

THE COMMONWEALTH OF MASSACHUSETTS  
ADMINISTRATIVE OFFICE OF THE TRIAL COURT  
Two Center Plaza  
Boston, Massachusetts 02108

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March 27, 2009

Mr. Richard Anderson  
Chief Negotiator  
National Association of Government Employees  
159 Burgin Parkway  
Quincy, Massachusetts 02169

**Re: Letter of Understanding**

Dear Mr. Anderson:

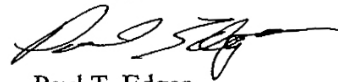
I am writing to confirm and memorialize our agreement reached during discussions yesterday between the Trial Court and NAGE regarding Voluntary Personnel Cost Savings Programs that the Trial Court would like to implement organization wide as part of its response to the current budget challenges.

NAGE agreed that the Voluntary Personnel Cost Savings Programs attached to this letter may be offered by the Trial Court according to their terms to members of the bargaining unit represented by NAGE.

In addition, we agreed that should any unit members take advantage of the voluntary layoff program and be recalled, they will be recalled before any members who may subsequently be laid off involuntarily.

Finally, we agreed that for those unit members who take advantage of the reduction in workweek program, the Trial Court will not contravene an employee's application for unemployment benefits based upon a reduced workweek.

Sincerely,



Paul T. Edgar  
Director of Human Resources

Attachment

cc: Hon. Robert A. Mulligan, Chief Justice for Administration and Management  
✓David Bernard, Director of Public Safety, NAGE

## VOLUNTARY PERSONNEL COST SAVINGS PROGRAMS

These voluntary programs are designed to minimize the number of involuntary layoffs that may be necessary to address the budget deficit in Fiscal Year 2010. It is critical that we know the cost savings that will result from participation in these programs as soon as possible in order to plan for involuntary layoffs should they be necessary. If there are involuntary layoffs, participating in any of these measures will not exempt an employee from being considered for an involuntary lay off.

**Voluntary Reduction in Work Week Incentive** - Employees currently working full or part time may request a reduction in their current work schedules provided they agree to reduce that schedule by a minimum of 7.5 hours per week for a minimum of 3 months, or for longer periods, not extending beyond June 30, 2010. As an incentive to do so, employees who reduce their work schedules will receive full vacation, sick, and personal leave for the period they work a reduced schedule. However, the incentive of full leave accruals will not extend beyond June 30, 2010. All other benefits will continue to be prorated. Employees should keep in mind that a minimum of 18.75 hours must be worked to maintain health insurance benefits.

- Reduced schedules must be for at least 3 months and are subject to approval by the Department Head. Such schedules may be extended throughout the fiscal year at the request of the employee and with the approval of the Department Head. Even though the incentive of full leave accruals will terminate on June 30, 2010, reduced schedules may continue in Fiscal Year 2011 subject to the usual rules and procedures covering part-time hours.
- Employees interested in reducing their hours under this program should submit a request to their Department Head by May 30, 2009 with a copy to the Human Resources Department in this office. If approved, all such schedules must take effect no later than July 1, 2009.
- The accrual of the full time benefits will be manually entered into HR/CMS each pay period by each court departments' payroll clerk.

**Voluntary Extended Leaves of Absence Incentive** - Employees may take extended unpaid leaves of absences from their position. Such leaves may be for any period of time up to the end of Fiscal Year 2010. Requests for extended leaves of absences will be processed in accordance with the Section 8.800 of the Personnel Policies and Procedures Manual. Employees planning to take an extended leave should submit a request to their Department Head by May 1, 2009 with a copy to the Human Resources Department in this office. If approved, all such leaves must take effect no later than July 1, 2009.

**Voluntary Layoff Incentive** - Employees may take a voluntary layoff from their positions on or before July 1, 2009. Employees that take a voluntary layoff must forward a letter indicating they are taking a voluntary layoff to their Department Head by May 1, 2009 with a copy to the Human Resources Department in this office. As an incentive to do so, full-time employees will receive an additional two weeks of vacation. ←

- Part-time employees will receive a pro-rated amount of bonus vacation.
- Employees that take a voluntary layoff are eligible for payment of accrued vacation leave (including the additional two weeks) or accrued compensatory time.
- Employees that take a voluntary layoff are ineligible for payment of accrued sick leave or accrued personal leave. Such employees should be allowed to use their unused personal leave where possible.