

**MSCA Board of Directors Meeting  
Minutes of the Regular Meeting  
September 6, 2013  
Framingham State University**

**Present:** Aldrich, Berg, Concannon, Cusack, Dargan, Donohue, Everitt, Fielding, Foley, George, Hoagland, O'Donnell, Pavlicek, Rapp, Resnik, Stonehouse

**Guests:** Ann Clarke (MTA), Sandy Faiman-Silva (Bridgewater), Joey Hansen (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 April 26, 2013.

It was moved and seconded to table approval of the April 26, 2013 minutes pending a clarification of a motion regarding withholding MTA dues. The motion to table passed.

**Visiting Speakers' Time**

*MTA Executive Director/Treasurer Ann Clarke*

*MTA Higher Education Director Joey Hansen*

After introductions, Joey Hansen provided Board members with a PowerPoint presentation of the revised reorganization proposal for the MTA Higher Education division.

Director Hansen noted that the division reorganization is in response to evolving MTA unit challenges and growing higher education adversaries. Challenges include: institutional funding, employee benefits, the Vision Project, management bloat, contract funding, and national attacks on the rights to unionize.

The timing of the reorganization coincides with the retirement of two consultants: Donna Sirutis and Beth Boyer.

The proposed new structure would include:

- Four consultants to service the contracts, including one consultant dedicated to the MSCA Day and DGCE contracts;
- One policy analyst who would serve as an in-house expert of what is happening at the Statehouse and federal levels; and

- Two organizers who would meet with units and chapters to educate and engage MTA's higher education members at the chapter level to increase member involvement in local issues and to defend public education (the organizers would be assigned units based upon geographic regions, eastern and western).

The four consultants would have "active management" of their workloads.

Part-time professional or trained staff to be employed and who will supplement the four consultants.

Timeline for implementation:

- A presentation to HELC on September 13, 2013.
- Meetings with other higher education locals in September and early October.
- A final presentation to HELC on October 11, 2013.
- MTA Board reviews proposal and votes on proposal on October 18-19, 2013.
- Posting for positions after the board meeting.

After Director Hansen's presentation a question and answer session followed, during which a number of points were brought up:

The interim solution of MTA Consultant Bob Whalen assigned to service the Day contract and Joey Hansen dealing with negotiations is not working. This is not working because in addition to Bob's duties with the MSCA DGCE contract and the MCCC DCE contract (which are currently in negotiations), Bob is unfamiliarity with the lengthy, complicated day agreement and as an interim consultant for the unit it does not make sense for him to try to become familiar with the day agreement.

This was exacerbated by miscommunication or a difference in understanding regarding Joey Hansen's involvement with negotiations, particularly recent impact negotiations. It was suggested multiple times that retired MSCA Consultant Donna Sirutis be hired on a per diem basis to cover the more complicated MSCA day contract issues until a full-time replacement is hired.

It was emphasized that a consultant needs to be hired as soon as possible due to day negotiations due to begin in January, 2014.

Although it was suggested that the positions cannot be posted early due to the need to have the MTA Board see the whole re-organization structure, President O'Donnell pointed out that the MTA Board does not need to be involved in the advertising for a replacement of an existing position. Director Hansen said they wanted to advertise the positions at the same time to get the best fit for each position.

Ann Clarke pointed out that they believe it is easier to hire part-time legal assistance than part-time organizers, stating that issues are easier to “chunk” with legal work than non-legal work. In addition, organizers need to get to know the various units and part-time employees would not have the time to make those personal connections with units.

Chapters do not have to work with organizers. The organizers will not be forced on the chapters, they will be provided as chapters want/need their assistance.

### **MSCA Officers’ Reports**

*President – C.J. O’Donnell*

#### *Committee Appointments*

The Delegate Assembly created a special advisory Investment Committee to be comprised of one member from each chapter. The committee shall report to the Board at least two times per year. The MSCA Treasurer shall serve as an ex-officio member of the committee. This committee shall exist for two years. This is the second request for members made by President O’Donnell. Chapter Presidents please forward to him nominations as soon as possible.

It was moved and seconded to approve the appointment of David Nolta to the Grievance Committee from MassArt. The motion passed.

#### *Mid-Term Negotiations*

The Bargaining Committee negotiated to additions to the contract this summer. The first regards how to deal with evaluations when a department chair has a conflict of interest. The second is the Retirement Incentive. Both are posted on the MSCA website. Please make your members aware, particularly of the latter, since there are deadlines involved.

The university presidents are required to inform chapter presidents by September 20th if they intend to limit the number of retirement incentives available to MSCA members. If they do not inform you of a limit, then there is no limit. Please let Bob Whalen and President O’Donnell know if you are informed of a limit so we can track this.

#### *Successor Day Negotiations*

The day contract expires on June 30, 2014. The Day Bargaining Committee will need to start meeting this fall to put together a survey and a proposal. We meet face-to-face with management no later than January 31, 2014.

#### *Salary Increases*

The last pieces of information needed to compute the formulary increases came in yesterday. Over the weekend President O’Donnell will forward the lists to chapter presidents. Chapter Presidents can make the list available in the chapter office, but do not distribute them. Not all information contained in it is public information.

As we did last year, the MSCA will produce salary explanation letters that will be sent to chapter presidents to give to members receiving an increase. Do not give the letters to management to distribute. They will take credit for the work when in fact management was more of a hindrance this year than last. The MSCA requested the data beginning in April and if we had cooperation the increases could have been paid on time back on July 1st.

The July 1, 2013 1.75% across the board increases were applied on time. The formulary increases are to be applied before this increase. President O'Donnell will let the Board know when we have an implementation date, which may be September 27th.

*Retiree Health Care Bill*

House 59 is scheduled for a hearing October 31st from 11:00 am to 1:00 pm in Gardner Auditorium in the Statehouse. The MSCA should line up members to testify against the bill. The best approach is to have individuals who will be significantly adversely affected by the bill to testify with their personal story. President O'Donnell has a class at that time, but will submit written testimony at the macro level.

*MTA Consultant Situation*

Joey Hansen and Ann Clarke met with the board this morning. The Board will likely have further conversations about this after later today. Bob Whalen will be servicing the day contract and Joey Hansen will be assisting with bargaining through February 2014.

*MSCA Elections*

This is an election year. President O'Donnell asks the Elections Committee to begin its work. The election rules and calendar are typically considered by the Board in November.

*Vice President – Amy Everitt*

No report.

*Secretary – Nancy George*

No report.

*Treasurer – Glenn Pavlicek*

The monthly expense report was distributed and reviewed.

Treasurer Pavlicek noted that he is currently serving as the Assistant Superintendent of the Milton Public Schools. He checks email on a daily basis and his staff assistants are running the office on a day-to-day basis.

The annual audit was recently performed. Treasurer Pavlicek met with the auditor in August. The audit went well. A copy of the audit was distributed at this time. Now that

the audit has been completed, Treasurer Pavlicek may complete and submit the annual filing with the Department of Labor Relations.

New board members need to receive copies of the Conflict of Interest and Whistleblower's Policies, and must sign an acknowledgment that they received a copy of the Conflict of Interest Policy.

The member database, which was developed in-house by a former staff member, needs to be updated. Currently it is running off of Visual Basic 6, which is incompatible with Windows 7. Treasurer Pavlicek will create a patch for the database so that it can work with Windows 7 and hire a programmer to re-write the program so that it will be in a more up-to-date language.

**MSCA Committee Reports:**

*Bargaining – Dan Shartin*

Not present.

*Grievance – Sandra Faiman-Silva*

Chair Faiman-Silva presented a brief report on Grievance Committee activities. She noted when arbitrations will occur and that mediations are on the first Monday of each month. October 10, 2013, is the first Grievance Committee meeting of the academic year.

*Librarians Committee – Nancy George*

Chair George provided the Board with a brief overview of the committee's activities over the summer. The committee met a number of times and worked on survey language, proposed librarian language for the upcoming bargaining cycle, and studied the historical evolution of librarian language in past contracts.

**MTA Reports:**

*DGCE Unit – Bob Whalen*

No report.

*Day Contract – C.J. O'Donnell and Bob Whalen*

Article XX, Section M was distributed and reviewed. It was pointed out that only academic administrators can become tenure-track faculty and that in order to receive tenure they need to be evaluated for tenure.

The new DUA computer system is creating severe problems with part-time employees trying to get unemployment benefits in a timely fashion.

The Affordable Care Act is influencing the number of credit hours part-time faculty are being assigned as they will qualify for health care coverage if they meet the 30-hour threshold.

*MTA Director 45H – C.J. O'Donnell*

MTA Director O'Donnell noted that there was a Board meeting held in Williamstown, MA in August that he was unable to attend.

*Health and Welfare Trust – Nancy George*

No report, first meeting is later this month.

**Chapter President's Reports:**

*Bridgewater:*

The battle of Moodle continues. The results of a recent faculty survey will be released soon.

Management has tried to restrict the grievance officer from attending specific meetings and campus events due to her position as such. President O'Donnell and Consultant Whalen both pointed out that this is probably a violation of the law.

*Fitchburg:*

Several administrators are retiring including the dean of the School of Education and the Library Director. National searches will be performed to hire replacements. Four faculty members will be appointed by the MSCA Fitchburg Chapter to the search committees.

The Hammond Building renovations continue. The next step will cost approximately \$15 million complete renovation of the library's first and second floors. The next stage will be the complete renovation of the library's third and fourth floors. The total cost for the Hammond Building renovation will be over \$80 million. The money is from MSCBA bonds which students will be paying for through their student fees.

A new strategic plan is being worked on. A consultant will be hired to assist in the process. The academic pieces will be teased out into the academic plan.

After some brief discussion regarding the work of animal testing and care committees, it was emphasized by President O'Donnell that faculty cannot be forced to work over the summer on committee work, unless they are paid for such work.

*Framingham:*

President Tim Flanagan has left, taking a position at Illinois State University.

Errors have been found in the SIR II faculty reports.

Part-time faculty continues to be hired instead of full-time faculty. University administration is reluctant to hire full-time faculty due to concerns regarding future enrollment numbers, even though new dormitories are being constructed.

The administration seems to be making decisions regarding language in course syllabuses. It was noted that this needs to go through governance.

*MassArt:*

The campus is in phase two of the strategic planning process. There is a mixed amount of faculty involvement; there are 18 faculty members on the committee.

The Board of Trustees is wrapping up the evaluation of the president.

A new provost was hired over the summer.

*MCLA:*

Chapter President Rapp noted that he has a great executive committee this year and that there are a number of new faculty members who want to get involved with MSCA activities.

Enrollment is down 100 students.

Opening Day breakfast was many hours long and featured a number of presentations by politicians.

*Mass Maritime:*

Not present.

*Salem:*

Paul McGee is serving as chapter president at Salem while Amy Everitt is on sabbatical. He will not be attending MSCA Board meetings; Amy will be attending Board meetings.

There are searches going on for a Dean of Education and an Associate Dean of Education. Two more associate deans have been hired in the School of Human Services.

The Dean of the School of Arts and Sciences is on a paid administrative leave.

There are problems with the nine-credit maximum for part-time faculty. The provost refuses to change this credit limitation.

The new library and wellness centers came in over-budget and as a result significant cuts were made in the building plans. These include: not enough shelves for the library's collection and inappropriate flooring for the dance studios.

Chapter President Everitt recommended that Board members read the following book, *The Fall of Faculty*, by Ben Ginsberg.

*Westfield:*

Enrollment is up 400 students this fall.

A revealing article was published in the Boston Globe recently on the excessive spending by President Dobelle. See “Where Spending Limits are Purely Academic,” by Andrea Estes and Scott Allen, Boston Globe staff, *The Boston Globe*, August 18, 2013. Discussion followed.

*Worcester:*

Two deans resigned at Worcester after a year of service to the university and were placed in faculty positions. The administration is claiming that they have tenure, the MSCA’s position is, first, that they were not entitled to take up faculty positions and second, even if they were, they need to be evaluated for tenure. There was an article in the *Worcester Telegram* (August 17) that mentioned the resignations.

The meeting adjourned at 2:30 pm.

Respectfully submitted,  
Nancy George  
MSCA Secretary