

# **Probate Court Budget Committee**

Meeting Minutes

May 20, 2013

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 (by telephone)

## **Public Comment and Correspondence**

The committee received the following correspondence:

Letter from Judge Marianne Lassman Fisher, Greater Windsor Probate Court  
Letter from Judge Mark DeGennaro, West Haven Probate Court  
Letter from Judge Joel Helander, Madison-Guilford Probate Court  
Letter from Judge Mathew Greene, New London Probate Court  
Letter from Mary MacGregor, Chief Clerk of the Glastonbury-Hebron Probate Court  
Email from Isabella Karash, Assistant Clerk of the Milford-Orange Probate Court

The following attendees addressed the committee:

Judge Sydney Elkin, West Hartford Probate Court  
Mary MacGregor, Chief Clerk of the Glastonbury-Hebron Probate Court

## **Remarks by the Chair**

Judge Knierim gave an update on the state budget. The process has gone very well so far. The Governor's proposed budget included the full amount of our requested General Fund appropriation, which includes funding for the planned pay equity adjustments, merit increases and COLAs. The budget approved by the Appropriations Committee likewise supports the probate system request, with three adjustments: It restores full funding for the Kinship and Respite Funds (\$2.05 million) and transfers the money from DSS to the Probate Courts; it adds \$850,000 to expand Melissa's Project; and it directs that the Probate Courts (and all other courts) charge credit card users for processing fees. At this time, budget negotiations continue and legislative leaders indicate an intent to approve a final package before the session adjourns on June 5<sup>th</sup>.

The Performance Evaluation System launched May 1<sup>st</sup>. The deadline for judges to complete evaluations is June 12<sup>th</sup>.

### **Internal Pay Equity Study Implementation Date**

Judge Knierim reported that PCA is prepared to implement the internal pay equity adjustments in the June 27<sup>th</sup> payroll, but could also make the adjustments in the June 13<sup>th</sup> payroll if budget approval has been secured.

Judge Marino made a motion to implement the internal equity pay adjustments in the earliest possible payroll cycle following adoption of a state budget with funding for the increases and the chief court administrator's approval of the probate system budget. Judge Anthony seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

### **Budget and Formula for Merit Increases**

Judge Knierim reviewed the considerations for the budget and formula for merit increases outlined in the document entitled Budget Committee May 20, 2013 (please see meeting materials). He noted that several aspects of the proposed merit pay plan had been modified based upon input from judges and clerks.

Following discussion, Judge Anthony made a motion to approve the merit pay plan with the following parameters:

- Each court will have a budget for merit pay calculated as 3% of the court's eligible payroll (after implementation of the pay equity adjustments). The computation of eligible payroll excludes the pay of employees who are not eligible for merit increases (i.e., temps, retirees and employees whose pay exceeds maximum for their positions).
- 2.5% of eligible payroll is allocated by the performance evaluation system, as detailed below. 0.5% is allocated at the discretion of the judge.
- The performance evaluation system will allocate the 2.5% portion of the merit budget among the employees at each court based upon the judge's evaluations.
- An employee with an overall rating of 2.0 or less (equivalent to "unacceptable" or "needs improvement") will receive no merit increase.
- An employee with an overall rating of 3.0 (equivalent to "meets expectations") will receive a minimum increase of 2%.
- The total merit increase that an employee can receive is capped at 6%.

- Merit pay for an employee whose current pay is equal to the maximum for his or her position is capped at 2% and is not added to the employee's base pay for purposes of future cost of living adjustments and merit pay calculations.
- After the performance evaluation system allocates the 2.5% portion of the merit budget, judges will use another module of the system to allocate the 0.5% discretionary portion among employees. Judges' discretionary allocations are subject to the 6% overall cap and the rules governing employees at maximum.
- The merit increases will be implemented in the July 11 payroll, subject to budget approval.

Judge Marino seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

### **Budget for Cost of Living Adjustments**

Judge Marino made a motion to approve a 3% cost of living adjustment during the first payroll cycle of January 2014, subject to budget approval. Judge Anthony seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

### **Report of Ad Hoc Committee on Floating Clerks**

Judge Berkenstock of the Region 14 Probate Court gave a report on behalf of the Ad Hoc Committee on Floating Clerks. The committee recommends the following policy for compensation of floating clerks:

- Staff currently employed at another court: Current pay rate
- Retired court staff: Market rate for the assistant clerk position or final pre-retirement rate of pay, whichever is less
- Retired judges: market rate for the assistant clerk position

Judge Marino made a motion to approve the committee's compensation recommendations. Judge Anthony seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

### **Policy No. 101 Staff Compensation Adjustments and Policy No. 306 Transfers**

Judge Knierim explained the proposed amendments to Policy 101 Staff Compensation Adjustments, which are based on committee discussions on February 27, 2013. The revisions provide as follows:

- Temporary employees and rehired retirees are not eligible for COLAs and merit adjustments
- Merit pay for employees whose pay is at the maximum for their positions is capped at 2% and is not added to base compensation

- The compensation for an employee who is promoted is increased to minimum for the new position or 3.5% higher than the employee's pre-promotion pay, whichever is greater. If the employee's rate before the promotion is above the maximum for the pre-promotion position, the promoted employee is paid the minimum for the new position or 3.5% more than the maximum for the pre-promotion position, whichever is greater.
- The rules governing the compensation for employees who transfer from one court to another are added to Policy 101 and deleted from Policy No. 306, but the content is unchanged.

Judge Marino made a motion to adopt the amendments to the policy. Judge Anthony seconded the motion. Judge Knierim called for a vote. The motion passed unanimously.

### **Other Business**

PCA will draft an amendment to Policy 301 New Hires to address the circumstances under which a judge may hire a new employee from outside the system at a rate that is higher than minimum for the position. The committee will discuss the proposal at the June meeting.

### **Schedule Next Meeting**

The committee's next meeting will be on June 26, 2013 at 4:00 PM.

### **Adjournment**

The meeting adjourned at 6:01 PM.