused compensatory time will be paid to the employee or beneficiary at the regular rate of pay at the time of termination or death, or the average regular rate received by the employee during the last three (3) years of the employee's employment, whichever is higher."

9. ADDENDUM A.I.

SCOPE OF WORK—THE UNIVERSITY OF MONTANA-WESTERN ONLY: Change to read as follows: “All engineers may repair, maintain, alter or otherwise do whatever is necessary for the continuous operation of all plants, machinery and engines coming under the jurisdiction of the Operating Engineers, but must not install new work coming under the jurisdiction of other crafts. Persons other than bargaining unit employees shall not be allowed to perform bargaining unit work or otherwise replace an engineer except in an emergency.”

10. ADDENDUM A.IV. CLASSIFICATION AND WAGES

Effective November 1, 2001, increase wages by 4%. Effective November 1, 2002, increase wages by 4%.

	<u>11/1/01</u>	<u>11/1/02</u>
Repair Maintenance Technician	16.71	17.38
Maintenance Worker II (Preventive Maintenance Technician – MSU only)	15.29	15.90
Stationary Engineer II	15.84	16.47
Stationary Engineer III	16.55	17.21
Stationary Engineer – Maintenance	16.19	16.84
Stationary Engineer – Maintenance II	16.90	17.58
Maintenance Supervisor II	17.24	17.93
Maintenance Supervisor III	17.30	17.99
Maintenance Supervisor IV	18.00	18.72