

2.000 DEFINITIONS

The following words and phrases have the meanings stated when they are used in this Manual:

Administrative Office - any of the following work units within the Trial Court: Office of Court Management, Departmental Administrative Offices, Office of the Commissioner of Probation, Office of the Jury Commissioner.

Appointing Authority - an individual with the authority to make appointments and promotions, subject to review by the Court Administrator, or the Chief Justice of the Trial Court as appropriate, pursuant to the provisions of G.L. c. 211B and G.L. c. 276, §83.

Chief Justice of the Trial Court - the policy and judicial head of the Trial Court pursuant to G.L. c. 211B, §9.

Chief Experience and Diversity Officer - the staff member in the Executive Office responsible for providing, developing and implementing best practices in customer service and workplace engagement and the advancement of diversity, equity, and inclusion in the Trial Court.

Classification and Wage Compensation Plan - the system of position descriptions and classifications issued by the Court Administrator. The Plan is administered pursuant to Section 4.600 of this Manual.

Confidential Employee - an employee who the Court Administrator has determined meets the definition of "Confidential Employee" in G.L. c. 150E. Such employees shall receive wages and benefits consistent with the Collective Bargaining Agreement that would apply if the position was not designated as Confidential, with the exception of the union-only dental plans.

Court Administrator - the administrative head of the Trial Court who exercises responsibilities pursuant to G.L. c. 211B, §9A.

Courtyard - the Trial Court intranet website.

Department Head - the Court Administrator, the Chief Justice of the Trial Court, Chief Justices of Trial Court Departments and Deputy Court Administrators, consistent with the provisions of G.L. c.211B, §10, First Justices, appointed and elected Clerks/Magistrates, the Recorder of the Land Court, Registers of Probate, the Jury Commissioner, the Commissioner of Probation, department Directors within the Office of Court Management, and Chief Probation Officers. For the purpose of this Manual, any other appointing authority shall be considered a department head with

respect to persons over whom that position has appointment authority. Chief Court Officers, at the discretion of the Director of Security, and Chief Housing Specialists at the discretion of the Chief Justice of the Housing Court Department may be designated department heads for the purpose of this Manual. The Commissioner of Probation may designate Deputy Commissioners, Statewide Supervisors, Regional Supervisors, Division Directors or similar personnel as Department Heads as the Commissioner deems necessary for the operation of the Massachusetts Probation Service. All such designations shall be in writing with a copy forwarded to the Human Resources Department.

Deputy Court Administrator - the position in each “Trial Court Department” who exercises responsibility in consultation with the Departmental Chief Justice for management of the business of the Department, including personnel, financial administration and budget preparation, record-keeping, information systems and statistical controls, purchasing, planning, education, facilities, legislation, and all other court operations.

Employee, Court User and Service Provider - these terms are specially defined in Section **5.100** of the Policy Prohibiting Discrimination, Harassment, and Retaliation. For purposes of that Section, “employee” includes all employees, supervisors, managers, and elected and appointed officials; “court users” are all litigants, witnesses, attorneys, jurors, and members of the public; and “service providers” include contractors, interns, and volunteers.

Executive Office of the Trial Court - under the joint leadership of the Chief Justice of the Trial Court and the Court Administrator, the Executive Office includes staff to support judicial policy, judicial education, general counsel, research and planning, intergovernmental relations, specialty courts administration, grants management, general administration, and communications.

Full-Time Employee - an employee who is scheduled to work 37.5 hours per week.

Human Resources/Compensation Management System (HR/CMS) - the automated human resources and payroll system for all state employees, including those of the Trial Court.

Human Resources Department - the department within the Office of Court Management responsible for negotiating and administering collective bargaining agreements, and administering personnel policies and procedures.

Immediate Family - the employee's spouse and the parents, children, brothers and sisters of the employee and of the employee's spouse.

Managerial Employee - for purposes of this Manual, includes all Deputy Court Administrators, Clerk-Magistrates, First Assistant Clerks, Assistant Clerks, Registers of Probate, First Assistant Registers, Assistant Registers, Judicial Case Managers, Assistant Judicial Case Managers, Recorder of the Land Court Department, Deputy Recorder of the Land Court, Chief Probation Officers, Chief Housing Specialists, Chief Court Officers, Assistant Chief Court Officers in Middlesex and Suffolk Counties, and those employees who the Court Administrator has determined meet the definition of "Managerial Employee" in G.L. c. 150E, such as employees in positions which are paid pursuant to the Management Classification and Wage Compensation Plan.

New Hire - an individual appointed to a position pursuant to the provisions of Sections 4.000 - 4.500 of this Manual and who was not employed within the judiciary at the time of the individual's appointment.

Office of Workplace Rights and Compliance - the office that investigates and resolves issues related to potential violations of the Trial Court policy in Section 5.000 prohibiting discrimination, harassment, or retaliation based on protected status.

Part-Time Employee - an employee who is scheduled to work less than 37.5 hours per week.

Permanent Employee - an employee who is appointed to a position pursuant to the provisions of Sections 4.000 - 4.400 of this Manual or other statutory authority.

Probation Officer - a Chief Probation Officer, First Assistant Chief Probation Officer, Assistant Chief Probation Officer, Senior Community Corrections Probation Officer, Probation Officer II, and Probation Officer.

Promotion - the advancement of a person currently employed by the Trial Court to an open, funded, permanent position having a higher level and salary range as classified in the Classification Plan or a collective bargaining agreement than the level and salary range in which the employee currently is classified or to a position having a higher statutory salary, pursuant to the provisions of Section 4.000 of this Manual.

Removal - separation from employment pursuant to Section 16.000 of this Manual. The words "dismissal," "discharge," or "termination" shall have the same meaning for purposes of this Manual.

Temporary Employee - an employee who is appointed for a limited period of time pursuant to Section 4.700 of this Manual, including summer employees, student interns, and employees who are temporarily hired to replace another employee who is on an unpaid leave of absence.

Trial Court Department - one of the seven departments of the Trial Court which are as follows: the Boston Municipal Court Department, District Court Department, Housing Court Department, Juvenile Court Department, Land Court Department, Probate and Family Court Department, and Superior Court Department.

Trial Court Division - a principal place within a Trial Court Department for the holding of court (e.g., the Lynn Division of the District Court Department).

Union Employee - an employee whose position is included in a bargaining unit under G.L. c. 150E.