

**MSCA Board of Directors Meeting
Minutes of the Regular Meeting
December 3, 2004
MTA Headquarters, Boston, MA**

Present: Art, Concannon, Falke, Feldman, George, Hetzel, Hogan, McGee, Markunas, Minasian, O'Donnell, Paolillo, Price, Schlosberg, Seider, Shartin, Stonehouse, Tetrault

Guests: Joseph Ebiware (MCLA), Donna Sirutis (MTA), Robert Whalen (MTA)

Approval of the Orders of the Day and the Minutes:

The meeting was called to order at 1:45 p.m.

It was moved and seconded to approve the orders of the day. The motion passed.

It was moved and seconded to approve the minutes of the November 5, 2004, meeting. The motion passed.

President's Report

MSCA Committee Appointments

There were no nominations for MSCA Committees.

The ad hoc committee to develop policies related to document retention and destruction will meet on Thursday, December 9th, at 11:30 a.m. Ann Clarke, MTA General Counsel will attend.

Brief Reports on Meetings Past - Employee Relations Committee

Implementation of the Mediation Memorandum of Agreement

At both the ERC meeting and at an MSCA Grievance Committee meeting held prior to ERC, the implementation of the new mediation step in the grievance procedure was discussed. MSCA proposed a joint labor-management workshop with a mediator to learn about the process so that it can be used successfully. Management responded favorably and AVP Johanna Branson (Mass Art) will make this proposal at the next academic vice presidents' meeting.

State Ethics Commission/Conflict of Interest Issues

1. MSCA proposed a joint labor-management session with a representative of the State Ethics Commission, similar to the one held at Mass Maritime on November 8, 2004. Dr. Branson will make this proposal at the next academic vice presidents' meeting.
2. In response to a question about whether part-time faculty as "non-employees" or "03 consultants" are subject to the Ethics Commission advisory opinion about textbooks, Board members were reminded that the Conflict of Interest Law covers "anyone who renders a service to the Commonwealth, whether paid or unpaid." Everyone teaching at the colleges is covered by the advisory opinion – part-time faculty, teachers of non-credit courses, etc.
3. The consolidated grievance concerning the delegation to the department chair of the decision whether or not a faculty member could use his/her own textbook was heard by COP Chairperson Dana Mohler-Faria (Bridgewater) on November 17, 2004. A ruling is expected soon.

BHE Proposed Budget for FY 2006

The Board of Higher Education apparently considered supporting a 9% increase in funding for higher education, as opposed to an 2.5% increase that was recommended by A&F. An important committee meeting on this issue was held on December 1, 2004. Salem Chapter President Paul McGee represented the MSCA Board at this meeting.

Appointment Letters to Chapter Treasurers

Chapter presidents were asked to check with their chapter treasurer to insure that copies of all appointment letters (Appendices N-1 and N-2) are being sent to the treasurer.

DGCE Contract Courses

Under the new DGCE contract (page nine), chapter presidents are entitled to receive a complete list of all contract courses offered at their campus during the preceding academic year, if they request this information on or after November 1st. Chapter presidents were urged to make this request and copy the information received to Bob Whalen.

Brief Reports on Meetings Past - Senate Task Force on Public Higher Education

President Markunas attended the November 23, 2004, hearing of this task force. Remarks presented by President Mohler-Faria were distributed to the MSCA Board with copies of President Markunas' report.

Brief Reports on Meetings Past - NEA Advisory Committee on Higher Education Research

President Markunas attended this meeting on December 1, 2004, in Orlando, Florida. Budget constraints and 30 vacant positions at NEA may impact services to higher education members in general.

MSCA Position on Repeal of the Higher Education Act Drug Provision

President Markunas was contacted by Brian Dolber, on behalf of the Coalition for Higher Education Act Reform concerning MSCA's possible endorsement of the repeal of the provision of the Higher Education Act that forbids the award of federal financial aid to applicants with a drug-related conviction. Representative Barney Frank has sponsored this legislation in the House of Representatives; an effort is underway to get Senator Kennedy to sponsor similar legislation in the Senate. A fact-sheet about the legislation and a list of organizations (NEA, NCHE, and AFT) that have endorsed the legislation were distributed to the MSCA Board with President Markunas' report.

It was moved and seconded that the MSCA support the repeal of the provision of the Higher Education Act that forbids the award of federal financial aid to applicants with a drug-related conviction. The motion passed unanimously.

Meetings and Demonstrations

December 3, 2004, Demonstration, One Financial Center, Boston, MA

The demonstration held prior to the MSCA Board Meeting was a success. Approximately 100 state college faculty/librarians, most of whom were dressed in caps and gowns, participated in the protest held over the lunch hour. Participants held protest signs, nearly 1000 leaflets were distributed, and large banners were held facing South Station. Prior to the event, proper leafleting and demonstration permits were obtained from the City of Boston (note: President Markunas was notified by a Boston Police officer that if a megaphone had been used, a separate permit would be required for its use). These permits proved useful when One Financial Center security guards attempted to stop the demonstration. Three Boston police officers were on duty at the protest location during the event. Press releases were sent out to the media before the event and reporters from the *Boston Herald* and television station Channel 27 interviewed participants. The MSCA Board and President Markunas thanked Donna Sirutis and others for the hard work put into making the protest a success.

Board of Higher Education, December 7, Roxbury Community College

President Markunas encouraged board members and faculty/librarians to participate in the picketing to be held at the meeting.

Senate Task Force on Public Higher Education

The next meeting of this Task Force will be on Monday, December 13, 2004, from 12:00 noon to 2:00 p.m. in the Senate Reading Room, third floor of the State House. President Markunas will testify and point out that the recently released "study" by A&F about state employees who earn in excess of \$100,000, base salary, does not apply to this unit. She will also address the benefits issue. Other suggestions were made about possible MSCA responses to the release of this study.

Other News

Arline Isaacson will be honored by the Jewish Alliance for Law and Social Action in Brookline on December 5, 2005. The MSCA congratulates Arline on this wonderful and well-deserved honor.

Vice President's Report

Legislation has been filed by the Massachusetts Federation of Teachers to amend the collective bargaining process. In past legislative sessions, the MTA has filed similar legislation or supported it, although that is not the case this year.

A MTA recommended member benefit, offered through MTA Educator Services, is partially owned (75%) by Bradford Bleidt. Bleidt has been in the news recently for allegedly buying a radio station for himself using money that he received from individuals who hired him for professional financial investor services. Vice President Minasian felt it was problematic that the MTA Educator Services continues to recommend this service to members.

Treasurer's Report

Treasurer Price presented her report.

Secretary's Report

The secretary passed.

MSCA Committee Reports

Ad Hoc Committee on Librarian Concerns

Chair George presented her report.

Salary Database Committee

Chair O'Donnell requested that chapter presidents continue to submit salary-related appendices to him so the Salary Database may be kept up-to-date.

Day Bargaining Committee

Two meetings have been scheduled: Monday December 6, and Wednesday December 15, 2004.

Bargaining Committee members are encouraged to attend both meetings.

It was moved and seconded to go into executive session. The motion passed.

It was moved and seconded to go out of executive session. The motion passed.

Grievance Committee

The Grievance Committee office has been moved to Salem State College from Worcester State College.

BHE/MTA Health and Welfare Trust

A report will be distributed to Board members as soon as possible. President Markunas will, once again, request that Trustee Dave Twiss submit his written reports to her, prior to Board meetings.

MTA Reports

MSCA Day Bargaining Unit

Article XIX

Donna Sirutis distributed a draft of a letter to the chairperson of each state college board of trustees regarding Article XIX (implementation of salary increases to bring MSCA unit members'

salaries up to the minimum formula). It was requested that chapter presidents speak to their college presidents about the letter, and Article XIX, before distribution.

Mass Maritime Academy

This past month a Mass. Maritime Academy faculty member came close to termination due to inappropriate comments made to students in one of his classes. A settlement was reached with the faculty member. He will be temporarily suspended, without pay, from the Academy. MMA Chapter President O'Donnell and MTA's Donna Sirutis were commended for working towards this settlement for the faculty member. It was emphasized that tenured faculty members can be fired and that academic freedom does not protect faculty/librarians from discipline.

MSCA DGCE Bargaining Unit

The issue of compensation for internships needs to be brought up during the next contract negotiations. At this time the DGCE administration at each campus can continue to pay internships at the previous rate.

MTA Director's Report

The MTA Board of Directors will be meeting later this evening.

Local Chapter President's Reports

Bridgewater

Bridgewater State College President Mohler-Faria has yet to disclose to Bridgewater faculty/librarians that no legislation has been filed that would increase Bridgewater State College faculty member's salaries. The chapter is working on strategies for spring 2005.

Fitchburg

A letter writing campaign has been initiated on campus, resulting in 576 letters to Governor Romney and BHE Chairperson Tocco. Fifty letters are being mailed each day. Copies were distributed to the MSCA Board.

Framingham

There have been chapter meetings on campus. Faculty members using the web-based course management system, Blackboard, will include a message to students about the contract situation on each class Blackboard account.

Mass. College of Art

The chapter is planning strategies for spring 2005. Approximately 20 faculty/librarians attended the protest earlier in the day.

Mass. College of Liberal Arts

A breakfast meeting on December 16, 2004, has been set for faculty/librarians to meet and discuss issues of importance. The chapter president continues to meet with the college president to discuss issues.

Mass. Maritime Academy

The past month was spent saving a unit member from termination. See above *MTA Report/MSCA Day Bargaining*.

Salem

Over 40 people from Salem State College took part in the protest earlier in the day. Salem is regularly losing faculty/librarians to positions that pay double the salaries SSC can offer them.

Westfield

The chapter president is regularly meeting with the college president to discuss a variety of issues.

Worcester

Chapter President Shartin formally thanked Chapter Vice President Anne Falke for stepping in as chapter president during his recent illness. The Worcester chapter has been meeting regularly to discuss issues and strategies.

The meeting adjourned at 3:50 p.m.

Respectfully submitted,
Nancy George
MSCA Secretary