

**- Side Letter Agreement between the Santa Cruz County Superior Court and SEIU Local 521, Regarding
Court Reporters**

The Santa Cruz Superior Court ("Court") and SEIU Local 521 ("Union"), having met and conferred on specific terms and conditions affecting Court Reporters, agree to the modification of the current Memorandum of Understanding ("MOU") to include this Side Letter of Agreement as an Attachment.

1. Court Reporters re: Lead Court Reporter Position

Both the Court Reporters and Management agree that it is beneficial to have one Court Reporter act as a Lead Worker. It is understood that reporters serve a very specific and necessary purpose in the courts. Reporters themselves have a strong understanding of their legal responsibilities as well as a unique understanding of their work requirements. All Reporters are certified and therefore are personally responsible to comply with legal requirements assigned to their profession.

There shall be a differential equal to 5% of the current hourly rate of pay to be applied to the hourly rate of pay of the reporter assigned Lead Worker to perform the following duties:

- Coordinate Annual Courtroom Assignments
- Serve as Technical Expert to Other Reporters
- Provide Input to Supervisor for Evaluations
- Provide Input on Recruiting of New Reporters/Contractors
- Provide Input on Weekly and Daily Schedule Changes if Available

The distinguishing characteristics between the Lead Worker role and that of the Supervisor (or Director if there is no Supervisor assigned to the unit) are that the Supervisor is responsible for the evaluation and disciplinary process in the unit. The Supervisor is also responsible for the daily changes in assignments prompted by absences, the maintenance of the vacation schedule, timekeeping, and the hiring of new employees and contractors. The Lead Worker coordinates with the Supervisor without being the primary responsible party.

Management reserves the right to assign the Lead Worker designation upon the completion of an annual internal recruitment. The Supervisor (or Director if there is no Supervisor) will send out an email to all Reporters announcing the recruitment in October of each year. Interested candidates shall submit an email to the Court's Human Resources Department ("HR") noting an interest in the position. HR will work with the Supervisor (or Director if there is no Supervisor) to establish interviews of all candidates to evaluate each candidate's qualifications. As with all other recruitments, selection will be made by the Supervisor in consultation with the Director and final approval from the CEO. Notification of Lead designation shall be made by November 15th of each year. The assignment period will normally be for one year; however, a reporter who has been designated as a Lead Worker may request to be returned to regular reporter status at any time.

**2. Reporters Leaving the Premises During the Workday/Being Released from Courtroom
Responsibilities During the Workday.**

Full-time Court Reporters are expected to work an eight-hour day and a 40-hour work week in which they report matters in court, attend to administrative matters as Court employees, and prepare transcripts. If the Lead Worker and Supervisor deem it necessary and all courts are covered, the

Worker may allow any other reporter to leave the premises for court-related business as long as the Reporter receives approval from the Lead Worker prior to leaving. The Lead Worker shall inform the Supervisor before he/she approves of a Reporter leaving the premises. Examples of court-related business includes obtaining supplies and information necessary to complete transcripts and/or procuring necessary technical equipment maintenance and repairs. Court Reporters may not be released to work on transcripts from home on court time. Reporters would need to request to use either Annual Leave or Leave Without Pay for that purpose.

It is the responsibility of the Lead Worker (with help from the Supervisor if needed), to ensure that reporter absences do not cause a lack of reporter services to arise by allowing them to leave the premises during business hours.

Requests by Reporters to be out of court in order to meet transcript deadlines need to be provided to the Lead Worker one week prior to the date(s) that he/she request to be out of court. The Lead Worker will in turn discuss with the Supervisor all situations so they can be dealt with in a reasonable amount of time without compromising the business needs of the court. By agreement of the Reporters and approval of the Lead Worker, a reporter may substitute for another reporter in court.

3. Bi-annual Assignments Policy and Procedures

A. Definitions:

"Department" is the calendar or calendars of specified case classes, generally presided over by one judge in a designated courtroom. Judges and physical courtrooms may vary.

"Felony" refers to a department primarily processing adult felony cases.

"Non-felony" refers to a department primarily processing any case type other than adult felony cases.

B. Policy:

Court Reporters and Management agree to the use of a biannual assignment procedure for the purposes of allocating Court Reporter resources to courtroom departments. This side letter represents an understanding and agreement that assignments will be comprised of two six-month terms per year, to be chosen by Court Reporters based on seniority, with a prohibition on choosing a felony assignment two terms in a row and a prohibition on choosing the floater assignment more than once in three years, except as allowed in the Felony Assignment Exception Policy, below.

The need to follow certified medical restrictions or medical-related absences may result in a temporary change of courtroom assignments in order to facilitate the efficient functioning of any particular department and to ensure that the business needs of the court are met. Any affected reporter will be consulted for input before the Court implements any change. If a significant issue arises out of the assignment of a particular Reporter that impacts the business needs of the Court, then the Union agrees to work with the Court to resolve the issue on a case-by-cases basis understanding that the Court may exercise its right to address business needs should circumstances warrant it.

Examples of Assignment Composition

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Court Reporter	First Six Month Term	Second Six Month Term
A	Felony (Department 3)	Floater
B	Felony (Department 6)	Delinquency Dept B
C	Felony (Department 7)	Dependency Dept A

C. Assignment Procedure:

For the first 6-month assignment (January 1 – June 30), each Court Reporter, in order of seniority, will submit assignment selection to the Lead Worker by December 1st of each preceding year, with assignment approval notification to each reporter no later than December 15th. Assignments shall commence the first business day after the New Year holiday.

For the second 6-month assignment (July 1 – December 31), each Court Reporter, in order of seniority, will submit assignment selection to the Lead Worker by June 1st of that year, with assignment approval notification to each reporter no later than June 15th. Assignments shall commence on the first business day after June 30th.

If there is no Lead Worker, the selections will be submitted to and reviewed by the Supervisor of the unit (or the Director if there is no Supervisor).

The Lead Worker will discuss assignment choices with the Supervisor prior to submitting the proposed assignments to the division Director for final approval. If there is no Director available, final approval will fall to the unit Supervisor.

D. Felony department exception policy:

A reporter eligible to choose a felony assignment may elect to seek a non-felony assignment by offering the felony assignment to Reporters in the non-felony departments in order of seniority. If a non-felony reporter accepts the offer, the two Reporters will switch assignments for that six-month term. Any reporter electing to accept a felony assignment offer under this exception, which results in that reporter serving a full year in a felony department, shall not be eligible to select a felony department at the next six-month assignment term but would thereafter be again eligible to select a felony, per felony assignment policy, for the following six-month term. In other words, under the exception policy, no reporter would be entitled to serve more than one continuous year in a felony department. However, in the event business needs of the court would best be served and there is agreement between/amongst Reporters, a felony term could be extended such that one reporter remains in a felony department longer than one year.

Court Reporters can, at any time throughout the year, ask other Reporters directly to cover for them, share a trial, and switch courtrooms in order to get a break or to help fellow Reporters get office time to complete transcripts for appeals, prelims, etc. In the event a Court Reporter cannot find someone to cover them so they can get office time out of court, then that Court Reporter must stay in his or her courtroom with the assignment they have chosen. The only time another Court Reporter will be forced to cover another courtroom other than their own is if the person they are relieving is taking vacation time for the rest of the day and/or are leaving due to an illness or emergency, etc. The person wanting to leave must talk to the lead reporter who will find coverage for the person needing to leave. The floater, if out of court for the day, will be asked first, followed by a person who might be on call for the day.

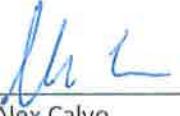
E. Parking

Reporters with assigned and paid parking spaces in Santa Cruz may maintain those spaces even during an assignment change to Watsonville as long as they continue to pay for the space. Court Reporters may also obtain parking passes, at their own expense, with the City of Watsonville to park at the Watsonville Courthouse. The Court will work with Reporters assigned to Watsonville to help them obtain a parking pass from the City if needed. When a reporter is "floating" from Watsonville to Santa Cruz and does not have an assigned space in Santa Cruz, the Court will make arrangements for a parking pass or make other arrangement that will provide for parking for that reporter. Given that the Parking Lot at the Santa Cruz County Governmental Center is managed by the County of Santa Cruz, and not the Court, the Parties agree to meet and confer over this section of the agreement only should problems arise with the current agreement.

F. Offices/Work Spaces

The Court will provide designated out-of-court workspaces for Court Reporters. Court Reporters will generally maintain the workspace they have been assigned within a courthouse location, with reasonable space for storage of work-related materials. When a change in assignment results in transfer to a different courthouse location, a designated out-of-court workspace will be provided in the new courthouse location. The Court agrees to work with Court Reporters transitioning to new assignments with the goal of minimizing for all concerned the physical and logistical impact of moving primary workspaces.

For the Santa Cruz County Superior Court:



Alex Calvo

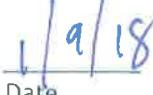


Date

For SEIU Local 521:



Alenis Leon



Date



Jennifer Hampson

Date



Carissa Yamasaki

Date



Retta Parsons

Date