

Minutes
Personnel Policy Board
October 23, 2014
8:05 a.m.

Members Present: Ted Smith, Chair; Hon. James Hovey; Petra Mandigo Hulm; Hon. Lisa Fair McEvers; Ross Munns; and Rod Olson

Members Absent: Hon. Gail Hagerty; and Susan Hoffer

Others Present: Amy Klein, Staff
Renee Barnaby, Minutes

Chair Smith called the special meeting to order at 8:05 a.m.

Compensation Study

Chair Smith drew attention to the Sally Holewa's memo in the meeting materials explaining the difference between a compensation study and a classification study. At the last meeting, there were only five members present, and it was requested that a special meeting be set to continue discussion.

In response to a question asking when the last time either of the studies were done, Amy Klein responded that the court system contracted with Bjorklund Compensation Consulting in 2001 to do a classification and compensation study. The plan was implemented in 2004.

In response to a question asking if both studies take the same amount of time, Ms. Klein responded that a market study could be completed within a year. It would take a couple of years to perform both. She said some employees are still grieving from the last study. Employees periodically contact her and express how unfair it is that others are being paid more than those who have been with the court system longer. She said if the court decides to do a classification study that does not guarantee an employee's position will be graded higher. It all depends on the factors.

Rod Olson said if you look strictly at classification, there does not seem to be any glaring problems. It basically comes down to the compensation side of it.

It was moved by Justice McEvers, seconded by Petra Hulm, to move forward with a compensation study.

Judge Hovey indicated he is in favor of a complete classification and compensation study. He said there have been significant changes in the court system in the last 10 years particularly with the rollout of Odyssey. He said if we do a classification study, by the time it is completed, we are going to be approaching 20 years since the last classification study. He said he realizes it is an

intensive process, but it needs to be done sooner or later.

In response to a question asking if any changes have been made to the clerk classifications in the last 10 years, Ms. Klein responded while their descriptions may have been modified, the pay grade has not changed. One of the questions on the clerk evaluations asks if the job description matches the duties, and no one has indicated that it does not. However, she said she is unsure how much Odyssey has changed the decision making or the actual duties.

Mr. Olson responded the clerks current descriptions are written pretty broad such as reviewing documents. However, reviewing documents in paper files is quite different than reviewing them in Odyssey. He believes the clerks do have a lot more responsibility since the implementation of Odyssey.

In response to a question by Justice McEvers asking if a compensation study could be completed yet this biennium, Ms. Klein said she believed it could.

A roll call vote was taken and five members voted in favor of moving forward with the compensation study and one member voted no. The motion carried. Judge Hovey clarified that he is in favor of doing a compensation study, but he voted no because he is in favor of doing both studies.

Justice McEvers said she joined Judge Hovey in his concerns and stated the importance of putting the classification study back on the agenda as soon as the compensation study is completed. It will take some planning because it will need to be built into the budget.

Mr. Olson stated we will not have the money in the budget to implement the compensation study until the following biennium. Last time our compression issues were caused because of the substeps. He said while it is too late to get it into the next biennium, he suggested we start planning on it for the following biennium to prevent compression.

Proposal to Increase Bailiff Pay

Chair Smith said Sally Holewa submitted a proposal to increase bailiff pay to \$6 per hour over the minimum wage.

Judge Hovey recalled the Supreme Court did not increase juror pay based on the fact that it was in line with other states. He then questioned how bailiff pay compared to other states. Mr. Munns responded that in a lot of states, the bailiffs are more uniform and almost appear to be deputy sheriffs in a lot of cases. Our bailiffs are unique in that they are still private citizens and are hired on somewhat of a contract/as needed basis. He said he is unsure if we are competitive as he is not sure there is an equivalent to how we regulate bailiffs. Rod Olson added that in Minnesota for example, all the bailiffs were hired by the Sheriff's Department. They were not licensed police officers, but they wore uniforms for bailiff duties. He is unsure how they were paid, but does not believe Ms. Holewa's proposal is out of line.

In response to a question asking if it is difficult to find bailiffs, Mr. Olson responded that it can be quite difficult especially in the smaller counties. He said whatever we can do to increase the pay and the quality of the bailiffs is good. He indicated there is a question on the jury questionnaire asking if they are interested in serving as a bailiff.

It was moved by Rod Olson, seconded by Ross Munns, to increase the bailiff pay to \$6 per hour over the minimum wage.

Justice McEvers questioned if the proposed increase was sufficient. She said in her experience, the bailiffs she had for the most part were all very good but stressed the importance of having good quality bailiffs.

Mr. Olson stated one of the problems in the rural counties is several trials may be scheduled but only one or two actually occur. He said for example, LaMoure County has not had a jury trial in three years so it is difficult to get anyone interested in the bailiff duties due to the lack of work.

Mr. Munns said in speaking just for Morton County, they currently have three bailiffs in their rotation and that county averages 30 to 35 trials per year. However, they may summons for 90 to 150 trials. Every time they summons, those people are put on notice but then only 30 to 35 times do they actually end up fulfilling the duties. Thus, it is difficult to attract people that are under retirement age.

The motion carried.

It was moved by Petra Hulm, seconded by Justice McEvers, to adjourn the meeting. The motion carried.