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July 27, 2018

To: Fran McDonald, Chair State University Council of Presidents
From: C. J. O'Donnell, President Massachusetts State College Association
Copy: James Cox, Hemant Pendharkar, Roberta James
RE: Consolidated Grievance #01/18-19/C/A

This memorandum is a consolidated grievance under Article XI of the day collective bargaining agreement (CBA) and shall serve as notice that a consolidated grievance exists between the Board of Higher Education (BHE) and the Massachusetts State College Association/MTA/NEA (MSCA).

On or about June 6, 2018 I received a copy of the memo from Jim Cox to the presidents and chief academic officers in which he indicated that the increase in the workload equivalencies in the equivalency table would not be implemented until the new contract was funded.

On June 7, 2018 I wrote to Mr. Cox asking if the new workload equivalencies would be in effect retroactive to the Fall 2018 semester once the contract as funded.

Later that day he wrote to state that the equivalencies could not be retroactive as the universities could not retroactively hire faculty to cover the extra credits.

I explained that the increases would result in excess workload credits for full-time faculty and would require back pay for part-time faculty.

The tentative agreement clearly states that the new workload equivalencies would be in effect "For the remainder of this agreement only..." As a result the MSCA believe that the new workload equivalencies should be in effect for the Fall 2018 semester, but even if they are not since the new contract has not yet been funded, the MSCA believes that the increases in workload equivalencies should be retroactive to the Fall 2018 semester.

Jim Cox told me that the MSCA could wait until the Commissioner signed the tentative agreement (TA) before the 15-day filing deadline would start. The Commissioner signed the TA on July 16, 2018.

Articles violated include, but may not be limited to: Article XII, XII-A of the tentative agreement on a successor collective bargaining agreement.

As remedy we request that the new workload equivalencies be in effect starting the Fall 2018 semester.

In accordance with the CBA a signed copy of this grievance is being mailed or will be hand delivered.

A handwritten signature in black ink that reads "Anthony J. O'Donnell". The signature is written in a cursive style with a large initial 'A' and 'O'.

Attachments

C: Jim Cox
Vincent Pedone
Hemant Pendharkar
Roberta James