

# **Probate Court Budget Committee**

Meeting Minutes  
December 12, 2012  
5:00 p.m.

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

The meeting was convened at 5:04 p.m.

In attendance: Judge Paul J. Knierim, Probate Court Administrator and Chair, Judge Joseph Marino and Judge Fred Anthony

## **Public Comment and Correspondence**

The following offered comments:

Pat Saviano, President of CAPC and Chief Clerk, Danbury Probate Court  
Judge Sydney W. Elkin, West Hartford Probate Court  
Tamara Egan, Probate Court Officer, New Haven Regional Children's Probate Court

The committee received the following correspondence:

Letter from Judge Jennifer L. Berkenstock, Region 14 Probate Court  
Letter from Judge Evelyn M. Daly, Farmington-Burlington Probate Court  
Letter from Daniel M. Maloney, Assistant Clerk, Wallingford Probate Court  
Letter from Mary MacGregor, Chief Clerk, Glastonbury-Hebron Probate Court

## **Remarks of the Chair**

Judge Knierim noted that the primary focus of the meeting is to discuss issues related to compensation for court staff for the coming year. While he expects a challenging budget process as the state addresses large projected deficits, he stated that implementation of the pay equity study and planned merit and COLA increases are the committee's top priority.

## **Internal Pay Equity Study**

Carolyn Long of MAG participated by phone to discuss the internal pay equity study.

Judge Knierim summarized the process that the committee followed in developing the proposed pay equity plan. The project began over a year ago and has been the subject

of committee discussion on numerous occasions. Both the committee and PCA have benefited from input and suggestions from judges and court staff.

Based on that feedback and analysis of several alternative formulas, MAG has refined its original proposed pay equity plan that the committee reviewed at its August 29, 2012 meeting. The updated proposal continues to calculate target salary primarily on the basis of years of service since the date of promotion to the employee's current position (for which employees receive 100% credit), but increases the credit for service prior to promotion from 10% to 40%. The enhanced prior service credit ensures that recently promoted employees are not disadvantaged by the plan. The updated pay equity plan would result in pay adjustments for 139 employees at an annual cost of approximately \$514,000.

Judge Knierim noted that the report showing all proposed equity adjustments was circulated to judges and staff on November 19, 2012.

Judge Knierim moved to adopt the MAG proposed pay equity plan with 40% prior service credit effective in July 2013, subject to approval of a budget with the funding necessary for implementation. The proposal is fully detailed in the attachment entitled "Proposed Formula and Example for Pay Equity Study." Judge Marino seconded the motion.

Judge Anthony moved to amend the motion to adopt a formal appeals process. The amendment failed for lack of a second.

Judge Knierim called for a vote on the motion to approve the pay equity plan. The motion passed unanimously.

### **Lead Probate Court Officer Position**

Judge Knierim summarized the proposal to add a new position, known as Lead Probate Court Officer, for regional children's probate courts. The purpose of the position is to assist the PCA Manager of Mental Health and Family Programs in the support and supervision of PCOs as the number of regional courts and PCOs has grown. Only those courts with 3 or more PCOs would be eligible for a Lead PCO. The addition of the Lead PCO position at a court would be offset by a reduction in the number of authorized PCOs, with no net increase in staff.

PCA engaged MAG to develop a pay range for the Lead PCO position. The committee discussed comparisons to positions at the Department of Children and Families and the Superior Court. It was the consensus of the committee that MAG's recommended pay range is appropriate in relation to other positions in the Probate Courts, while noting that the committee expects to review all of the pay ranges periodically.

Judge Anthony moved to establish the position of Lead PCO with the accompanying job description and to adopt the proposed compensation range set forth on the document

entitled Compensation Ranges Calendar Year 2013. Judge Marino seconded the motion. Judge Knierim called for a vote and the motion passed unanimously.

### **2013 Employee Compensation and Benefits Plan**

Judge Knierim noted that the Probate Court Regulations require that the budget committee formally adopt the compensation and benefits plan for the coming year. He indicated that the pay ranges indicated on the document entitled Compensation Ranges Calendar Year 2013 are unchanged from 2012, but would be amended mid-year if the planned January 2014 COLA is approved.

Judge Marino moved to adopt the proposed pay ranges for 2013 and continue the benefits plan described in the PCA Policy Manual. Judge Anthony seconded the motion. Judge Knierim called for a vote and the motion passed unanimously.

### **FY13 Proposed Office Expense Adjustments**

Andrea King outlined a proposed adjustment to the office budget for the Northeast Regional Children's Probate Court resulting from a rent increase and other minor items.

Judge Marino moved to approve the proposed adjustment. Judge Anthony seconded the motion. Judge Knierim called for a vote and the motion passed unanimously.

### **FY14 Office Expense Budgets**

Andrea King reviewed the proposed criteria for the FY14 court office budgets set forth in the schedule entitled "Office Expense Budget: FY 2014 Proposed Budget Assumptions." The assumptions are unchanged from FY13.

Judge Marino moved to approve the assumptions. Judge Anthony seconded the motion. Judge Knierim called for a vote and the motion passed unanimously.

### **Consideration of Proposed Staffing Level Adjustments**

Judge Knierim outlined proposed changes to the staffing authorizations for the New Haven and Hartford Regional Children's Probate Courts in light of the establishment of the Lead PCO position. He proposed that the staffing level for each court be amended to permit 1.0 FTE Lead PCO and to reduce the number of authorized PCOs from 4.0 to 3.0 FTE. Both courts are currently staffed with fewer than 4 PCOs at present, so the change eliminates vacant positions.

The Saybrook Probate Court requests a 0.5 FTE increase for the Clerk position, to be offset with a 0.5 FTE decrease for the Assistant Clerk position, with no net change in total authorized staff.

Region 14 Probate Court requests an increase for the Assistant Clerk position from 0.5 to 0.6 FTE.

Judge Marino moved to approve all adjustments. Judge Anthony seconded the motion. Judge Knierim called for a vote and the motion passed unanimously.

### **Flexible Spending Accounts**

The committee previously authorized PCA to proceed with the development of a flexible spending account (FSA) benefit for judges and court staff. The benefit enables employees to use pre-tax funds to pay for unreimbursed medical expenses and dependent care expenses. Participation is optional and there is no administrative cost to the employee.

Andrea King summarized the provisions of the Internal Revenue Code governing FSAs and outlined the following recommended parameters for the FSA:

Unreimbursed Medical Expense: Maximum contribution: \$2,500/year  
Minimum contribution: \$20/pay cycle or \$520/year

Dependent Care: Maximum contribution: \$5000/year  
Minimum contribution: \$20/pay cycle or \$520/year

Employee eligibility: Employees who work 20 or more hours per week (same as health insurance)

Grace period: Adopt maximum permitted period for use of funds, under which expenditures made on or before March 15 of the year following the calendar year of the contribution are deemed eligible.

Andrea King noted that the proposed contribution amounts and eligibility rule are identical to the plan available for state employees but that the adoption of the March 15 grace period offers greater flexibility than is available under the state plan.

PCA will circulate enrollment information and conduct a webinar as soon as the plan is operational.

Judge Marino moved to approve the proposed minimum and maximum amounts, eligibility requirements and grace period. Judge Anthony seconded the motion. Judge Knierim called for a vote and the motion passed unanimously.

### **Other Business**

Judge Knierim indicated that PCA is revising several policies in the PCA Policy Manual to reflect budget committee decisions during recent months. PCA will issue the revised policies in January and circulate copies highlighting the changes to all judges and staff by email.

### **Schedule Next Meeting**

The committee's next meeting will be on February 27, 2013, with the starting time to be determined.

### **Adjournment**

The meeting adjourned at 6:57 p.m.

## PROPOSED FORMULA AND EXAMPLE FOR INTERNAL PAY EQUITY STUDY

**Example: Employee hired on January 5, 2001 as an Assistant Clerk and promoted to Deputy Chief Clerk on January 5, 2006**

$$\text{TARGET HOURLY RATE} = \text{Minimum Pay for Position} + (\text{Days of Experience} \times \text{Daily Increase})$$

(E)            x            (G)

(A)	Hire date	January 5, 2001 as Assistant Clerk
(B)	Promotion date	January 5, 2006 to Deputy Chief Clerk
(C)	Days in current position	January 5, 2006 to January 5, 2011 5 years x 365 days = <b>1,825</b> days
(D)	Prior service credit (40%)	40% of days prior to promotion (January 5, 2001 to January 5, 2006) 5 years x 365 days = 1,825 x .40 = <b>730</b>
(E)	Total days of experience	(C) + (D) 1,825 + 730 = <b>2,555</b> days
(F)	Experience credit date	Count the number of prior service days (D) backwards from promotion date (B) to arrive at an adjusted (earlier) date January 5, 2006 less 730 days = January 5, 2004
(G)	Daily increase amount	Max pay for position less Min pay for position, divided by 7,300 days (20 year progression x 365 days = 7,300 days) \$28.85 less \$20.61 = \$8.24 / 7,300 = <b>\$0.0011288</b>
(H)	Adjustment	(E) x (G) 2,555 x 0.0011288 = <b>\$2.88</b>
(I)	TARGET Hourly rate	Position Min plus Adjustment \$20.61 + \$2.88 = \$23.49
(J)	Current hourly rate	\$21.50
(K)	<b>PROPOSED hourly rate is the greater of (I) or (J)</b>	<b>\$23.49</b>

After the calculations above are run, the target pay rate is compared to the employee's current pay rate. If the employee's current pay rate is lower than the target, an adjustment would be made. The pay of an employee whose current pay rate is more than the target would not be reduced.