

**MSCA Board of Directors Meeting
Minutes of the Regular Meeting
June 5, 2009
Bridgewater State College**

Present: Aldrich, Concannon, Coppola, Dargan, Eve, Everitt, George, Goodlett, Haar, O'Donnell, Pavlicek, Shea, Stonehouse

Guests: Ron Colbert (Fitchburg), Dan Shartin (Worcester), Donna Sirutis (MTA), 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 and move the *DGCE Bargaining, Approval of the initial bargaining proposal* before the MSCA Officers' Reports. The motion passed.

The original motion passed as amended.

It was moved and seconded to approve the minutes of the April 24, 2009 meeting. The motion passed.

MSCA Committee Reports:

DGCE Bargaining – Susan Dargan and Bob Whalen

It was moved and seconded to waive the seven day notice regarding the DGCE initial bargaining proposal. The motion passed.

It was moved and seconded to go into executive session. The motion passed.

It was moved and seconded to come out of executive session. The motion passed.

It was moved and seconded to report out of executive session the motion regarding the DGCE initial bargaining proposal. The motion passed.

It was moved and seconded to approve the *Proposals for MSCA-DGCE Bargaining: September 1, 2009 through August 31, 2012* as distributed. The motion passed.

MSCA Officers' Reports:

President – C.J. O'Donnell

New Board Members

There are two new board members (so far) joining the Board. Sean Goodlett has been elected the Chapter President at Fitchburg State and Dana Rapp has been elected the

Chapter President at MCLA. On behalf of the Board, President O'Donnell congratulated and welcomed them. President O'Donnell stated that he knew all would help them in their new roles.

Committee Appointments

It was moved and seconded to approve the following committee nominations for the DGCE Bargaining Committee: Ken Haar (Westfield) and Jack Shea (Westfield), Alternate. The motion passed.

Day Contract Update

The MSCA day unit ratified the 2009-2012 collective bargaining agreement on May 15th by a vote of 717 for and 81 against (there were two blank ballots and one challenged ballot). The BHE met with administrators from the colleges at Worcester State last week to explain how the three recently settled agreements (MSCA, APA and AFSCME) are to be costed out. Donna Sirutis and President O'Donnell were invited but could not attend. President O'Donnell will keep the Board and membership posted of the costing/funding progress during the summer.

Donna Sirutis, Dan Shartin, Ann Mrvica and President O'Donnell met with Mark Peters on June 2nd to review a draft of the 2009-2012 agreement. They will again meet on June 29th and July 6th at Rubin and Rudman, starting at 9:00 a.m. All members of the team are invited to these meetings.

President O'Donnell noted that day faculty and librarians will be receiving a .5% increase on July 1, 2009 (\$604,000 total) from college money. Half of this is formula increases and half longevity increases. President O'Donnell is working closely with campuses to ensure this increase goes through with few problems.

DLR Complaints

The MSCA settled the complaints/charges around the most recent round of negotiations for the day unit on May 22nd. Donna Sirutis further reported on this during her report.

FY2010 Budget

The Senate passed its budget at the end of May. The budget is now in conference committee. Included are competing versions of the percent state employees would contribute to their health insurance premiums. MTA's Director of Governmental Services, Jo Blum, has sent (and President O'Donnell has forwarded to the chapters) an email asking members to contact their state senators and representatives and ask them to ask the conference committee members to support the House version. The House version is 20% for current members, 25% for new hires. The senate version is 25% for current members, 30% for new hires.

American Recovery and Reinvestment Act

The Patrick administration has requested and been granted a waiver for how the ARRA (federal stimulus) moneys can be expended. President O'Donnell will keep the Board posted as to how this will affect the college budgets as we learn more this summer.

Post-tenure Review

Reconsiderations and appeals have ended at all campuses except Bridgewater and Salem. An article on the results of the four-year process will appear in this summer's Perspective. Amy Everitt deserves a tremendous amount of credit for her work in having a large number of non-exemplary ratings overturned at Salem.

NEA Reimbursement (reconsideration)

A member who will be attending the NEA-RA in San Diego this July asked President O'Donnell to see if the Board would reconsider changing the reimbursement of up to \$1,700 that it passed previously to a stipend instead. Following discussion, the Board decided not to reconsider the original motion.

2009-2010 MSCA Board Schedule

Distributed to the Board was a proposed Board schedule for the 2009-2010 academic year. Of note are the October meeting at Westfield State, the Delegate Assembly at Fitchburg State, and the June meeting at Mass College of Art and Design.

It was moved and seconded to approve the *2009-2010 MSCA Board Schedule* as distributed. The motion passed.

Vice President – Amy Everitt

There have been 25 layoffs at Salem; 14 APA, 1 non-unit member, 10 AFSCME. It is to be noted that 13 of the 14 APA employees laid off are over the age of 50. These employees have been banned from campus, had their email immediately turned off, and some were escorted from campus. The layoffs occurred on May 18, 2009, the Monday after Salem's graduation, at which the now laid off APA members had to work.

The layoffs were deemed necessary by President Meservey due to the college's restructuring plans. On June 3, 2009, Salem's Board of Trustees approved President Meservey's restructuring plans. President Meservey met with college employees on June 4 to provide them with an overview of the restructuring and answer questions and concerns.

Immediately following President Meservey's meeting, there was a chapter meeting to discuss the situation. During the meeting two motions were passed, one of which MSCA/Salem Chapter President-MSCA Vice President Amy Everitt was charged with bringing to the MSCA Board meeting for discussion and adoption.

Discussion followed.

It was moved and seconded that:

The MSCA expresses its support for the efforts of the Association of Professional Administrators (APA) and the American Federation of State, County and

Municipal Employees (AFSCME) to enforce their collective bargaining agreements and anti-discrimination, and other legal protections in reaction to the layoffs and retrenchment of the members at Salem State College.

The motion passed.

It was moved and seconded that:

The MSCA Board of Directors, on behalf of its unit members, strongly objects to the “reorganization” at Salem State College that has cost a number of long time employees their jobs, particularly in this time of high unemployment.

Regardless of the term used to justify or mask this retrenchment of personnel, the net effect is a cost savings for Salem State College on the backs of loyal employees.

The Board finds these actions and the ensuing treatment of these affected individuals to be unprofessional, callous and outrageous.

We call for the immediate reinstatement of these 25 individuals and back pay for any time lost due to these actions.

The motion passed.

In response to APA members laid off at Framingham in Fall 2008:

The MSCA expresses its support for the efforts of the Association of Professional Administrators (APA) and the American Federation of State, County and Municipal Employees (AFSCME) to enforce their collective bargaining agreements in reaction to the layoffs and retrenchment of the members at Framingham State College.

Layoff Poll – Layoffs at Your Institution?

Bridgewater – no

Fitchburg – no

Framingham – 8 APA members laid off in Fall 2008

Mass Art – no

MMA – 2 or 3 AFSCME maintainers were laid off.

MCLA – no

Salem – 14 APA, 1 non-unit member, 10 AFSCME laid off Spring 2009

Westfield – no

Worcester – no

Secretary - Nancy George

Secretary George expressed her concerns regarding the situation at Salem.

Chapter Web Pages

Secretary George was approached, in her role as MSCA webmaster, by the Fitchburg Chapter for server space to establish a chapter web page. Currently, only Salem and Bridgewater have server space on the gis.net server, which is the MSCA web service provider. Note: this is a fee-based service. When the MSCA web page began, all chapters had server space. After discussion, the Board agreed that any chapter that wishes to have a web page using the gis.net as their provider may do so.

Treasurer - Glenn Pavlicek

2009 Summer Conference in Williamstown

It was moved and seconded that the MSCA reimburse members attending the 2009 Summer Conference in Williamstown for meals, mileage, tolls, registration and housing, up to the on-campus rate. Total expenditures shall not exceed \$5,000. The motion passed.

Salary Increase for MSCA Secretaries

It was moved and seconded that the MSCA Board approve a 3% raise in the hourly rate for the state-funded clerical employees (administrative assistant to the president, administrative assistant and clerk for the treasurer, and grievance/*Perspective* assistant) to take effect July 1, 2009. The motion passed.

MSCA Monthly Expenses

Treasurer Pavlicek distributed and reviewed the MSCA Monthly Expenses for 2008-2009.

Auditor

Treasurer Pavlicek briefly reviewed the day he spent with the MSCA's auditor and the complexity of the MSCA's 990 federal tax form. To comply with federal tax laws, we need to have conflict of interest and whistleblower's policies for MSCA officials on file by October/November 2009. Treasurer Pavlicek distributed draft conflict of interest and whistleblower's policies to Board members. Both draft policies were adopted from MTA policies. The Board will address these policies at the September 2009 Board meeting.

MSCA Committee Reports

Day Bargaining – Daniel Shartin

Report presented during MSCA President's Report

DGCE Bargaining – Susan Dargan

Report presented earlier in the agenda.

MTA Reports

Day Bargaining Unit – Donna Sirutis

Lobbying Day – June 11, 2009

Thursday, June 11, 2009, is a lobbying day at the State House. More information will be distributed to Board members before the 11th.

FERPA

Consultant Sirutis distributed and discussed a document related to FERPA. She noted that when student records are reviewed by anyone other than the student's teacher, that it is imperative the student's name not be revealed.

DLR Complaints/Charges

The MSCA settled the complaints/charges around the most recent round of negotiations for the day unit on May 22nd. Consultant Sirutis briefly reviewed the case. An article in the *Perspective* will be appearing soon on this case and settlement.

SIRII Problems

There have been major problems at Westfield regarding the SIRII forms. Evidently, departmental secretaries have been instructed to alter the completed SIRII evaluations. Evaluations completed in pen are thrown out, incomplete bubbles filled in, and other alterations made to the forms. After polling chapter presidents, it seems evident that alterations to SIRII forms may be occurring at other campuses. In addition, at some colleges, students may be handling the completed evaluations.

DGCE Bargaining Unit - Bob Whalen

Management's team for DGCE Bargaining consists of: Arlene Greenstein (Salem), Bill White (Worcester), Mike Fiorentino (Fitchburg), James McDonald (MMA).

Consultant Whalen has been asked to attend a meeting regarding state colleges conforming to OSHA standards. President O'Donnell will send Board members more information about this meeting.

Director – Ron Colbert

An email vote was recently taken to approve repairs on the leaking roof of the Boston MTA office.

Next meeting is in August.

PHENOM

Ken Haar

The annual PHENOM meeting will be held June 6, 2009, at Springfield Technical Community College. The annual meeting is being held in Springfield because the state's

Democratic convention is being held in Springfield that weekend. PHENOM will have a booth at the convention.

PHENOM has filed a federal complaint against the Patrick administration, claiming that state officials are spending stimulus money meant for colleges and universities to bridge the state's general budget deficit (*Boston Globe*, June 2009). The Department of Education will have a hearing on this in the fall.

Chapter President's Reports:

Bridgewater

A member filed a grievance against the chapter, claiming the chapter acted unethically in regards to a DGCE appointment.

A faculty member led a travel tour to Jordan. Two students lost their passports; new passports were secured at the US Embassy. Upon arriving at the airport, it was discovered the two students lacked the visas required to leave the country. The faculty member left these students in Jordan as he/she returned home on the flight back to the US.

Continue to have conversations with college administration regarding the student teaching supervision compensation.

Fitchburg

The chapter is collecting data on the number of faculty, students and money used, for a 12-year period of time. These numbers are being used to help prevent a further deterioration in workload conditions. The number of faculty at Fitchburg has decreased by 16% while the number of students has increased by 27%.

Framingham

This coming year Framingham will conduct online student evaluations for DGCE courses. Other chapters noted that the return rate on these is fairly low and that there are numerous problems related to online student evaluations.

Mass Art

Not present.

MCLA

There have been issues regarding information technology, specifically that faculty are not involved in the selection of learning management system software.

MMA

The MMA's administration wants to send a faculty member, who's supposed to be on Sea Term, on a LNG tanker. Administration wants this to count as Sea Term. However, contractually, this will not fulfill the faculty member's Sea Term obligation.

Salem

The O'Keefe Building was locked down on graduation due to capacity issues. Boston Red Sox legend, Johnny Pesky, received an honorary doctorate during the graduation ceremony – thus the increase in attendance.

PTR results were horrible. Only 23 exemplary ratings out of 47 candidates. Through the appeal process, thus far, 15 decisions were overturned.

A former Salem State student was recently shot and killed outside of a dorm at Harvard University due to possible drug activities.

Westfield

A long-time adjunct faculty member discovered that his personnel file was devoid of evaluations. He was later told that his evaluations (and others) were dumped in a box at an unknown location.

The AVP and VP for Administration and Finance searches are about to end. The vote on candidates for both positions will occur on June 11th.

The searches for a new VP for Enrollment Management and Advancement of College Relations continue.

Worcester

The administration building is very lavish due to a recent renovation.

The college's board of trustees is deciding on a new chair of the Board. Two individuals are favored for the position, with one being more progressive than the other.

The meeting adjourned at 1:40 p.m.

Respectfully submitted,
Nancy George
MSCA Secretary