

**MSCA Board of Directors Meeting
Minutes of the Regular Meeting
November 7, 2014
Framingham State University**

Present:

Aldrich, Bullens, Concannon, Donohue, George, Hennessy, Matchak, McAloon, Morales-Diaz, O'Donnell, Pavlicek, Rutter, Washington

Guests:

Natalie Higgins (PHENOM), Hemant Pendharkar (Worcester), Bob Whalen (MTA), Ferd Wulkan (PHENOM)

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, as edited, of the October 3, 2014 meeting. The motion passed.

Visiting Speakers' Time:

Natalie Higgins, PHENOM Executive Director and Ferd Wulkan

After introductions, Natalie Higgins gave a brief overview of her background and current and future PHENOM activities. She and Ferd Wulkan distributed information on PHENOM to Board members.

PHENOM is hoping to recruit a campus organizer from many of the state public higher education institutions. This position pays \$1,500 per semester. The organizers will recruit students, staff, and faculty to form multi-constituent campus groups to increase the visibility and activity of PHENOM on campus and establish the foundation for a sustainable coalition for the coming years. The following campuses have MTA members interested in the position: Westfield, Holyoke CC, UMass Amherst, UMass Boston, Quinsigamond CC. Discussion followed.

MSCA Officers' Reports

President – C.J. O'Donnell

Committee Appointments:

It was moved and seconded to appoint: Grievance Committee: Brian Payne (Bridgewater)

The motion passed.

Implementation Issues:

Contract Funding Update: The governor has signed the supplemental budget that “validated” the MSCA contract. The presidents will be trying to get the increases paid in December or

January. MTA Director Joey Hansen has done an incredible job pushing the funding process, along with MTA Governmental Service Director Jo Blum, MTA President Barbara Madeloni and MTA Executive Director Ann Clarke. The governor has also announced 9(C) cuts, but those should not affect the funding account of the university line items. It is unlikely the formulary increases will be computed in time to be implemented before the across-the-board increases and President O'Donnell does not want to do anything to delay implementation of any of the increases. Corrections and retro can be dealt with into the spring.

Part-time Health Care Coverage:

President O'Donnell notified the Board in October that he had submitted a legislative proposal for MTA to consider including in its 2015-2016 legislative package. The proposal regards the creation of a Health Care Trust Fund to cover or subsidize GIC coverage for part-time and DGCE faculty who reach the 30-hour threshold for "full-time" employment as defined in the Affordable Care Act. President O'Donnell presented the MSCA's request for inclusion at the meeting of the MTA Government Relations Committee on November 1st in Natick.

Grievance:

The new deadlines for grievances are in effect. Grievance Chair Hemant Pendharkar will have more to report on grievances.

2014-2017 Contract Re-write:

Bargaining Chair Jenn Berg, Donna Sirutis and President O'Donnell met with Jim Cox on October 30th to begin reviewing a draft. Donna and President O'Donnell met in Boston for five hours on November 5th. Joey Hansen, Jenn and President O'Donnell will meet with Jim Cox at Mass Maritime on November 10th to continue the tedious process. Donna has been invaluable on the rewrite.

Change in Certified Bargaining Agent:

MTA Higher Ed Director Joey Hansen forwarded a request to the Legal Services Division on the steps necessary to change certification from MTA to the MSCA with an affiliation with MTA. MTA General Counsel Lee Weissinger called President O'Donnell in early October regarding the request to make sure she understood what was being requested. At this point there seems to be no objection from MTA on the change in certification, but we will need to wait for the legal research on the steps necessary to affect such a change.

Contract Orientation:

Management and union leadership met on October 22nd for an orientation on the changes to the 2012-2014 contract that will be incorporated into the 2014-2017. Donna Sirutis and Jim Cox lead the presentations. Such orientations are important so the parties who will be implementing/enforcing the new contract get the same information at the same time.

Vice President –Robert Donohue

Vice President Donohue represented the MSCA at a recent protest on Beacon Hill organized by the UMass unions. The protest regarded the horrendous language items UMass put on the bargaining tables.

Vice President Donohue attended the contract training held last month.

In addition, Vice President Donohue wrote a scathing email to the Coakley campaign after her remarks regarding charter schools.

Treasurer – Glenn Pavlicek

End of the year filings were filed on time.

Chapter treasurers need to complete the online 990 postcard. Treasurer Pavlicek sent an email reminder to the treasurers. The 990 postcards need to be completed each year or the chapters will lose their federal tax exempt status.

Appendix Q's have been received from all campuses.

The last of the day part-time faculty have been sent their dues/agency fee invoices.

Fewer non-compliant faculty were hired by the universities this year.

Treasurer Pavlicek distributed and reviewed the monthly expenses.

In response to a question from a Board member, Treasurer Pavlicek reported that there are about 60-75 full-time unit members who pay agency fee.

Secretary – Nancy George

Secretary George provided members with a brief update on the MSCA web page make-over. It was again requested that chapter presidents provide Secretary George with photographs that can be used on the new webpage. It was also requested that chapter presidents provide the web designer, Derek Barr, with content to be used on the new chapter websites.

MSCA Committee Reports

DGCE Bargaining – Don Bullens

November 24th is the first negotiation session. The meeting will be held in Framingham.

Grievance – Hemant Pendharkar

Chair Pendharkar presented the grievance report. Discussion followed.

MTA Reports:

MTA – Bob Whalen

Consultant Whalen anticipates that he will be moving back to DGCE and DCE from the day unit once the new MTA consultant is hired.

Consultant Whalen is working on organizing MTA student chapters.

Consultant Whalen is recommending that MTA begin planning for the next election now rather than waiting.

Title IX:

Consultant Whalen provided Board members with an overview of Title IX and the implications for faculty and librarians. It was noted that if a faculty and librarian is aware of a situation that is covered by Title IX, that it is his/her responsibility to inform the student that the he/she cannot keep the information confidential, and that the faculty member/librarian must inform the campus Title IX coordinator of the situation. There are personal liability issues for failing to report situations that are covered by Title IX. Faculty and librarians are considered mandated reporters for incidents involving individuals who are under 18 years of age, over 65 years of age, and persons with disabilities.

The universities are revising the policy regarding Title IX. MTA Legal will review the policy once it is completed. Discussion followed.

MTA Director of Higher Education – Joey Hansen

Personnel:

The two vacant field representative positions are being filled. One position is being filled by an field rep who is transferring from the K-12 division, but who has experience working in higher education. She will be assigned to work with MCCC. Another individual has recently gone through the MTA hiring process and was offered the second position. That candidate, Jim Salt, is from Portland, Oregon, and has solid experience working as the president of a faculty union in Oregon. Mr. Salt will be assigned to the MSCA day unit. It is anticipated that he will begin in January, 2015.

ORP:

Individuals are beginning to receive their cost estimates from the State Retirement Board. Some errors have been found in the earliest made calculations due to transcription errors.

Director Hansen requested that chapter presidents request that individuals with suspected errors in their calculations and complex questions contact him at the following email address:

ORP@massteacher.org

MTA has worked with Berkshire Bank to provide individuals wishing to switch from the ORP to the MSERS, but who have insufficient funds to do so, the ability to apply for 10-year loans. There will be three different loan options available. Unsecured loans of \$5,000 to \$75,000 will be at the rate of prime + 4%; unsecured loans of \$25,000 to \$75,000 will be at prime + 3%. A secured loan of over \$75,000 requires a net worth of \$1 million, \$10,000 in a Berkshire Bank account, and a combined annual income of \$250,000. In comparison, loans through payroll deduction require that individuals pay loans back in 5 years at a rate of 8% plus a 4% carrying fee.

President O'Donnell will send an email about contacting Joey. He emphasized that we should not try to answer members' questions regarding ORP.

Health and Welfare Trust – Nancy George

Trustee George presented Board members with a brief report.

The DHE continues to be delinquent and slow regarding payments to the Trust. In addition, it is evident that the payments are lower than they should be.

Trustee George informed the Trust of the MSCA contract language regarding payments into the Trust and that action will be taken should payments continue to be delinquent.

In anticipation of such potential action, the Trust is going to work on solidifying information the Trust has on DHE/state institutions payments, investigate the hiring of a CPA, and secure a different bank to do business with.

MTA Board of Directors- C.J. O'Donnell

Due to time limitations, President O'Donnell passed and will provide a report at the next meeting.

Chapter President Reports

Bridgewater

Not present.

Fitchburg

The presidential search is underway, there are currently 10 semifinalists.

Framingham

There have been two sexual assaults this semester.

It was reported that some members are reluctant to serve on PEC's.

The chapter will be training department chairs on the new contract.

A search for a Diversity Officer is underway.

MassArt

Not present.

MCLA

Not present.

MMA

Not present.

Salem

The search for a Provost is nearing conclusion. One finalist is from Sage and the other from University of Texas, Arlington. The president will make her recommendation to the Board of Trustees by the end of the weekend.

The chapter president is working on increasing union/committee activity and interest.

Westfield

There will be two faculty members on the presidential search committee. One of the faculty members serving on the committee will be the chapter president. There are residual issues related to the Dobelle's departure.

Student activism related to Title IX is high and increasing.

The chapter president submitted a written chapter report to the membership for the first time in a long time.

Worcester

The search committee for a new provost search has six faculty members on it.

A brief summary was provided to Board members of recent grievances.

There are issues concerning the interim provost and his interaction with faculty/librarians; numerous grievances have been filed. Discussion followed.

The meeting adjourned at 2:35 pm

Respectfully submitted,
Nancy George
MSCA Secretary