

**MSCA Board of Directors Meeting
Minutes of the Regular Meeting
October 7, 2011
Fitchburg State University**

Present: Aldrich, Concannon, Coppola, Dargan, Donohue, Eve, Falke, George, Goodlett, Haar, Hennessy, O'Donnell, Pavlicek, Rapp, Schlosberg, Shartin, Stonehouse, Turk

Guests: Ron Colbert (Fitchburg), Sandy Faiman-Silva (Bridgewater), Donna Sirutis (MTA), Bob Whalen (MTA)

Approval of the Orders of the Day and the Minutes:

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 September 2, 2011 meeting. The motion passed.

MSCA Officers' Reports:

President – C.J. O'Donnell

July 1, 2011 Longevity Increases

President O'Donnell has been told that the longevity increases due July 1, 2011 will be included in the October 28th payroll. Some campuses were prepared to pay the increases on October 14th but the DHE is working on uniform implementation. President O'Donnell has a call in to Care Corner-Dolloff to inquire as to when the retroactive pay will be paid. It may also be included in the October 28th payroll.

MSCA Committee Appointments for 2010-2012

There are a number of vacancies on MSCA Committees for the 2010 – 2012 term. There are only two members on the Elections Committee and that committee has not elected a chair. This committee needs to begin its work immediately. President O'Donnell urged chapter presidents at those campuses that do not have an appointee to please consider filling the vacancy immediately.

DGCE bargaining will begin next week and the Day Bargaining Committee will need to begin its work soon.

It was moved and seconded to approve the following committee nominations:

Grievance Committee – Richard McElroy (Mass. Art)

DGCE Bargaining Alternate – William Shakalis (Worcester)

Day Bargaining Alternate – Gary Merlo (Westfield)

Elections – Anne Falke (Worcester)

Elections – Sandy Faiman-Silva (Bridgewater)

The motion passed.

Legislation Update

Gaming Bill

The “gaming bill” is being debated in the Senate; the House version was amended to include dedicated funding for higher education. President O’Donnell asked the MSCA Legislation Committee to look the bill and to make a recommendation as to whether the MSCA should support, oppose, or remain neutral on this bill.

Pension Bill

The “pension bill” is in the House, the Senate version was amended to include the ORP out-out language. President O’Donnell asked the MSCA Legislation Committee to look at the bill and to make a recommendation as to whether the MSCA should support, oppose, or remain neutral on this bill.

Sabbatical Bill (H 2104)

There was a hearing on the “sabbatical bill” on September 26th. President O’Donnell was unable to attend; MSCA Vice President Amy Everitt testified on our behalf alongside Rep. John Keenan. All nine State University presidents were in attendance. The bill has hit a snag that we will need to deal with, but it should not be fatal.

ORP Bill (S 1912)

As of September 1, 2011, newly hired librarians *are* eligible to participate in the ORP. President O’Donnell encouraged librarians on search committees to note this to candidates during interviews. However, please do not offer any advice regarding the SERS or ORP. We are not financial advisors, but there is nothing wrong with informing prospective hires that they have a choice.

Additionally, MSCA librarians who were not vested in the SERS on September 1, 2011 have 90 days to switch from the SERS to the ORP.

A hearing on the ORP opt-out bill was held on October 4th. The current version of the bill still has, I believe, technical flaws. The option to allow librarians into the ORP has been stripped off and is a separate bill. *Unless there is an MSCA librarian who is vested in the SERS and wishes to switch to the ORP, the MSCA will not pursue legislation to do that.*

The MSCA will send a letter to our librarians explaining the points in the last two paragraphs.

State Revenues for FY 2012

The Massachusetts Department of Revenue has reported that revenue collections for the first quarter to FY12 are \$108 million above benchmarks. DOR originally estimated that FY12 revenues would be \$20.615 billion. The FY12 triggers for three-month and six-month acceleration of the soon to be December 31, 2011 salary increases are \$20.94 billion and \$21.44 billion, respectively. It is possible, perhaps likely, that our FY12 salary increases will be accelerated as we expect our FY11 increases will be once final numbers are certified by DOR.

Books for Legislators

MTA staff attorney Quesiyah Ali has noted that MSCA must disclose to the Secretary of State lobbying efforts that are in excess of \$250. We must also disclose the name of any person the MSCA is lobbying where the gift is in excess of \$15.

MSCA Treasurer Glenn Pavlicek and President O'Donnell believe this will also introduce an agency fee at the MSCA level.

President O'Donnell noted that MSCA members need to be cognizant of laws regarding the number of hours they can be in the State House before registering as a lobbyist.

COPs Meeting with Secretary Gonzalez

The State University and Community College Councils of Presidents will be meeting with Secretary Gonzalez on October 12th to impress upon him the need for funding from the Commonwealth in order to fund any NAGE-like agreement.

Librarian Survey

President O'Donnell distributed the *2011 Librarian Survey* to Board members.

Vice President – Amy Everitt

Not present.

Secretary - Nancy George

No report.

Treasurer - Glenn Pavlicek

Monthly Expense Report

Treasurer Pavlicek distributed the monthly expense report.

Whistleblower and Conflict of Interest Policies

In accordance to IRS Form 990 requirements the Conflict of Interest signature form and Whistleblower policy will be distributed to all committee members. President O'Donnell will make sure the MSCA receives completed forms from all committee members.

Audit and IRS Form 990

The results of the audit were distributed to chapter presidents.

It was noted by Treasurer Pavlicek that many part-time faculty members are becoming members after being agency fee payers. In addition, non-compliant members are paying dues owed to the association.

Treasurer Pavlicek distributed the completed IRS Form 990.

It was moved and seconded to approve the signing and filing of the 990 tax form. The motion passed.

Sick Leave for State MSCA Office Employees

President O'Donnell's secretary was out for an extended period of time due to illness. Her sick leave account has been exhausted and additional time is needed to cover her absence. Chapter office employees have received up to four weeks of additional sick leave when needed; it was requested that there be consistency in benefits among MSCA office employees. Discussion followed.

It was moved and seconded that the MSCA provide up to six weeks of sick leave for state MSCA office employees for illness requiring an extended absence after personal sick leave has been exhausted. The motion passed.

MSCA Committee Reports

Grievance Committee – Sandy Faiman-Silva

Chair Faiman-Silva's report was distributed to chapter presidents by email.

Chair Faiman-Silva reviewed current grievances and arbitrations with the Board. Discussion followed.

Chair Faiman-Silva stated that one member of the committee needs to rent a car to attend Grievance Committee meetings. It was noted by President O'Donnell and Treasurer Pavlicek that this is an allowable expense; however, the MSCA will only reimburse the member for the rental car charges or mileage, but not both.

Board members requested that Chair Faiman-Silva provide the Board with information on the Grievance Committee's experiences working with the COP's counsel Jim Cox.

DGCE Bargaining – Sue Dargan

Dates have been set for bargaining – October 14 (Framingham), October 25, November 14, November 21, November 30.

Legislation – Ken Haar

It was proposed by Fitchburg Chapter President, Sean Goodlett, that we begin working on a bill that would require the state university system to spend at least 50% of their budgets on instruction expenses. Discussion followed.

Regarding the MTA's 75-25 bill, which the MSCA has endorsed, Consultant Sirutis will find out if the bill has been costed out.

MTA Reports

Day Bargaining Unit – Donna Sirutis

Speaker Robert DeLeo pulled the fix for the "evergreen" problem from a supplemental budget

bill. It is hoped that the issues DeLeo has with the “evergreen” fix will be resolved quickly. The MTA is monitoring the situation closely. Discussion followed.

Consultant Sirutis reminded Board members that before helping part-time faculty with contractual issues they first need to confirm that the part-time faculty member is a member of the MSCA unit. Only members of the MSCA unit are eligible to receive assistance from the union. Consultant Sirutis reminded chapter presidents that part-time day faculty are not in the unit until they are in their third consecutive semester of employment.

Consultant Sirutis distributed a flyer for the 2011 MTA Higher Education Conference to be held October 28 - 29, 2011 at the Crowne Plaza in Natick.

It was moved and seconded to reimburse the registration fee for any member who wishes to attend the MTA Higher Education Conference. The motion passed.

DGCE Bargaining Unit – Bob Whalen

Future Teachers Conference will be held November 5.

Director – Ron Colbert

No report.

PHENOM

Ken Haar

Members of the legislative public higher education caucus will be on campuses on October 24. Open meetings will be held with legislators on each public higher education campus. PHENOM is hoping these meetings will be like open town meetings.

There will be a “Top Ten Reasons to Spend Money on Higher Education” campaign. Each week a message will go out with the target being the governor. The hope is that information will go smoothly from the legislature to the governor.

On November 2nd there will be a student event regarding affordability of public higher education. There may be a link made between the “Occupy Wall Street” movement and our own economic situations. More information will be coming after the November 2nd event.

It was moved and seconded to “issue a statement of support for our union brothers and sisters now participating in occupations throughout the country, particularly those occupying Wall Street, as they join the call for economic justice. MSCA is the 99%.” The motion passed.

Chapter President's Reports:

Worcester

The new president attempted to staff governance committees with AFSCME members and change the reporting structure of governance committees. After being provided with information

from the MSCA Worcester Chapter, President Maloney withdrew his requests on governance committee staffing and reporting structure changes.

The university president's executive assistant allegedly destroyed information regarding a crime that was committed on campus by members of the campus police that included a member of her family.

Westfield

The Dean of Undergraduate Studies is of the impression that she can make academic policies decisions (e.g., change class sizes) whenever she wants to.

Westfield Chapter President Haar requested information from other chapter presidents on whether day faculty can teach a DGCE course as part of their day load. Discussion followed.

Salem

The new library building project is requiring the blasting of rock ledge adjacent to the main arts and sciences academic building. Administration has not been cooperative in minimizing the disruption to classrooms adjacent to the blasting area.

Flooding closed the university on Tuesday, October 4, and severely damaged some MSCA members' homes.

The provost has meet with department chairs regarding the academic program review and is in the process of writing her report.

There is a proposed class schedule change that has been distributed to faculty for feedback.

President O'Donnell announced that President Meservey received a 3% salary increase and will receive a merit bonus as well.

MMA

Not present.

MCLA

President Grant is pushing for campus police to carry guns. The campus is opposed to this and this issue has galvanized the students into finding out how decisions are made on campus.

There was a recent rally involving faculty, staff, students, and some local activists and community members. They came together for Jobs for Justice; there were speeches and music at the rally.

Mass Art

Not present.

Framingham

Administrators are scheduling meetings starting as early as 7:15 a.m. Faculty and librarians have protested the early hour of these meetings.

DGCE courses (same number of credits) have been meeting for fewer hours than Day courses. Discussion followed. President O'Donnell emphasized that Framingham needs to comply with the contract and that the number of contact hours needs to be consistent between Day and DGCE courses.

Due to the administration's anxiety about residence halls' occupancy rates, a new dorm on campus is populated with non-matriculated students. These non-matriculated students ended up displacing matriculated students who had to find alternate, off-campus housing. The non-matriculated students ("pathway students") take classes alongside matriculated students and do not qualify for financial aid. Discussion followed.

There is concern that "D-F-W" grading rates are being used against faculty members.

Fitchburg

There has been a favorable resolution regarding the class size grievance. In AY 2010-2011 there were 20 new faculty hires; in AY 2011-2012 there have been 19 or 20 new faculty hires. This has equaled 12 faculty hires above retirements and resignations.

The second phase of the Hammond Building renovation is due to be completed in August 2012. The debt for the project will be paid by the students over the next 20 years. In the past two years institutional debt has risen from \$11 million to over \$30 million.

A committee has been formed by the MSCA Fitchburg Chapter to study MTA representation and affiliation.

Bridgewater

The provost has made it known that campus-wide service is more important than departmental service for evaluations.

A member testified at the June 22 higher education hearing and was offended by comments made by MTA President Paul Toner regarding the reliance on part-time faculty. President O'Donnell will request a copy of MTA President Toner's testimony.

The meeting adjourned at 2:45 pm.

Respectfully submitted,
Nancy George
MSCA Secretary