

Montana State Library Procedure

Strike Plan and Related Strike Information

December 23, 2014

Montana's collective bargaining act for public employees, passed by the 1973 Legislature, gives employees the right to engage in "concerted activities". The Montana Supreme Court determined in 1974 that the term "concerted activities" includes the right to strike.

While the Montana State Library employees are not covered by any bargaining agreements, the employees are covered by the Montana State Collective Bargaining Act. Therefore, the following information is provided as general instructions and guidelines for Agency employees concerning a strike by State workers.

Montana State Library's functions needed during a strike are listed in priority order:

Agency management – the first priority, in unlikely event of work stoppage, is to insure that any picketing be done peacefully and lawfully and that the impact on the performance of State Library services to the citizens of Montana is limited to the extent possible;

Assuming that the State continues to support the state network and the mt.gov domain during a work stoppage, the MSL Web Site and associated data, data discovery tools, and other applications hosted at MSL, or by MSL Staff will continue to be publicly available. This includes all sites in the msl.mt.gov domain as well as the Montana Shared Catalog and tools supported by MSC staff and the Montana Natural Heritage Program (MTNHP.org) and all web content made available by or for them. Ongoing maintenance of MSL IT Systems will be deferred until the completion of the strike with the exception of critical updates which will be handled on a case by case basis;

Direct patron services to the Montana Talking Book Library patrons will be maintained with the exception of reader advising;

All other direct and indirect services will be maintained as much as possible.

The decision to use leave or leave without pay by striking employees will be made at the discretion of the governor based on the specific strike event.

Department supervisors, managers, and other employees listed under 39-31-103 (9)(b), and (11), MCA are required to cross picket lines and report to work. MSL staff is as follows: State Librarian, Digital Information Manager/CIO, Statewide Library Resources Director, Central Services Manager, Shared Catalog Administrator, Talking Book Library Supervisor, Library Information Services Manager, and State GIS Coordinator. Those employees who refuse to report to work will be considered on unauthorized leave of absence and appropriate disciplinary action may be taken, including termination. Supervisors, managers, and other employees are not required to cross picket lines if they encounter a situation that could result in the loss of

their life or physical harm. If an employee encounters this type of situation, the employee should notify his or her immediate supervisor of the situation as soon as possible.

Any communications with the press, the public, the governor's office and others during the strike will be handled by the State Librarian or Central Services Manager, as available and necessary. The State Librarian and Central Services Manager may, and should if possible, request assistance from the Communications/Marketing Coordinator.

The State Labor Relations Bureau of the Department of Administration and Montana State Library's Central Services Office will maintain copies of the agency strike plan.

A handwritten signature in black ink that reads "Jennie Stapp". The signature is written in a cursive, flowing style.

Jennie Stapp, State Librarian

Montana State Library

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