

**Supreme Court of Vermont  
Office of State Court Administrator**



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**TO:** Representative Sarah Copeland-Hanzas, Chair  
House Committee on Government Operations

**FROM:** Patricia Gabel, Esq., State Court Administrator

**RE:** FY21 Employee Compensation / FY21 Pay Act  
FY 22 Pay Act

**DATE:** March 10, 2021

The Judiciary appreciates the opportunity to address the issue of compensation for state Judiciary employees.

**FY21 Employee Compensation / FY21 Pay Act**

As you know, in FY21, pursuant to the FY21 Pay Act, the Judiciary paid a one-time lump sum payment of \$1,400 and step increases to each of our bargaining unit members and to employees who have positions comparable to those in the executive branch supervisory unit. Our exempt positions and judicial officers did not receive any increase or lump sum payment.

The executive branch has now announced its decision to grant exempts the step equivalent of 1.9%, retroactive to July 2020. After consultation with the Joint Fiscal Office, which advised that the Legislature would do likewise, the Judiciary has decided that it will also extend the 1.9% step equivalent to exempt employees. The cost to the Judiciary for the eight exempt positions is \$17,276 for FY21. This must be added to the \$560,564 of FY21 Pay Act annualization that is not funded in the Governor's Recommended budget. This will increase the FY21 Pay Act upward pressure to \$577,840. As this is an ongoing cost, it would not be appropriate to cover that with one-time funding.

If the Legislature wished to authorize this extension of the 1.9% step equivalent to be paid to judicial officers, as well, but it did not wish to change the statutory salary of judicial officers, it could be paid to judicial officers as a one-time lump sum payment. This would not be added to their base salary, which is set in statute. The cost of that would be \$159,795 in one-time funding.

If, as an alternative, the Legislature wished to authorize the 1.9% step equivalent as a statutory salary increase to judicial officers, the FY21 cost would be \$159,795, which would increase the Pay Act upward pressure in the Judiciary to \$737,635.

### **FY22 Pay Act**

The Judiciary negotiated a collective bargaining agreement with the VSEA that included the usual 1.9% in steps and a 2.25% Across the Board Increase (ABI), for a total increase of 4.15%. The cost of this agreement for FY22 is \$1,115,189. We request that the Legislature fund the second year of the Collective Bargaining Agreement, to be extended to all Judiciary employees and judicial officers. If the Legislature does not fund the second year of the collective bargaining agreement, we will be required to renegotiate the agreement.

cc: Gregg Mousley, Judiciary Chief of Finance and Administration  
Steve Klein, Joint Fiscal Office  
Maria Belliveau, Joint Fiscal Office  
Stephanie Barrett, Joint Fiscal Office  
Andrea Hussey, Committee Assistant