

**MEMORANDUM OF UNDERSTANDING**

**TO THE CONTRACT EFFECTIVE JULY 1, 2015 THROUGH JUNE 30, 2017**

**by and between**

**THE STATE OF MONTANA**

**DEPARTMENT OF JUSTICE, DIVISION OF CRIMINAL INVESTIGATION**

**And**

**MONTANA PUBLIC EMPLOYEES ASSOCIATION**

This Memorandum of Understanding, entered into this 7<sup>th</sup> day of March, 2017, by and between the State of Montana, Department of Justice, herein referred to as the "Employer", and Montana Public Employees Association hereinafter referred to as the "Union" shall be considered as an addendum to and by reference herein, incorporated as part of the Labor Agreement executed by Employer and Union.

**Purpose**

- A. To assure worker fitness for duty and to protect our employees, and the public from the risks posed by the use of alcohol and controlled substance.
- B. To establish and maintain a safe and efficient work environment for all employees free from the effects of alcohol, illegal drugs, other controlled substances and prohibited items.
- C. To establish a basis for the Program that is the applicable to all Division operations.

MPEA agrees with the Division of Criminal Investigation to implement and continue an Alcohol and Controlled Substance Policy. Both parties agree to the following:

To adhere to and reference when needed, the Montana Department of Justice Alcohol and Controlled Substance Policy.

All employees will be provided information concerning the effects of alcohol and controlled substances on an employee's health, work, and personal life; signs and symptoms of a problem; and rehabilitation.

In addition, all supervisors will receive a minimum of one-hour training on alcohol misuse and one-hour training on controlled substances abuse.

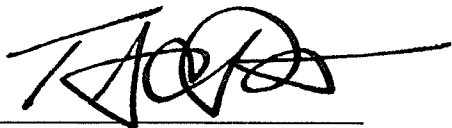
Copies of the policy, 49 CFR Part 40, Montana's Workforce Drug & Alcohol Testing Act, and the Federal Register are available for review from the Designated Employer Representative.

Drug and Alcohol Testing for Agents under MPEA 048

The Alcohol and Controlled Substance Policy prohibits the use, possession, concealment, transportation, promotion or sale of illegal drugs, designer and synthetic drugs, prohibited drugs and drug paraphernalia. The abusive use of legal prescription drugs and unauthorized alcohol beverages on Montana Division of Criminal Investigation premises or job locations is strictly prohibited.

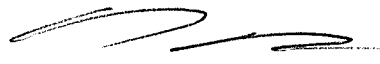
This policy applies to all employees working in safety sensitive positions for Division of Criminal Investigation and their managers and supervisors. Employees, as the term is used in the Policy, is specific to sworn criminal investigators with peace office authority who are members of the collective bargaining unit.

FOR THE EMPLOYER



Tim Fox, Attorney General  
Department of Justice

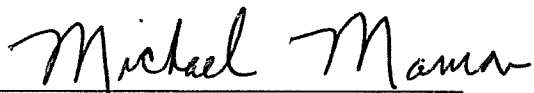
FOR THE UNION



Quint Nyman, Director  
Montana Public Employees Association



Bryan Lockerby, Administrator  
Division of Criminal Investigation



Michael Manion, Chief  
State Office of Labor Relations