



March 1, 2022

**FOR IMMEDIATE RELEASE**

*City of Billings reaches dismissal settlement  
in 13-year-old officer pay “longevity” case*

P.O. Box 1178  
Billings, MT 59103  
P 406.657.8433  
F 406.657.8390

BILLINGS – After 13 years, the City of Billings and a group of Billings police officers have reached a settlement in the Watters v. City of Billings class action case.

On behalf of about 142 then current and former officers, the primary claim was filed in January of 2009. It was a dispute over interpretation of union contract language.

Each officer was to receive a small increase in pay based on years of service called “longevity”.

The officers claimed the longevity formula went into effect on their hire date and they were immediately entitled to credit for one year of service.

The city asserted that years of service meant completed years, so at the end of their first year, they would earn credit for one year of completed service, which would be applied to pay in their second year. Once an officer completed two years, the increase in pay would be paid out in their third year and so on.

In addition to that claim, there were several other claims based on details of pay, including how overtime was calculated and banked time off hours were paid out.

The case was appealed twice to the Montana Supreme Court, which ruled in the city’s favor on most of the claims, finding the city correctly followed the contract in calculating “longevity” and in other aspects.

Three relatively small claims were sent back to district court for further consideration.

The court ruled in favor of the city on one claim, ruled “conditionally” in its favor on another claim pending receipt of further evidence, and the court asked for more information on the third claim.



P.O. Box 1178  
Billings, MT 59103  
P 406.657.8433  
F 406.657.8390

*(...continued)*

After the court's ruling, both sides agreed it made the most sense to end the litigation by having the city pay an amount similar to what it would have to pay its own lawyers to finish the litigation.

On Feb. 3, 2022, Yellowstone County District Court Judge Rod Souza approved a joint motion requesting approval of a dismissal settlement. Because the case is a class action, court approval is required.

In return for dismissal of the case, the city will make a contribution of \$28,500 to the Billings Police Protective Association, a non-profit public service organization devoted to supporting Billings police officers.

"The City of Billings strongly supports its police force and is happy to support the BPPA with this settlement and looks forward to finally ending this litigation," said Chris Kukulski, Billings city administrator.

Plaintiffs originally sought millions of dollars from the City of Billings.

While the case played out in court, the union representing the Billings police officers, the Montana Federation of Public Employees, never joined the lawsuit.

###

**Media contact**  
**Victoria Hill**  
**PIO**  
**406.869.3929**