

COMMONWEALTH OF MASSACHUSETTS
APPEALS COURT

Board of Higher Education)	
Respondent/Appellant)	
)	
v.)	
)	
Commonwealth Employment Relations)	
Board,)	2015-J-0076
Appellee Agency)	
)	
&)	
)	
Massachusetts State College Association,)	
MTA/NEA)	
Charging Party/Intervener)	
)	

**MSCA'S OPPOSITION TO MOTION TO STAY ENFORCEMENT
OF THE DECISION OF THE CERB PENDING APPEAL**

The Massachusetts State College Association ("MSCA") hereby submits its Opposition to the Motion to Stay Enforcement of the Decision of the Commonwealth Employment Relations Board ("CERB") filed by the Board of Higher Education ("Board"). A memorandum in support of this Opposition is enclosed and incorporated herein by reference.

The Court should deny the Board's motion because:

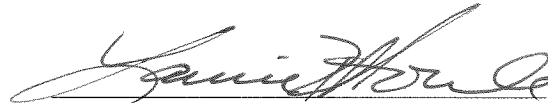
1. It failed to file its motion in the first instance with the Department of Labor Relations without good cause.

2. The Board failed to establish the likelihood of success of its appeal of the CERB decision.

3. The Board failed to establish that there would be irreparable harm from enforcing the CERB order pending appeal and therefore the harm to the MSCA and the flouting of the public policy behind G.L. c. 150E outweighs any speculative concern raised by the Board.

For the reasons set forth above, MSCA respectfully requests that this Court deny the Motion to Stay enforcement of the CERB's decision and order.

Respectfully submitted,
MASSACHUSETTS STATE COLLEGE
ASSOCIATION,
by its attorney,



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DATE: March 20, 2015

#243479

CERTIFICATE OF SERVICE

Pursuant to Appellate Rule 13, I hereby certify under the pains and penalties of perjury that on March 20, 2015, a true copy of the above document was served via first class mail, postage-prepaid, upon the following counsel of record:

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