

**MSCA Board of Directors Meeting  
Minutes of the Regular Meeting  
April 3, 2015  
Framingham State University**

**Present:**

Berg, Bullens, Colligan, Concannon, Donohue, Eve, George, Hennessy, Matchak, McAloon, Morales-Diaz, O'Donnell, Pavlicek, Quinn, Resnik, Rutter, Washington

**Guests:**

Hemant Pendharkar (Worcester), 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.

It was moved and seconded to amend the orders of the day to include under New Business, *Petition for a Path to Healthcare*. The motion passed.

The original motion passed as amended.

It was moved and seconded to approve the minutes of the March 6, 2015, meeting. The motion passed.

**MSCA Officers' Reports**

*Treasurer's Report – Glenn Pavlicek*

*MSCA FY 2016 Budget and Dues*

It was moved and seconded to recommend to the 2015 MSCA Delegate Assembly the *Fiscal 2016 Budget Proposal* distributed by Treasurer Pavlicek. The motion passed.

It was moved and seconded to recommend to the 2015 MSCA Delegate Assembly the *Proposed Dues Structure* distributed by Treasurer Pavlicek. The motion passed.

Treasurer Pavlicek distributed investment information and reviewed and the MSCA's month summary of expenses for FY 2015. Discussion followed.

*President's Report – C. J. O'Donnell*

*2015 MSCA Delegate Assembly and MTA Annual Meeting*

President O'Donnell needs the names of delegates to both meetings no later than Wednesday, April 8th.

*MSCA Committee Appointments*

There are a number of vacancies in committee appointments; of concern is the Credentials

Committee which we need in place at the Delegate Assembly in three weeks. The Credentials Committee is needed to make decisions regarding seating delegates at the Delegate Assembly if there are questions of eligibility.

It was moved and seconded to approve the following nominations to the Credentials Committee:

Rachel Resnik – Mass Art  
Jim Quinn – Bridgewater  
Sarah Mabrouk – Framingham

The motion passed.

#### *Duplication of the 2014-2017 Day Collective Bargaining Agreement*

The new contract is posted on the MSCA website. It has been initialed and the MSCA/MTA has signed the signature page. The MSCA is waiting for management signatures. Based on responses from the chapter presidents, President O'Donnell plans to have MTA print 800 copies. MTA has been the least expensive way to get paper copies.

#### *July 1, 2014 Formulary Increases*

Victor Ng at the DHE has been working to get the correct data from the universities. He has given them today as the deadline to report corrections to the salary, rank and years of state college/university service. The formulary increases should be paid in April.

#### *Initial 2014-2015 PTR Results*

President O'Donnell distributed the initial results for all campuses except Bridgewater (they were not available at that time). They are in line with the initial results from last year.

#### *MTA Hiring*

The position to replace Donna Sirutis has been posted. Ann Clarke has reported that there is a K-12 consultant considering transferring to the Higher Ed Division. If so, that person would be assigned to the MSCA Day unit. The position to replace Higher Ed Director Joey Hansen has been posted. Ann Clarke has reported that she has interviewed at least three candidates for the position. Interim Director Tim Fitzgerald is leaving in June.

#### *Status of the DLR decision on the 15% Rule*

As you know, the Appeals Court denied the BHE's/Presidents' request for a stay, kicking the request, if filed, down to the CERB. As of yesterday the DHE/Presidents have not filed a request for a stay with the CERB, nor have they filed an appeal of the CERB's decision with the Appeals Court. To date three universities have been in touch with President O'Donnell to ask for our assistance in working out a way – within the terms of the contract – to come into compliance as soon as possible.

#### *FY 2016 Budget*

Governor Baker has proposed a 3% increase in the state university line items, but this increase is not over last year's initial appropriation but rather on the appropriation after 9C cuts were applied. Furthermore, the cost of this year's collective bargaining agreements for the MSCA,

APA and AFSCME are not added to the base appropriations. The House budget should be released in about two weeks. President O'Donnell was sure that Board members were probably upset with the recent news reports based on the letter that the Presidents sent to the legislature regarding the under funding of the state universities and the targeting of the faculty and staff salary increases as the cause. The cause is the government's failure to fully fund the increases that they sanctioned before agreements were reached and ratified. Rather than having a public fight about the cause, President O'Donnell suggested we lobby the legislature – with the presidents – to get increased funding into the FY 2016 budget at the House and Senate levels. That would be more productive. That does not mean we should not defend and insist on the increases agreed to, but increased funding is necessary. It is anticipated that state revenues will increase by 3%.

*GIC Changes*

No additional information is available regarding the changes being made to GIC.

*Retirement Bill*

A straw poll was taken of Board members and there was little support for the MSCA lobbying the bill as it is currently written (with 20% backfill). The Board was split if the back-fill was 50%.

*Vice President – Robert Donohue*

The BHE Commissioner search continues.

Vice President Donohue provided Board members with some information on MTA providing funding for individuals to work with PHENOM on higher education issues.

Part of the state budget deficit was caused by an \$800 million problem with the Health Connector.

*Secretary – Nancy George*

It was moved and seconded to approve the following nominations, received by the March 16, 2015 deadline, to attend the NEA-RA:

Donald Bullens – Worcester  
Gerald Concannon – MMA  
Ron Colbert – Fitchburg  
Sonya Conner – Worcester  
Robert Coppola – Mass Art  
Michelle Corbin – Worcester

Joseph Ebiware – MCLA  
William Fay – Bridgewater  
Robert Grantham – Bridgewater  
Len Paolillo – Bridgewater  
Hemant Pendharkar – Worcester  
Daniel C. Shartin – Worcester

The motion passed.

It was moved and seconded to approve the following additional nominations, received after the March 16, 2015, deadline, to attend the NEA-RA:

Enrique Morales Diaz – Westfield  
Margot Hennessy – Westfield

The motion passed.

**MSCA Committee Reports**

*Day Bargaining – Jen Berg*

No report.

*DGCE Bargaining – Don Bullens*

The bargaining team has applied for mediation. A mediator has been selected. The last DGCE bargaining session was canceled due to a stalemate regarding money.

*Grievance – Hemant Pendharkar*

Chair Pendharkar provided Board members with a brief report. It was noted that mediations are not going well due to administrations' hostility and a lack of case preparation by the administration.

Chair Pendharkar suggested that a small group of Board members be available to assist chapter presidents and grievance officers at Step 1 and Step 1 hearings if the chapter wanted the assistance. Discussion followed. Volunteers included: Jen Berg, Robert Donohue, Don Bullens and Margot Hennessy.

President O'Donnell, Grievance Chair Pendharkar, and MTA Consultant Bob Whalen offered to assist with answering grievance questions.

Consultant Whalen recommended that we hold a grievance workshop. In addition, it was also suggested that grievance officers attend the Grievance Committee meetings and forge professional relationships with campus administrators.

**MTA Reports:**

*MTA – Bob Whalen*

Consultant Whalen reviewed the regulations regarding paid sick leave for part-time workers. Discussion followed.

*Health and Welfare Trust – Nancy George*

As reported last month, the Trust will hire a bookkeeper in the near future. Bookkeeping/Accounting firms are being interviewed to provide the Trustees with information on their services and fees. It is assumed that in the future, representatives from banking institutions will be interviewed as well.

There will be a change in Health and Welfare Trust officers (Secretary and Treasurer) due to resignations. Elections for these resignations will occur at the April 24, 2015, meeting.

The Health and Welfare Trust examined its fiduciary insurance policy and will be switching from Travelers Insurance to Chubb to save a considerable amount of money on annual policy fees.

In addition, the Trust is continuing to investigate DHE payments. It is anticipated that the co-chair and treasurer will meet with the campus CFO's to identify ways to efficiently and correctly receive non-state supported payments.

Negotiations are beginning with MetLife regarding policy renewal rates. The use of the dental insurance is up from last year.

*MTA Board of Directors – C.J. O'Donnell*

The proposed MTA dues increase is \$6.00. A roll call vote was taken for the dues proposal and the vote was 38 to 24 with key MTA officers and C.J. O'Donnell voting against the dues increase. MSCA will be working with others to try to defeat the dues increase at the MTA Annual Meeting.

**Chapter President Reports**

*Bridgewater:*

Brian Payne, Glenn Pavlicek, and C.J. O'Donnell recently met with Jim Cox, Barbara Feldman, Dana Mohler-Faria and an individual from BSU's HR department, to discuss the 15% rule issues. Administration is trying to put together a compliance plan.

*Fitchburg:*

No report.

*Framingham:*

The administration has raised the issue of increasing seat caps. It is suspected that this is due to the 15% rule. The only criteria for hiring full-time faculty will be the 15% rule.

*MassArt:*

Chapter President Resnik requested advice on how to represent adjuncts better; currently she communicates with them via email. Discussion followed.

*MCLA:*

The person selected as the next president of MCLA pulled out of the search after the selection process. The search will be re-opened and extended another year.

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*MMA:*  
Not present.

*Salem:*  
Chapter President Matchak met with the president of the university regarding the 15% rule. The core curriculum is changing which will affect numbers of full-time and part-time faculty.

The Assistant Provost will be examining the number of adjuncts at the university.

*Westfield:*  
Not present.

*Worcester:*  
The new provost is scheduled to start work in July.

The deans did the PTR reviews and did not follow the procedures for evaluative recommendations.

It was noted that in 2004 there were 102 administrators and in 2015 there are 173 administrators.

*New Business:*  
*Petition for a Path to Healthcare*  
The *Petition for a Path to Healthcare* was distributed to Board members. Discussion followed. It was recommended that changes be made to the language before distribution.

The meeting adjourned at 2:10 pm.

Respectfully submitted,

Nancy George  
MSCA Secretary