

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
YELLOWSTONE COUNTY  
AND  
THE MONTANA PUBLIC EMPLOYEES ASSOCIATION  
YELLOWSTONE COUNTY DEPUTY SHERIFF'S UNIT.**

This memorandum of understanding (MOU) is being entered into for the purpose of modifying the way shift differential is paid. This change has been necessitated by an administrative change to Deputy scheduling.

Current language reads as follows:


**Section 13. Shift Differential:** Deputies who are assigned to rotational shifts will receive a shift differential of \$0.76 per hour (paid at \$0.38 year round) for the hours worked on the night shift. Deputies who work rotational shifts work approximately 6 months on dayshift and 6 months on nightshift. Night shift is defined as 7:00 PM to 7:00 AM. In order to simplify payroll, the differential will be paid year round at the rate of \$.38 (thirty eight cents) per hour.


This MOU will modify the collective bargaining language to read:

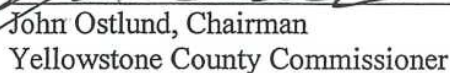
*Deputies who are assigned to night shift will receive a shift differential of .76 per hour for the hours worked on the night shift. Night shift is defined as 7:00 PM to 7:00 A.M. This includes time worked over on a scheduled short shift during 7:00 PM to 7:00 AM.*


This language will take effect to coincide with the shift change.


DATED November 21, 2017


  
\_\_\_\_\_  
Mike Linder  
Yellowstone County Sheriff


  
\_\_\_\_\_  
Quinton Nyman  
MPEA Executive Director

  
\_\_\_\_\_  
John Ostlund, Chairman  
Yellowstone County Commissioner

  
\_\_\_\_\_  
Darcy Dahle  
MPEA Field Representative

  
\_\_\_\_\_  
Robyn Driscoll  
Yellowstone County Commissioner

  
\_\_\_\_\_  
Derrek Skinner  
MPEA Unit President

  
\_\_\_\_\_  
Denis Pitman  
Yellowstone County Commissioner

# MEMO

YELLOWSTONE COUNTY  
SHERIFF'S OFFICE

**To:** Darcy Dahle  
Derrek Skinner

**Cc:** Dwight Vigness

**From:** Sheriff Linder

**Date:** 11-13-17

**Re:** 2018 Shift schedules

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## 2018 Shift Changes

During the last session, the Legislature approved two additional District Court Judges to deal with the increased court caseloads in Yellowstone County. These Judges will be in place in January 2019, making 8 District courts in Yellowstone County. Our Sheriff's Office must be prepared to provide the services required by these courts. Montana Code Annotated 7-32-2121 spells out the duties of the Sheriff. Among those duties is:

**(5) attend all courts, except municipal, justices', and city courts, at their respective terms or sessions held within the county and obey their lawful orders and directions;**

The schedules shown below are a proposed trial schedule for the 2018 calendar year. The intent is to provide sufficient coverage within the courts and at the street level, as well as allow the patrol division to remain on the 12-hour shift schedules.

January 2018 changes as approved per Darcy Dahle email 11-9-17

### **Court Deputies** (subject to change as needs are determined)

In order to address what many feel is one of the main challenges (inmate transportation during day shifts) we are designating two positions to address these concerns. Two 8-hour positions will be posted for court-designated duties, including but not limited to transports, guard duties, court / courthouse security, drug and alcohol courts, trials, hearings and alike. These positions will be bid as one-year assignments, although the

criteria for bidding these positions is different from other special assignments. Current special assignments require 3 years of service with the YCSO.

Court duty assignment requires the following:

1. Must not have current disciplinary action.
2. Must have a minimum of three years of service as a deputy sheriff with the YCSO. or
3. Must have completed probation including any extension and have an additional 3 years of sworn law enforcement experience (4 years total) at the time the assignment is to begin.

Assigned court deputies will be responsible for coordinating with and staying in communication with the Sheriff's Office and Jail transportation personnel, as well as courthouse security.

The assignments will be based primarily on seniority and only open to Deputies who hold no other assigned responsibilities or rank such as Corporals, Sergeants, coroners, etc.

**The court deputy hours will be as follows.**

Dep. 1 will be 0800 - 1600 and Dep. 2 will be 0900 to 1700 hrs. with weekends and holidays off. Shifts will be bid by seniority with YCSO. Dayshift command staff (Lt. or above) must approve any overtime unless this responsibility is delegated to the on duty Sergeant or Corporal due to a trial, hearing, etc.

If circumstances allow (light or no court, no transports, etc.) Court deputies may be called upon to help on the streets if the need arises. The intent is to keep at least one Deputy available in the courthouse at all times. **This includes scheduling vacations and other time off.**

***In the event the court positions are not filled during the shift bid process, the positions will be assigned based on a modified reverse seniority basis. The Deputy(s) with the least amount of time as a Yellowstone County Deputy, who meet the qualifications for this position, will be assigned to this position.***

**Shift Manpower**

Because day shifts normally have command staff available as additional support when needed, If we are short on manpower due to vacancies, days will potentially have seven deputies assigned to their teams with a minimum of five deputies on duty at all times.

The two court deputies will be in addition to the seven assigned to dayshift. The night shift teams will be assigned eight deputies with a minimum manpower of six. Night shift may reduce to five deputies after 0300 hrs. to accommodate 8 hour shifts.

### Team A

Mon, Tues, Wed and every other Sunday

Dayshift 0700hrs-1900hrs

8-hour day every two weeks 0700-1500

7-person team / 5 minimum (minimum does not include Court Deputies or Lt.)

### Team B

Thurs, Fri, Sat and every other Sunday

Dayshift 0700hrs-1900hrs

8-hour day every two weeks 0700-1500

7-person team-5 minimum (minimum does not include Court Deputies or Lt.)

### Team C

Mon, Tues, Wed and every other Sunday

Nightshift 1900hrs-0700hrs

8-hour day every two weeks 1900-0300

8-person team-6 Minimum

### Team D

Thurs, Fri, Sat, and every other Sunday

Nightshift 1900hrs-0700hrs

8-hour day every two weeks 1900-0300

8-person team-6 minimum

### **Shift Rotation**

Deputies will no longer rotate shifts every 2 months. Instead, Deputies will remain on either days or nights for six months, at which time they will bid by seniority to either, remain on the same shift / team, or bid a different shift / team.

### **Differential Pay**

Just as it currently is, Deputies who work night shifts will receive differential pay. Deputies who work scheduled day shifts do not receive differential.

### **Coroner Positions**

There will be one Dep. Coroner position available for each team. Those positions will be bid by seniority as a deputy.

### **Vacancies**

Due to pending upcoming vacancies, shifts may be adjusted to insure adequate coverage. Any adjustments would be based on seniority

**Evaluation**

This schedule will be evaluated at the 6-month period to judge the effectiveness and efficiency of the program. Adjustments may be made to insure public safety and the most effective use of our work force.