



## National Association of Government Employees

*AFFILIATED WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION*

TO: All NAGE Trial Court Members

FROM: David Bernard, Massachusetts Director of Public Safety  
Richard Anderson, Chief Negotiator

SUBJ: Contract Update

DATE: December 12, 2008

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Much to our disappointment, the fact-finder still has not issued his report regarding your contract as of the date of this memo.

When we met with representatives of the Trial Court management in October, we proposed looking at the feasibility of a one-year agreement with a 3% wage increase and the added steps that the Trial Court had offered. The Trial Court representatives asked us to do due diligence to ensure that legislators would not look with ill favor on any supplemental budget request the Trial Court would submit to fund such an agreement. After NAGE performed its due diligence, we informed Trial Court management that such a supplemental budget would not be adversely received.

At this time, however, the chief justice is unwilling to execute any agreement that requires the Trial Court to file a supplemental budget request. The governor's threat to seek 9C powers unless the Trial Court voluntarily cuts upwards of \$30 million from its operating budget may have something to do with his reluctance to execute any such agreement.

The governor's threat, however, does not change or lessen our obligation to fight for your best interests. You and your fellow members have acted with patience, fairness and good faith during the entire bargaining process and deserve the same in return. At this point, we see no alternative but to file an unfair labor practice charge against the Trial Court with the state's Department of Labor Relations because of the Trial Court's decision to withhold the economic offers they had made to us during the fact-finding process.

We will keep you updated on the progress of the situation as information becomes available.

