

Special Meeting of the
Probate Court Budget Committee
Minutes

Wednesday, November 4, 2020
4:00 p.m.

Office of the Probate Court Administrator
186 Newington Road
West Hartford, CT 06110

The meeting was called to order at 4:07 p.m. by Judge Beverly Streit-Kefalas. The meeting was conducted in-person and by telephone conference.

Present: Judge Beverly Streit-Kefalas, Probate Court Administrator and Chair, Judge Fred Anthony, Judge Philip A. Wright, Jr.

Remarks by the Chair

Judge Streit-Kefalas remarked that this is the eighth meeting of the budget committee in 2020. At the June 10, 2020 meeting, the budget committee discussed the merit raises to occur in July of 2020. The unanimous decision to defer merit pay was based on sharply declining probate fee revenue and the volatility of both the state and national economies caused by the COVID-19 pandemic. The economic future remains tenuous. On Monday, November 2, 2020, State Comptroller Lembo projected a \$1.26 billion state deficit for FY21, noting economic improvement for some and a darkening reality for others.

Judge Streit-Kefalas reported that during the first six months of the public health emergency, probate fee revenue was down 40%. The first quarter of FY21 saw probate fund revenue restored to budgeted levels. Judge Streit-Kefalas recognized the commitment of the probate court staff not just during this public health emergency but in their enduring service to the public. It is the knowledge, skill and dedication of the court staff that is recognized with merit pay adjustments, when budgetary support is available.

Judge Streit-Kefalas noted that we are in the second wave of the coronavirus in Connecticut and must focus a watchful eye on revenue as it will not necessarily continue at current levels. Given the recovery of revenue as discussed and the service of the Probate Court staff, Judge Streit-Kefalas recommended to the budget committee the merit pay adjustments that were deferred at the June 10, 2020 budget committee meeting. She also recommended revision of PCA Policy 903 COVID-19 Leave.

COVID-19 Compensation and Benefits

Lisa Hansen outlined three proposed revisions to PCA Policy 903 COVID-19 Leave.

- Due to the coronavirus disease 2019 (COVID-19) pandemic, court staff members, other than temporary employees and rehired retirees, may be eligible for leave under this policy beginning March 17, 2020 for the duration of the pandemic or until otherwise terminated by the Probate Court Budget Committee.
- The Level A, B and C scenarios may be used intermittently with the judge's approval, not to exceed the employee's regularly scheduled hours for a pay period, typically 10 days/80 hours (part time employees will be prorated). These paid hours are not charged to accruals.
- The employee request for COVID-19 Leave will be revised to allow court staff to use accrued COVID-19 Personal Time after exhaustion of COVID-19 paid leave.

Motion

A motion was made by Judge Wright to approve the revised PCA Policy 903 COVID-19 Leave as presented. Judge Anthony seconded the motion.

Discussion on the Motion

Judge Anthony remarked that he is in favor of the policy which broadens the authority of the budget committee to expand or terminate the leave policy in response to the circumstances of the public health emergency absent an executive order from the governor.

Judge Wright concurred and stated that the revisions are staff-friendly and make it possible to utilize leave in a manner that will benefit court staff.

Judge Streit-Kefalas remarked that an intermittent leave policy will be more beneficial to the probate court community.

A vote was called by Judge Streit-Kefalas and all voted in favor of revised PCA Policy 903 COVID-19 Leave as presented.

Compensation Plan Adjustments

Merit pay for court staff is proposed as follows:

Implementation planned for first payroll in December

- Merit pay applicable to active employees as of November 16th, 2020
- Pay date December 3rd, 2020
- Pay period Saturday, November 14th to Friday, November 27th, 2020

Retro Pay

- Retro pay applicable to active employees as of November 30th, 2020

- Retro pay calculated using July 16th, 2020 to November 19th, 2020 payrolls covering pay periods Saturday, June 27th through Friday, November 13th, 2020
- Retro pay will be paid in the December 17th, 2020 payroll

FY21 budget assumption is 3.0%

- Each court allocated a merit pool based on compensation of eligible employees (excludes temps, retirees, over max)

Formula considerations

- 2.5% allocated based on overall rating from performance evaluation
- 0.5% allocated at discretion of the judge
- No increase for scores of 1 or 2 (unacceptable or needs improvement)
- Minimum 2% for a score of 3 (meets expectations)
- Maximum 6%

Consideration of merit pay for court staff at max

- Based upon performance evaluation
- Amount capped at 2%
- One-time payment in December 3rd, 2020 payroll
- Merit pay is not added to base pay for purposes of calculating COLAs and future merit increases

Motion

A motion was made by Judge Anthony to approve the compensation plan adjustments as presented. Judge Wright seconded the motion.

Discussion on the Motion

Judge Wright remarked that he is favor of the proposal. Judge Wright recognized that we are at the point that we are able to recommend merit pay for our court staff members who during the pandemic have risen to the occasion to keep courts open and in operation. We hold the court staff in high esteem and can now recognize their value with these adjustments.

Judge Anthony remarked that he is in support of the proposal and favors the retroactive merit pay calculation. Judge Anthony recognized the great value our system provides to the state and to the public and is pleased to acknowledge the work and commitment of our court staff.

Judge Streit-Kefalas recognized the dedication and commitment of court staff in these unprecedented times and is pleased that the budget committee can offer recognition through merit pay. The merit pay will be applied retroactively to make each court staff whole. Consistent with the past practice, 2.5% is allocated based on the judges' completed performance evaluations and .5% is a reserve merit pool to be allocated at the discretion of

the judge. Judges must allocate the .5% by November 13th for the staff to have the benefit of the merit adjustment before the end of the year.

Public Comment

Public Comment was opened and inquired by roll call to court personnel in each individual court.

A vote was called by Judge Streit-Kefalas and all voted in favor of the compensation adjustment plan as presented.

Adjournment

Judge Wright moved to adjourn the meeting which was seconded by Judge Anthony. The meeting was adjourned at 4:41 p.m.