

**MSCA Board of Directors Meeting  
Minutes of the Regular Meeting  
October 4, 2013  
Fitchburg State University**

**Present:** Aldrich, Berg, Bullens, Concannon, Cusack, Dargan, Donohue, Fielding, Foley, George, Hennessy, Hoagland, O'Donnell, Rapp

**Guests:**

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 the May 31, 2013, meeting. The motion passed.

It was moved and seconded to approve the minutes of the September 6, 2013, meeting. The motion passed.

**Visiting Speakers' Time**

*MTA Higher Education Director Joey Hansen*

*MTA Consultant for the MSCA Day Unit*

A new human resources director has been hired; the MTA has been without one for some time. Now that one is on board, the MTA will be drafting, posting, and recruiting a new consultant. This consultant will be working with the MSCA. Retired consultant, Donna Sirutis, will be hired to assist the new consultant during the transition period. There will be a HELC meeting next week, during which the division reorganization issue will be discussed in executive session.

*Early Retirement Bill*

An early retirement bill has been filed, as it has been each year for the past few decades. It is assumed it won't be favorably received. Director Hansen suggested that next year the bill probably won't even be filed. The only way the early retirement bill could be favorably received would be if we got community support for it.

*Retiree Health Benefits*

Director Hansen stated there is some legislative support to approve the bill at this time.

The MTA is working on proposing an amendment to authorize employers to add years of service based upon the nature of the positions filled. Years of service would be applicable to retiree health benefits, not pension. For example, a new faculty member might be credited with an

additional seven years of service due to the position requiring a doctorate as a qualification. Discussion followed.

On October 31, 2013, there will be a hearing at the State House on the retiree health benefits bill. The MTA is planning to present at the hearing and is eager to have MSCA members testify as well. President O'Donnell suggested that MSCA members might be more inclined to testify at the hearing as part of a MSCA opposition to the bill rather than part of an MTA panel in support of amending the bill.

### **MSCA Officers' Reports**

*President – C.J. O'Donnell*

*Committee Nominations*

It was moved and seconded to nominate the following members to the following committees:

Investment Committee: Liem Nguyen (WES), Miranda Lam (SAL)

Day Bargaining Committee: Nancy Cusack (MCA), Jean Stonehouse (BRI)

Day Bargaining Alternate: Sam Schlosberg (MCA), Sandy Faiman-Silva (BRI)

The motion passed.

### *Possible Changes in Board Meeting Dates*

President O'Donnell will send to Board members in the near future new February and March meeting dates for consideration and approval. Changing the dates will allow Nancy George to attend the Health and Welfare Trust meetings in February and March.

### *Formulary Increases*

The formulary increases went to the BHE. The pay increases will occur in three weeks. Retro pay will be in the paychecks in five weeks. President O'Donnell reported that 336 members will receive a formulary increase.

### *Optional Retirement Plan*

President O'Donnell has received word that the IRS will be making a favorable ruling regarding the Optional Retirement Plan (ORP) issue. Everything will be in place for one-time transfers from ORP to the state employee retirement system (SERS) by the end of the spring semester. A number of details involving the ORP fund management companies are being worked on to make the transfer of money easier. There are over 2000 state employees in the ORP and many may want to transfer their retirement funds from ORP to the SERS.

### *New Hires and Retirement Decisions*

The MTA has proposed that campus HR offices give new hires a sign off sheet that states the new employee has 180 days to make a retirement fund decision (ORP versus SERS) and that they have been advised to speak with a financial advisor. Some institutions have been rushing new employees to make retirement fund decisions quickly before speaking with a financial advisor.

*Vice President – Amy Everitt*  
Not present.

*Treasurer – Glenn Pavlicek*  
Not present.

*Secretary – Nancy George*  
No report.

**MSCA Committee Reports:**

*Bargaining – Dan Shartin*  
Not present.

*Grievance – Sandra Faiman-Silva*  
Not present. In her place, MTA Consultant Bob Whalen provided a brief report on a grievance that was recently settled at Bridgewater.

**MTA Reports:**

*Day and DGCE Unit – Bob Whalen*

*Mandatory Reporting Policy and Procedures for Community Colleges*  
Consultant Whalen distributed and reviewed the Mandatory Reporting Policy and Procedures for Community Colleges. Discussion followed. It was suggested that each campus assign someone, with training/experience in social services matters, to do the reporting for each campus.

*Affordable Care Act*

The Comptroller's Office wants to calculate and account for the number of hours part-time faculty work so that the state complies with the legal parameters of the Affordable Care Act. It has been suggested that for a 3 credit class, 6 hours would be counted as having worked. President O'Donnell stated that this needs to be bargained. A statement from Care Corner-Dolloff's office, referring to hours worked vs. hours paid, appeared on the last pay advice. Although it was directed at part-time faculty employees, all state employees received the message due to pay advice system limitations. The MSCA did not agree to the language that appeared.

*MTA Director 45H – C.J. O'Donnell*  
No report.

### *Health and Welfare Trust – Nancy George*

Trustee George provided Board members with a brief report from the last meeting which was held on September 27, 2013.

It was noted that the Trust's taxes were filed late last year resulting in a \$6,000 IRS penalty. The treasurer is planning to submit the auditor's report to the Health and Welfare Trust at the next meeting, with taxes filed in November, thus avoiding late filing for this fiscal year.

The Trust is looking for a new benefits administrator – an RFP has been sent out, three companies responded including the current fund administrator, McKenzie and Co., Health Plans, Inc. & K.D. Consulting Group and The Preferred Group also responded.

Due to the recent Supreme Court ruling overturning part of the Defense of Marriage Act (DOMA) Employees with same sex spouses on their dental plan no longer have to pay taxes on those dental benefits. There was discussion regarding the feasibility of recouping payroll taxes from the IRS for subscribers (85-90 individuals). In addition, it is evident that McKenzie and Co. created a confusing situation for the IRS by submitting 1099 forms, instead of W2 forms, to individuals affected. McKenzie and Co. is prepared to cancel out prior years' 1099 forms and send individuals W2 forms for 2009-2013. No tax refunds have been made yet.

MetLife's loss ratio is at 82.9%, which is under the target loss ratio of 85.5%. It is hoped that this reduction in claims will result in a reduction in the renewal increase. The network includes 5800 providers; over 50% of the dentists in MA are included. It was suggested that plan summaries need to be available to members via print at benefits fairs and online.

## **Chapter President Reports**

### *Worcester*

It has been learned that the letter Trustees were given regarding the appointment of two Deans with a right to enter the faculty were different than the letters the Deans received. The letter to the Board of Trustees received did not state that the Deans would be tenured.

### *Westfield*

President Dobelle may be suspended with pay. There will be a confident/no confidence vote in the near future. Westfield has supplied more than 20,000 documents to the Inspector General regarding the Dobelle investigation. The Board of Trustees is meeting on October 16, 2013. Discussion followed.

### *Salem*

Acting President Paul McGee has noted how much work being chapter president is at this time compared to when he was chapter president more than five years ago.

There is a need to have the evaluation forms in savable PDF format on the MSCA website.

There was a recent stabbing on campus resulting in a campus lockdown.

*Mass Maritime*

The administration plans to terminate a part-time faculty member for remarks alleged to have been made to students.

*MCLA*

The campus is trying to start at Rape Aggression Defense System on campus.

*MassArt*

No report.

*Framingham*

President Flanagan is gone, Bob Martin is the acting president and a search will be beginning.

*Fitchburg*

There is an Interim Dean for the Education Department. Faculty and librarians are hoping a national search will take place for this position.

There is talk of restructuring the Library Director position – with discussion focused on placing the library under IT.

There is a new Interim Director of Civic Engagement and Special Projects. A faculty member was appointed to this position on October 3rd.

The strategic plan will be worked on in the near future.

Enrollment is up over 100 students.

*Bridgewater*

Not present

The meeting adjourned at 12:40 pm.

Respectfully submitted,

Nancy George

MSCA Secretary