

Clarifications Regarding the January 21, 2010 BHE “Discussion Points”

The MSCA Board of Directors *has not voted* on whether to reopen the day agreement and there have been *no agreements* between the MSCA and the BHE. This is noted to avoid confusion since the BHE’s document repeatedly uses the phrase “the parties agree that.” The next meeting of the MSCA Board of Directors is February 5, 2010 at Framingham State College.

- Although the BHE’s document mentions a “mandatory furlough structure,” it was explained to us orally that the Patrick administration created this furlough structure to determine the financial concession it is requesting of each union in FY 2010. This is on top of the savings that would be generated by delaying to June 30 the across-the-board salary increases that were due on July 1 in FY 2010, as well as the savings realized by delaying the increases in FY 2011 and FY 2012.

For example, in lieu of the furlough structure mentioned in the document, a union could instead agree to an X% across-the-board salary reduction for all members, where X% of the unit payroll is equal to the savings that would be realized under the furlough structure.

- Although the BHE’s document mentions “personal leave” and “personal furlough leave,” it was explained to us orally that paid leaves (personal leave, vacation leave, etc.) could *not* be used in lieu of or to offset unpaid furlough days.

It was explained to us orally that faculty, who work a nine-month work year, would be required to take furlough days on days they did not have classes or campus obligations, as to not interfere with the “operations of the college.”

We were also told that the cost of a faculty furlough day would be based on a faculty work year, not on a calendar year. For example, if a faculty member’s annual salary was \$67,000 he or she would be docked \$344 per furlough day, not \$258 per furlough day.

Again, this assumes that a union agrees to furlough days (see the first bullet above) rather than some other mechanism to generate the financial concessions in FY 2010.

- The BHE proposes that the “Commonwealth” would reimburse members for GIC co-pay and deductible increases from February 1, 2010 through June 30, 2011. This would not cover increases in premiums.

Although the “Commonwealth” would agree “neither to seek nor support” an increase in the premium split that employees currently pay (20% or 25% based on date of hire), the legislature could pass a higher split and override a gubernatorial veto. Such an increase in employee percentage of premiums would not be reimbursed.

Furthermore, the “Commonwealth” is technically not our employer, the BHE is, and if the Patrick administration did not follow-through on this promise, the provision might be declared unenforceable or the cost may fall to the colleges.