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E. Michael Heffernan
Judge

February 8, 2010

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

Attention Budget Committee
Hon. Paul J. Knierim, Probate Court Administrator
Hon. Dianne Yamin
Hon. Joseph Marino

Re: Budget Committee Issues

Dear Judges:

As you are aware some of my staff have attended recent meetings pertaining to the Budget Committee process and have kept me updated on that process.

I'm writing to the Committee to clarify some of our Court's current sick time and vacation policies.

In 2001 when the "suggested model employee policy" (attached) was sent to our Court we modified it slightly as to vacation time in an effort to keep it in line with what our veteran employees had been receiving.

I did not modify any other parts of the policy including the accrual or non-accrual of any sick time or the carry over policy as to vacation because I felt that those policies were basically at the Judge's discretion.

However, it appears that this written "model" policy may now determine what benefits my staff may start out with in 2011.

Therefore, I feel it is important to clarify our policies. My policy as far as sick time has always been if any of my staff were sick I would pay them, within reason. Our written policy indicates 5 sick days, no accrual. Over the years I have found my staff to

be very dedicated and do not believe they have ever come near the 5 day limit, in fact quite the contrary. I did not, nor did they worry about the word accrual because there was a mutual respect that they would be paid for sick time if needed and in turn no abuse of the policy ever occurred. It now seems somewhat unfair that because of our written sick time policy my clerks will begin the year in 2011 with no sick time at all and will need to accrue sick time.

Also our written policy indicates there would be no carryover of vacation days but rather any unused vacation at the end of the year would be compensated. In actuality this was not the case. My policy with my staff was that I would have no objection to a carryover of vacation days. However, I also wanted them to understand that if for some reason I was no longer the Judge that a predecessor might not honor the vacation. With that in mind some of my staff have in fact carried over vacation time.

This letter is in no way an attempt to suggest any particular policy but rather to attempt to clarify that our written policy on file does not accurately portray our true policy. Due to the fact that employee policies were the Judge's discretion, I wonder how many other Courts may be in the same position?

Thank you for the opportunity to clarify our policy. I appreciate the magnitude of the decisions you have been enlisted to make.

Very truly yours,

A handwritten signature in black ink, appearing to read "E. Michael Heffernan". The signature is fluid and cursive, with a long horizontal stroke at the end.

E. Michael Heffernan, Judge

EMH/mbo
encl.

EMPLOYEE/PERSONNEL POLICY FOR PROBATE DISTRICT OF West Haven

Effective *(insert date here)*, the following are the employee/personnel policies for the Probate Court, District of *(insert district here)*.

1. Closing for Inclement Weather

The Probate Court will be closed when the State of Connecticut Judicial Department announces the closing of courts or is on skeleton staff due to inclement weather, or when, in the opinion of the Judge, it would pose an unreasonable safety risk for court staff to report to work.

2. Normal Work Week

Starting time 9:00 a.m.
Work week 35 hours per week
Lunch time 30 mins no more than 60 minutes
Closing time 4:30 p.m.

3. Sick Time - Medical Leave

Each employee shall receive five (5) sick days per year. Sick days are not accruable.

If absence is due to medical disability (not a workers' compensation claim) the Probate Court will pay up to four (4) weeks as short term disability at Regular Pay.
(At the discretion of the Judge, insert here full salary, one-half salary OR three-quarters salary).

4. Medical/Dental Insurance

All full-time employees shall be provided medical and dental insurance coverage in accordance with the plan provided by the Probate Court Administrator's Office.

5. Personal Time

The Judge shall approve reasons for personal time.

6. Holidays

Holidays shall be the same as those of the State of Connecticut Judicial Department. The day after Thanksgiving will be allowed at the discretion of the Judge.

7. Vacation Time

<u>Years Worked</u>	<u>Vacation Time</u>	<u>When Earned</u>
1 yr	1 week	First year of hire date, after 6 months
2-10 2-5 yrs.	2 weeks	After one year of hire date.
16-15 6-15 yrs.	3 weeks	After five years of hire date.
15 16-20 yrs.	4 weeks plus one additional day for each year of completed service	
21 years +	4 weeks	

Vacation time must be requested in writing four weeks in advance.

Unused vacation time shall be compensated for at the end of each year and not accrued.

Received and read this 5th day of Oct, 2001.

Judge

Sally Bennett
Employee