

**MEMORANDUM OF UNDERSTANDING**  
**Between the**  
**COMMONWEALTH OF MASSACHUSETTS**  
**MASSHEALTH**  
**And**  
**LOCAL 509, SEIU**

WHEREAS, on or about August 26, 2016, MassHealth and SEIU, Local 509 (hereinafter "the Union") agreed to a six month pilot which purpose was to determine the feasibility and effectiveness of a 4-day (37.5 hour) workweek schedule;

WHEREAS, the above reference pilot was in effect September 19, 2016 through and including June 16, 2017; and

WHEREAS, the parties have previously acknowledged that Alternative Work Options can be mutually beneficial to both the agency and the bargaining unit staff provided that the operational needs of the agency are satisfactorily maintained.

NOW THEREFORE, MassHealth and the Union in consideration of their mutual promises and covenants contained herein, agree that effective June 19, 2017, Benefits Eligibility and Referral Social Worker A/B's (hereinafter "BERS A/B"), non-supervisory Benefits Eligibility and Referral Social Worker C's (hereinafter "BERS C") and non-supervisory Benefits Eligibility and Referral Social Worker D's (hereinafter "BERS D") assigned to Massachusetts Enrollment Centers (hereinafter "MEC's") and other MassHealth units will be permitted to work a 4-day (37.5 hour) workweek under the following requirements:

1. BERS A/B workers, non-supervisory BERS C worker and non-supervisory BERS D workers within the MEC's and other MassHealth units shall continue to formally request to work a 4-day (37.5 hour) workweek in the same manner in which all BERS staff currently request an Alternative Work Schedule by using the form designated by MassHealth.
2. MassHealth may approve or deny any requests based on the operational needs of the MEC's or other MassHealth units as follows (note, the below percentages will be rounded down if the percentage is over the averages noted in paragraphs a and b below):
  - a. For work units with less than ten (10) total staff, (excluding managers and supervisors), no more than 20% of the workforce will be approved to work a 4-day (37.5 hour) workweek;
  - b. For work units with more than ten (10) total staff, (excluding managers and supervisors), no more than 25% of the workforce will be approved to work a 4-day (37.5 hour) workweek;
3. BERS A/B workers, non-supervisory BERS C workers and non-supervisory BERS D workers must work on Monday as well as three other days from Tuesday through Friday as part of their 4-day (37.5 hour) workweek. The parties further agree that certain schedules may be denied because of the operational needs of the agency.
4. 4-day (37.5 hour) workweeks will not be allowed during weeks in which any holiday recognized in Article 10, Section 1 of the collective bargaining agreement falls on any day of the week Sunday through Friday.

5. Any requests to alter a BERS A/B worker's, non-supervisory BERS C worker's and/or non-supervisory BERS D worker's 4-day (37.5 hour) workweek schedule, in which he/she is not required to report to work, will be at Management's discretion.
6. Any BERS A/B worker, non-supervisory BERS C worker and/or non-supervisory BERS D worker approved for a 4-day (37.5 hour) workweek shall be permitted to request the use of any accrued leave time in accordance with the collective bargaining agreement and/or MassHealth procedures. Approval of leave requests will be considered based on the operational needs of the agency. Furthermore, if an employee is granted accrued leave time for a full day, then the employee must use accrued leave time for the hours scheduled for the day. For example, if the worker is scheduled to work 9.375 hours on a day in which he/she is granted time off for vacation, he/she shall be charged for 9.375 hours of vacation leave benefits for the day.
7. All submitted Alternative Work Options schedule requests will be considered within the guidelines of the "1994 Flextime Memorandum of Understanding" and subsequent 2001 settlement agreement, i.e. the 7:00 AM- 5:45 PM workday.
8. BERS A/B workers, non-supervisory BERS C workers and non-supervisory BERS D workers will have first preference to the 4-day (37.5) hour workweek schedule pursuant to the language outlined in the parties' Collective Bargaining Agreement, Appendix H, Section II.
9. BERS A/B workers, non-supervisory BERS C workers and BERS D workers granted a 4-day (37.5 hour) workweek schedule shall be eligible to work overtime in accordance with Article 7 of the collective bargaining agreement and agency procedures.
10. The terms of this MOU are not intended to modify or alter those that are outlined in Appendix H of the collective bargaining agreement.

This Memorandum may not be modified, amended, or otherwise affected except by a written agreement signed by all parties.

WHEREFORE, MassHealth and the Union have read the above Memorandum of Understanding and attest that they fully understand and knowingly and voluntarily accept its provisions in their entirety without reservations.

For MassHealth

*Patricia Grant*  
SIGNATURE

COO  
TITLE

8/1/17  
DATE

For the Union

*Carl Butler*  
SIGNATURE

President  
TITLE

7/31/17  
DATE