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Chairs Lewis and Brodeur, Vice Chairs Jehlen and Farley-Bouvier, and committee members:

My name is CJ O'Donnell. I am the President of the Massachusetts State College Association (MSCA), the union that represents nearly 4,000 full-time faculty and librarians and part-time faculty at the nine state universities. With me is Robert Donohue, MSCA Vice President.

MSCA members, as all employees in the service of the students in the Massachusetts public higher education system, have long supported adequate funding of the system to provide access to an affordable, quality education to Massachusetts residents. We continue to support such efforts.

We appear before you today regarding S1025, "An Act relative to public higher education collective labor contracts." On May 31<sup>st</sup> the MSCA testified in favor of the House version of this bill, H1434.

A significant decline in the funding of public higher education in Massachusetts began in 2000<sup>1</sup>.

Senate 1025 and House 1434 attempt to address one piece of the decline in funding: the short-funding of the cost of collective bargaining agreements in the second and third, or "rollout," years.

While it had been the practice that all financial provisions in a new agreement were added to the institutions' general appropriations in subsequent years, that no longer appears to be the case, which has accelerated the funding decline.

As you know, financial provisions in a collective bargaining agreement are negotiated and agreed to by the employer (the Board of Higher Education or the UMass Board of Trustees); screened by the Executive Office of Administration and Finance, but only after the employer has submitted to A&F a meticulous costing of the agreement over its lifespan; funded in the

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<sup>1</sup> [http://massbudget.org/report\\_window.php?loc=higher-education-funding-in-massachusetts.html](http://massbudget.org/report_window.php?loc=higher-education-funding-in-massachusetts.html)

first year with a supplemental budget submitted by the governor; passed in both houses of the Legislature; and then signed by the governor.

As you can see, this can at times be an arduous process, but it is a process we have lived with for more than 40 years.

We note that until this process is completed and funds are released to the institutions, employees do not receive any of the financial benefits of a new agreement. The Massachusetts public higher education system is not burdened with an unfunded mandate, funds are appropriated first.

We remind you of this process solely to point out that the rollout costs of collective bargaining agreements are not surprises in future fiscal years. Chapter 150E, the section of the law that requires this process, was crafted to put everyone on notice of the current and future cost associated with a new collective bargaining agreement *before* it is funded.

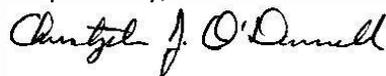
S1025 and H1434 were drafted to prevent funding declines associated with the failure to include rollout costs in future budgets. While continuing to support that effort, we strongly oppose modification of Chapter 150E. We believe that as drafted this bill would potentially re-open the collective bargaining process every year. Perpetual bargaining was never the intent of Chapter 150E.

The Massachusetts Teachers Association has provided, or soon will be providing, the committee with alternative language which we believe would accomplish what S1025 and H1434 intend to accomplish by instead amending Chapter 29, the section of the law that mandates certain items be included in the Governor's annual budget proposal.

The MTA language would ensure that the collective bargaining process is not affected and would mandate that the rollout costs be included in the Governor's annual budget request.

We respectfully request that the committee modify the bill as drafted to not amend Chapter 150E and adopt MTA's recommended changes.

Respectfully,



Christopher J. O'Donnell  
MSCA President



Robert Donohue  
MSCA Vice President