



The Superior Court of California

COUNTY OF SAN JOAQUIN

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BRANDON E. RILEY
Court Executive Officer – Jury Commissioner

April 3, 2020

Dear Superior Court Employees,

I hope this letter finds you all in good health. I am writing to you to clarify information that has already been distributed to you regarding employees physically required to report to work, employees that are telecommuting, and employees that are on paid leave.

As you know, Hon. Tani G. Cantil-Sakauye, Chief Justice of California, issued several statewide orders suspending some court proceedings. The Chief Justice granted our Court's initial request for an Emergency Order, which allowed Presiding Judge Xapuri B. Villapudua to adjust court operations and suspend all non-essential functions for approximately four to eight weeks effective March 17, 2020. On April 1, the Presiding Judge submitted a second request for an Emergency Order to the Chief Justice requesting to suspend court operations and non-essential functions through May 1, 2020.

ESSENTIAL POSITIONS (April 1, 2020, through the end of the emergency declaration)

As detailed in my letter to you on March 26, 2020, effective April 1, 2020, only essential staff is required to report to work. I want to clarify this point. In the last couple of weeks, Court Management has evaluated the number of essential positions that are required to support the minimal services we continue to provide. We have defined essential positions as employees that are required to report to work physically. For example, if we only have three courtrooms with court calendars, we have identified that five courtroom clerks are essential and need to report to work physically. If you were physically reporting to work up until March 27, 2020, your manager or supervisor would have communicated with you if you were eligible to fill an essential position. In most departments, managers have set up a rotating schedule for eligible employees to fill crucial positions.

All employees who are non-exempt (eligible for overtime) and are required to report to work physically will be compensated at time and a half for actual hours worked at the courthouse. All employees who are non-exempt (not eligible for overtime) and are required to report to work physically will be compensated at their regular rate.

If you are identified as an employee who is eligible to fill an essential position, on your scheduled workdays or hours off, you will be on paid leave at your regular rate.

If your manager or supervisor has not personally communicated with you and identified you as an employee that is eligible to fill an essential position, do not report to work until further notice. You will be on paid leave at your regular rate.

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ON LEAVE FOR COVID-19 REASONS (March 17, 2020 through the end of the emergency declaration)

If you reported to your manager or supervisor that you were unable to continue to work because of one of the following reasons:

1. You must stay home because they have children who need care as a result of school, daycare, and other service closures;
2. You are sick or suffer from health conditions such as heart disease, lung disease, diabetes, kidney disease, and weakened immune systems;
3. You are caring for the elderly or sick children;
4. You are 65+ years old; or
5. If you did not report to work because of the Emergency declaration or Shelter in Place order

you have been on paid leave at your regular rate. You will continue to be on paid leave at your regular pay rate and are instructed **not** to report to work until further notice. NOTE: If you are out on leave because of #5, if needed, you can be required to report to work.

TELECOMMUTING (March 17, 2020 through the end of the emergency declaration)

If you have been authorized by your manager or supervisor to telecommute from home, please continue to do so. You will be paid at your regular rate. If you do not work the entire day, you will be on paid leave at your regular rate.

CONTRACT EMPLOYEES (March 17, 2020, through the end of the emergency declaration)

Grant-funded contract employees will be paid according to the grant's payment provisions.

Again, if your manager or supervisor has not personally communicated with you and instructed you to report to the courthouse for work physically, **do not report to work until further notice.** If you come to the courthouse, you will be requested to leave. We want to continue to do our part to help curb the spread of the coronavirus.

The compensation and leave policy detailed above are temporary and dependent upon further funding and direction from State and Federal authorities. I will continue to communicate any new developments. Thank you for your continued patience and flexibility!

Be well,



Brandon E. Riley
Court Executive Officer
San Joaquin County Superior Court