

**MSCA Board of Directors Meeting  
Minutes of the Regular Meeting  
December 2, 2011  
Framingham State University**

**Present:** Aldrich, Concannon, Coppola, Donohue, Everitt, Falke, George, Goodlett, Hennessy, Hoagland, O'Donnell, Rapp, Schlosberg, Stonehouse, Turk

**Guests:** Ron Colbert (Fitchburg), Sandy Faiman-Silva (Bridgewater), Tim Fitzgerald (MTA), Donna Sirutis (MTA)

**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 of the November 4, 2011 meeting. The motion passed.

It was moved and seconded to approve the minutes of the November 22, 2011 meeting. The motion passed.

**Visiting Speakers' Time:**

*Tim Fitzgerald – MTA, Interim Director, Division of Higher Education*

After introductions, Interim Director Fitzgerald provided Board members with a brief summary of his extensive experience (since 1968) working with education labor unions. He has agreed to be the Interim Director, Division of Higher Education at the MTA until June, 2012, on a part-time basis. A search for a Director, Division of Higher Education continues.

MTA Executive Director Anne Clark has requested that Mr. Fitzgerald review a number of items pertaining to higher education while serving as Interim Director, including:

- Review MTA services provided to higher ed units, including legislative services;
- Recruitment of new leadership within higher education units;
- Local political action plans – how does it work within higher education;
- Full-capacity locals – how much training is needed;
- With NEA's assistance, examine the funding of higher education;
- Survey the public on its perception of public higher education.

Discussion followed.

Board members recommended that the Board discuss issues pertaining to MTA and higher education at the next meeting and then invite Mr. Fitzgerald back to a future Board meeting to discuss these issues.

**MSCA Officers' Reports:**

*President – C.J. O'Donnell*

*MSCA Committees*

It was moved and seconded to accept the following nominations for MSCA Committees:

Amy Everitt (Salem) – DGCE Bargaining Alternate  
Sean Goodlett (Fitchburg) – Day Bargaining  
Paul McGee (Salem) – Elections  
Ann Mrvica (Fitchburg) – Day Bargaining Alternate

The motion passed.

Paul Lesage (MCLA) has been removed from the Grievance Committee since he is on a leave of absence to serve as an administrator.

President O'Donnell sent an email to members of the MSCA Elections Committee asking them to conduct an election for chair by email with a deadline of December 5<sup>th</sup>. President O'Donnell also sent an email to members of the MSCA Bargaining Committee asking them to conduct an election for vice chair by email with a deadline of December 9<sup>th</sup>.

*Legislation Update*

*Gaming Bill*

Governor Patrick signed the “gaming bill.” Higher education will receive 4.9% of the revenue received from a “category 1” licensee (table games and slots).

*Pension Bill*

President O'Donnell already informed the Board that Governor Patrick signed the pension bill and that it contains the ORP opt-out language. The MSCA will be working with the other MTA-affiliated higher ed unions affected by the bill to work on smooth and swift implementation. It is his expectation that we will be conducting informational sessions at each campus when the preliminary, necessary steps (e.g. the IRS determination letter) have been completed.

*Sabbatical Bill (H 2104)*

The bill is in House Ways and Means. Interim COP Executive Officer Jake Oliveira has asked President O'Donnell to join him in a meeting with Chairman Dempsey to discuss the bill. Jake is working on scheduling the meeting. The Joint Committee on Higher Education amended the original bill so that faculty would be eligible after six (rather than seven) years instead of repealing the statute. After discussion, the Board decided to support the amended bill, rather than to work to have it amended back to its original form.

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 the following action taken in executive session:

The MSCA Board directed President O'Donnell to notify BHE spokesperson, Jim Cox, that it is the MSCA Board's understanding that in its November 18, 2011 email the employer requested that the MSCA engage in mid-term negotiations, and in light of the BHE's response to the questions posed by the MSCA, namely their lack or assurance that the employer would not unilaterally implement its last, best offer in the event of the failure of such negotiations, the MSCA Board has not authorized the MSCA Bargaining Committee to enter into mid-term negotiations.

The motion passed.

(MSCA Grievance Chair Sandra Faiman-Silva gave her report at this point (see below) prior to the lunch recess since she would not be able to stay after the lunch recess.)

After the lunch recess, it was moved and seconded to go into executive session to discuss the status of DGCE bargaining. The motion passed.

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

*Vice President – Amy Everitt*  
No report.

*Secretary – Nancy George*  
No report.

*Treasurer – Glenn Pavlicek*  
Treasurer Pavlicek was not present due to his attendance at a meeting of the MTA Health and Welfare trustees in Worcester.

### **MSCA Committee Reports**

*Grievance Committee – Sandy Faiman-Silva*

Chair Faiman-Silva provided Board members with a grievance report and dates of Grievance Committee meetings and arbitrations. Chair Faiman-Silva requested that chapter presidents email her with one or two grievable issues that are occurring on campuses. This will help the Grievance Committee focus and work on specific issues.

*Day Bargaining – Dan Shartin*  
Not present.

*DGCE Bargaining – Sue Dargan*

Not present. In Chair Dargan's absence President O'Donnell gave an update in executive session immediately following the lunch recess (see above).

*Elections Committee – No chair*

It was moved and seconded to approve the 2012 Election Rules and Calendar using the 2010 Election Rules and Calendar as a framework, with reflected date changes. The Board will revisit these at the next Board meeting. The motion passed.

**MTA Reports**

*DGCE Bargaining Unit – Bob Whalen*

Consultant Whalen was not present due to commitments with another MTA-affiliate.

*Day Bargaining Unit – Donna Sirutis*

*LEAP*

The university presidents should have received a request from Commissioner Freeland requesting their opinion on whether Massachusetts should become a LEAP state and whether their university would be interested in serving as a LEP institution. Consultant Sirutis reported that LEAP would make assessment centralized likely resulting in the BHE usurping more control over the universities. In addition, this might become a part of evaluations and pave the way for standardized testing in the higher education system. Discussion followed.

*Open Checkbook*

Consultant Sirutis distributed information on Open Checkbook. Open Checkbook is a web-based database to be on the <http://www.mass.gov> web site that will provide the public with information on state spending and state employees' and retirees' salaries/pensions. Discussion followed.

*Navigating the Evaluation System and Gaining Tenure*

Consultant Sirutis and former MSCA President Patricia Markunas (Salem) presented a workshop on the evaluation system and gaining tenure at the HELC-sponsored Higher Ed Conference held in late October. A workshop PowerPoint was provided to Board members. Consultant Sirutis said that she and Pat Markunas would be happy to do on-campus workshops on this topic.

*Director – Ron Colbert*

There was an MTA Board meeting on November 19. Board members were seated with other members from their region for regional discussions on political action, organizing around the strategic plan, and the full-capacity local project. It was noted by Director Colbert that MCCC appears to be doing well in all of these areas. Consultant Sirutis pointed out that MCCC is one of the locals beta-testing the project. Discussion followed.

**PHENOM**

President O'Donnell will forward a report to Board members via email.

**Chapter President's Reports:**

*Worcester*

Two deans and the Associate Vice President for Academic Affairs have retired or resigned.

A consultant's report recommended a number of changes to be made to the university's administrative structure.

President Maloney did not accept a search committee's candidate recommendations in the search for a director of enrollment management. An interim director for enrollment management was named by President Maloney. This interim director is the former head of the university's Information Technologies Division.

*Westfield*

The chapter president has been attending the university president's cabinet meetings and will not be continuing this practice.

*Salem*

A three-year hiring plan has been announced that includes 40 new faculty positions. The steel is going in for the new library. A new wellness center is going to be built on campus.

*Massachusetts Maritime Academy*

No report.

*MCLA*

Chapter President Rapp had to leave prior to giving a report.

*Mass Art*

Chapter President Schlosberg had to leave prior to giving a report.

*Framingham*

There is a problem with a faculty member and pay while on maternity leave. A grievance has been filed regarding this issue. Discussion followed.

*Fitchburg*

There has been a resolution of the problem with search committees asking job applicants' their immigration/citizenship status. Search committees have now been told not to ask applicants' their immigration/citizenship status.

*Bridgewater*

There is a \$10 million fund-raising campaign going on at Bridgewater.

The meeting adjourned at 2:15 pm.

Respectfully submitted,  
Nancy George  
MSCA Secretary