
MEMORANDUM OF UNDERSTANDING

Between the

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

and the

COALITION OF MASSDOT UNIONS FOR BARGAINING UNITS B and C

RE: COMPRESSED WORKWEEK EXEMPTION

This memorandum is between the Massachusetts Department of Transportation (“Employer”), the Coalition of MassDOT Unions for Unit B (“CMU for Unit B”), and the Coalition of MassDOT Unions for Unit C (“CMU for Unit C”) and sets forth and clarifies the parties’ understanding and agreement concerning the method and manner to be used to determine which employees will be exempted from working a Compressed Workweek as provided by Article 7, Section 1 paragraph E subparagraph (4) of the collective bargaining agreements for CMU Unit B and C (“Exemption Option”).

1. On or before January 15, 2020, and thereafter annually on or before February 1st of each year, the Employer will provide each component union of Unit B and Unit C with a single integrated Unit B and Unit C seniority list organized by district or other administrative unit as may be appropriate. Employees shall appear on the list in order of their seniority within MassDOT as defined by Article 18, section 2 of the Unit B and Unit C collective bargaining agreements. The list shall also identify the Union representing each name contained on the seniority list.

2. If any component union within Unit B or C believes that an employee’s seniority date is incorrect, or if an employee believes their seniority date is incorrect, the component union or employee may file a written request for a seniority date adjustment with the Human Resources Department on or before February 10. The request shall include the name of the employee, the requested seniority date, a statement explaining the reason for the adjustment, and copies of any supporting documentation. The

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component union or employee filing the request shall also provide the other component unions in Unit B and C with a copy of the request by February 10.

3. A component union shall have 5 business days from receipt of the request to object in writing to the proposed seniority date. If there are no objections, the Employer will adjust the seniority date as requested. If there is an objection, the component unions will attempt to resolve the matter. No seniority date will be adjusted until the dispute has been resolved by the component unions. A seniority dispute will not prevent the Employer from involuntarily reassigning an employee to a Compressed Workweek.

4. The total number of employees eligible to exercise the Exemption Option shall be based on the number of filled full time equivalent ("FTE") positions in Bargaining Units B and C combined as of the end of the pay period that includes March 1 of the same calendar year.

5. All employees wishing to elect the Exemption Option, regardless of their seniority, shall submit their request to the Human Resources Department in a form and manner determined by the Employer not later than April 1st of each year. After the close of the election period, and before a Compressed Workweek may be posted, the Employer will provide each union with a list, by district and/or administrative work unit as may be appropriate, of those employees who shall not be required or permitted to work a Compressed Work Schedule through April 14th of the following year.

6. For purposes of this Agreement, the Districts are defined as the established districts within the Highway Division as currently configured or as may be configured, Statewide Operations shall be a district and the administrative work units shall be as follows:

General Services
Statewide Dispatch

7. In the event of an express conflict between the terms of this Agreement and the terms of any applicable collective bargaining agreement or the Master Labor Integration Agreement, the terms of this Agreement shall prevail.

8. This writing sets forth the parties' entire understanding and agreement and may not be altered or modified in any way other than by a writing signed by the parties.

AJM

SIGNATURES APPEAR ON THE FOLLOWING PAGE

Executed this _____ day of December, 2019

Massachusetts Department of Transportation

Coalition of MassDOT Unions for Unit B

By: _____
Boris Lasic,
Chief Human Resources Officer

By: _____
George McGilloway, Secretary-
Treasurer/Principal Executive Officer,
Teamsters Local 127 and Chairperson of the
CMU for Unit B

By: _____
Maria C. Rota, Senior Lead Counsel,
Employment and Labor Law

By: _____
Bradley Gallant, President
AFSCME Council 93, Local 2948

By: _____
Brenda Rodrigues, President
SEIU Local 888

By: _____
Karen Bartholomew, President
USW Local 5696

By: _____
Leo M. Munroe, President
National Association of Government
Employees, Local R1-219 and Chairperson of
the CMU for Unit C

AJM