

**Massachusetts State College Association
Delegate Assembly
April 27, 2018
Bridgewater State University**

The meeting was called to order at 4:00 p.m. by President C.J. O'Donnell.

President C.J. O'Donnell introduced the MSCA officers, Mark Love, Nancy George, and Robert Donohue; Michael Malamut, the Parliamentarian; the Stenographer from Dunn Reporting Services; our MTA Consultant Roberta James. Special thanks went to Roberta Govoni for her work in making the arrangements for this meeting and help at registration.

Thanks to Sodexo for the excellent catering. Along with staff Cori Brady at the Bridgewater State College Conference and Events Services Office and Maria Hegbloom, MSCA Chapter President, and Carol Beatty, Chapter Secretary in the MSCA Chapter Office at Bridgewater SU and Melissa Henderson Administrative Assistant in the MSCA Treasurer's Office for their work on the on-site arrangements.

And, thanks to all the delegates who gave this Friday evening to represent their colleagues and conduct the business of the union.

Frederick Clark, President of Bridgewater State University provided greetings to the delegates.

Maria Hegbloom, Bridgewater State University, MSCA Chapter President, delivered the welcoming comments to the Assembly on behalf of the Bridgewater State University/MSCA Chapter.

First Report of the Credentials Committee:

Sarah Mabrouk, Framingham/MSCA Chapter, delivered the first Credentials Committee Report: 35 registered delegates, 7 guests. It was moved and seconded to adopt the report. The motion passed.

It was moved and seconded to adopt the standing rules as received. The motion passed.

It was moved and seconded to adopt the agenda, as received, for the Assembly. The motion passed.

It was moved and seconded to accept the May 5, 2017 Delegate Assembly Minutes. The motion passed.

MSCA Officers' Reports

President's Report – C.J. O'Donnell

Dear Delegates,

Let me open by expressing what an honor it has been to be able to serve as President of the Massachusetts State College Association these last ten years. The professionalism and dedication

of the MSCA Officers, Chapter Presidents, members of the Board of Directors, members serving on MSCA committees and staff continues to be impressive.

I would also like to express the great appreciation the Board and I have for our MTA consultant assigned to the MSCA. Roberta James is assigned to the MSCA's day division and has assisted with bargaining; grievances, mediation and arbitrations; and been the point-person in Title IX complaints and related matters. Sean Barrett is assigned to the MSCA's DGCE division and has been with us for since this winter. Sean is assisting with bargaining and organizing members.

Raise Up Massachusetts

This November there will be a ballot question to increase taxes on income in excess of a million dollars. MSCA worked very hard two years ago to collect more than 1,000 signatures to get this question on the ballot. Current polling indicated passage, but we should not take this for granted. It is anticipated that the new revenue generated will be in the neighborhood \$2 billion and it is expected that these monies would be directed to education and infrastructure.

No on Question 2

MSCA and MTA worked to defeat Question 2 last November. The ballot initiative would have that would have allowed for additional charter schools despite there being a cap on the number of them.

Health Insurance for Part-time and DGCE Faculty

There is a bill in the legislature, H4153, that would provide subsidized health insurance through the GIC to part-time faculty (including DGCE faculty) teaching at least half-time per semester. The bill is to be reported out by May 16th. We very strongly encourage all members to contact their state senator and representative urging passage. We will have a template for a letter or email that members can use.

Collective Bargaining Agreements

The Day Bargaining committee reached a tentative agreement on April 16th. While the across the board salary increases for full-time members are not as great as they have been in the past few contracts, we were able to shift more money to part-time faculty. Also, while forced to accept fewer vacation days for current librarians when they hit the 25-year threshold, we were able to increase personal leave and two days of continuing scholarship/innovation leave for all librarians.

The DGCE contract is being negotiated and we hope now that the day contract has been settled the DGCE contract will be settled soon.

Post-Tenure Review

PTR results were released this month. The results at this time are:

University	Reviewed	6%	3%	0%
Bridgewater	3	3	0	0
Fitchburg	6	4	1	1
Framingham	3	3	0	0
Mass Art	0	0	0	0
MCLA	4	3	0	1
Mass Maritime	3	3	0	0
Salem	2	2	0	0
Westfield	4	4	0	0
Worcester	0	0	0	0
Total	22	19	1	2

Janus Decision Looms

The Supreme Court is expected to rule this summer that the collection of an agency service fee is unconstitutional as a violation of free speech/freedom of association. The 4-4 decision split decision last year on a similar case will likely be a 5-4 decision against unions with President Trump having appointed Neil Gorsuch.

The MTA is anticipating a 10% loss in membership as a result of the ruling. Individuals cannot join one union without joining the parent union(s). So any MSCA members who drop MTA will also be dropping MSCA. Given the progressive nature of the MSCA's dues structure, we do not anticipate that the drop in membership will be that detrimental for us financially. MTA's and NEA's regressive dues structures are likely to cost the MSCA members.

I believe that most members are happy with the MSCA's successes negotiating and enforcing the collective bargaining agreements and I believe members who leave the union will be leaving for financial reasons related to MTA and NEA dues.

Respectfully submitted,
CJ O'Donnell

Vice President's Report – Robert Donohue

The Vice President is identified as the MSCA officer responsible for the MSCA Conflict of Interest Policy and Whistle Blower Policy. There were no reported incidents with regard to either policy. In my role as MSCA Vice President over the last year I have:

- Participated in day and DGCE bargaining
- Attended events at various campuses to demand a fair contract
- Attended meetings to reverse the #GICfail
- Organized a social media campaign to reverse the #GICfail
- Represented the MSCA at multiple State House events
- Testified in favor of H639 (changed to H4153), the healthcare for adjuncts bill.
- Represented the MSCA on the Higher Education Leadership Council

- Represented the MSCA on the Employee Relations Committee
- Served as Vice Chair of the MSCA Grievance Committee
- Administered the MSCA website and domain
- Administered the MSCA Google apps for work account
- Administered the MSCA Twitter account
- Worked with local chapters to expand and improve their chapter websites
- Attended various MTA events

I am honored to serve as MSCA Vice President.

Respectfully submitted,
Robert L. Donohue, Ph.D.
MSCA Vice President

Secretary's Report - Nancy George

In the past year, as secretary of the MSCA, I attended all MSCA Board meetings; took detailed notes during the meetings; and submitted meeting minutes, in the form of a digital file, to the MSCA President, C.J. O'Donnell, typically no later than a week after each meeting.

Spring semester I supervised the nomination/election process for the 2018 NEA Representative Assembly to be held this coming summer in Minneapolis. I would like to congratulate those members who will represent the MSCA at the NEA-RA this year: Don Bullens – Worcester; Michelle Corbin – Worcester; Rala Diakite – Fitchburg; Aruna Krishnamurthy – Fitchburg; C.J. O'Donnell – MMA; Len Paolillo – Bridgewater; Hemant Pendharkar – Worcester; Forrest Rodgers – Salem; Dan Shartin – Worcester.

In closing, thank you so much for supporting my re-election and allowing me to serve you as the Secretary of the MSCA. I appreciate the chance to serve the MSCA in this way and I will continue to work on various issues that relate to the role of the MSCA Secretary.

Thank you again.
Nancy George
MSCA Secretary

Treasurer's Report – Mark Love

It was moved and seconded to adopt the auditor's report, as presented in the Treasurer's Report. The motion passed.

It was moved and seconded to go into the committee of the whole to hear the presentation of the budget and the dues. The motion passed.

Treasurer Love presented the MSCA budget to the Assembly.

It was moved and seconded to come out of the committee of the whole. The motion passed.

It was moved and seconded to adopt the proposed FY 2019 budget, as described in the Treasurer's Report.

It was moved and seconded to amend the FY 2019 budget to restore PHENOM funding in the budget. The motion passed.

The original motion passed as amended.

It was moved and seconded to adopt the proposed FY 2019 dues as described in the Treasurer's Report.

The motion passed.

Second Report of the Credentials Committee

Sarah Mabrouk, Framingham/MSCA Chapter, delivered the second Credentials Committee Report: 37 registered delegates, 6 guests. It was moved and seconded to adopt the report. The motion passed.

MSCA Committee Reports

AA/DIV/EO Committee – Enrique Morales-Diaz

No report.

Credential Committee – Sarah Mabrouk

No report.

Day Bargaining Committee – Amy Everitt

It is with great pleasure (and relief) that I offer to you a draft of our tentative agreement, which was reached on Monday April 9, 2018. The day bargaining team is confident that this tentative agreement will be recommended by the MSCA Board of Directors for ratification in the coming weeks.

Our team persevered through 26 sessions, often experiencing frustration with a perceived lack of preparation on the part of management, along with “take back” language and proposals that would have negatively affected our working conditions. I am grateful for the time, talents and efforts that this team brought to the table. Team members were actively engaged in the process, offering suggestions, support and creative solutions to some very challenging issues.

Finally, on behalf of the team, which is listed below, I would like to thank all of the chapter leadership and our MSCA members for their support throughout this process. The displays of solidarity across the state were impressive, to say the least, and it allowed us to stand firm and push back with confidence. We were successful because of the support and pressure that all of you provided. While we have secured another three year agreement, it is clear that there is great interest in eroding our collective protections, and standing firm as one voice will be critically important, especially as we continue the fight for a fair DGCE agreement. Keep the blue shirts and stickers handy. Unfortunately, they never seem to go out of style

Bargaining Team:	Alternates:
Maria Hegbloom – Bridgewater	Lee Torda
Jenn Berg – Fitchburg, Vice Chair	Aruna Krishnamurthy & Ann Mrvica
Virginia Rutter – Framingham	Robert Donohue
Katie Riel – MassArt	Nita Sturiale
David Eve – MCLA	Graziana Ramsden
Elaine Craghead – Mass Maritime	Todd Hibbert
Amy Everitt – Salem, Chair	
Margot Hennessy – Westfield	Nick Aieta
Don Bullens – Worcester	Julie Frechette

Respectfully submitted,
Amy L. Everitt,
Chair, Bargaining Committee (Day)

Bargaining Committee (DGCE) – Virginia Rutter

BACKGROUND:

On December 31, 2017, the DGCE contract expired. We are currently in bargaining with the Council of Presidents. Our next meeting will be on April 30, 2018. In accordance with the 2014-2017 contract, we commenced bargaining before May 31, 2017. Overall, after our opening meeting we have had four bargaining sessions. Details of events, activities, and scheduling are below.

ACTIVITIES:

Here’s a review of our meetings.

- May 30, 2017: Re-opener meeting established ground rules for bargaining.
- Early June, 2017: We launched our pre-bargaining (online) survey to MSCA members.
- June 16, 2017: Our pre-bargaining survey closed.
- After this date we reviewed member feedback. The bargaining team prepared a proposal, and the MSCA Board approved it by July 16, 2017.
- July 18, 2017: In our first bargaining meeting, we presented our proposal to the COP.
- August 21, 2017: In our second bargaining meeting, the COP presented one item.
- January 11, 2018: In our third bargaining meeting, the COP presented two concepts.
- February 27, 2018: In our fourth bargaining meeting, the COP presented the remainder of their proposal, including at least one item that was yet to be sketched out.
- April 9, 2018: The MSCA Day Contract was tentatively settled.
- April 30, 2018: Our next DGCE bargaining meeting will be held starting at 1:30 p.m. at Framingham State University.
- We have additional meetings on May 9; May 14; May 23; and May 30.

DISCUSSION:

Management presented their proposal six months after we presented ours. Management scuttled meeting opportunities for all of fall, and for much of the spring. As of 4/30/2018—our next opportunity to bargain—we will be 120 days without a contract. A grave concern is the representation from the COP’s attorney that they will deny any retroactive benefits if we do not

settle by the end of this semester. We have five bargaining dates, and suspect we won't have to fight this matter.

THE TEAM:

We began our bargaining process working with MTA staffer Suzanne Wall, their director of higher education. In Fall 2017, Sean Barrett, MTA's Field Representative for MCCC, DCE and MSCA DGCE joined our team.

The following people are representatives and alternate representatives for each campus:
Bridgewater: Jim Quinn / no alt. Fitchburg: Aruna Krishnamurthy / Rala Diakite; Framingham: Virginia Rutter / Robert Donohue; Mass College of Art and Design: Ben Ryterband / no alt.; Mass College of Liberal Arts: Graziana Ramsden / Dave Eve; Mass Maritime: Elaine Craghead / no alt.; Salem: David Goodof / no alt.; Westfield: Margot Hennessy / Nick Aieta; Worcester: Don Bullens / Julie Frechette; MSCA President: C.J. O'Donnell.

Credential Committee – Sarah Mabrouk

No report.

Elections Committee – Sarah Mabrouk

In addition to a lengthy written report, describing in detail the 2018 MSCA Officer Election process, Chair Mabrouk reported on the MSCA Officer's Election results and future recommendations.

“Election Results

Below is a summary of information from Survey & Ballot Systems Report prepared for MSCA 2018 Officer Election; this report was posted on 2018 MSCA Officer Election page on the MSCA website on April 10, 2018.

Ballots were sent to 2,663 eligible voters. 183 paper ballots were returned and 188 web ballots were cast. Of these, two (2) duplicate paper ballots were removed and one (1) duplicate web ballots was removed.

The final count for paper ballots is 181 and the final count for web ballots is 187: a total of 368 ballots were cast, and approximately 13.82% of eligible members voted.

President

Christopher J. O'Donnell – 316 (91.6%)

Write-in – 29 (8.4%)

Unexercised: 22

Invalid: 1

Total Ballots Cast: 368

Vice President

Robert L. Donohue – 312 (91.5%)

Write-in – 29 (8.5%)

Unexercised: 26

Invalid: 1

Total Ballots Cast: 368

Treasurer

Mark L. Love – 309 (93.1%)

Write-in – 23 (6.9%)

Unexercised: 35

Invalid: 1

Total Ballots Cast: 368

Secretary

Nancy George – 324 (93.9%)

Write-in – 21 (6.1%)

Unexercised: 23

Invalid: 0

Total Ballots Cast: 368

No written challenges to the Election Results have been received.

Request and Recommendation for Future Elections

In my report to the Board of Directors for their February 2, 2018 meeting, I respectfully requested that the Board of Directors consider updating the MSCA Constitution to allow for delivery of requests for nomination papers by methods other than Certified Mail for future elections. This change would involve updating Article IV 2[a] on page 4 of the MSCA Constitution; no delivery method is specified in Article IV 2[b] for signed nomination papers.

It is my recommendation that the MSCA database be updated. In addition, I recommend that members have an opportunity to view their contact information (mailing address, phone number(s), and email address(es)) annually so that changes can be made, if necessary.

Final Comments

The election was conducted according to the rules and calendar approved by the MSCA Board of Directors, and I believe that the process was inclusive and transparent. My thanks to the members of the Elections Committee, the certified candidates, the Chapter Presidents, the MSCA Board of Directors and Paul Bordson-Nolle and Amy Ebli at Survey & Ballot systems for their assistance and support throughout the year. Special thanks to Melissa Beatty for all her help with the election.”

Respectfully submitted by

Sarah Mabrouk

Chair, Elections Committee

Grievance Committee – Hemant Pendharker

Chair Pendharker reported to attendees on the number of grievances that are currently in process. He stated that some grievances have been resolved. In addition, mediations take place once a month. He thanked members of the Grievance Committee for their work on the committee.

Librarians Committee – Oliver Zeff

No report.

Investment – Madhavi Venkatesan

No report.

Massachusetts Teachers Association - Reports

MTA Director – C.J. O'Donnell

I would like to state that it has been my pleasure serving as the MSCA (District 45H) representative to the MTA Board of Directors for the past five years.

Of note this year:

- An omnibus higher education bill was filed as part of MTA's legislative agenda in December/January. The only part of the bill to survive in its current form is a proposal to make part-time faculty teaching at least half-time eligible for GIC coverage. The MSCA is working with the community college union and MTA for passage of this measure. A final push needs to be made before the bill is released from committee on May 16th.
- This November MTA will be leading a campaign to pass a constitutional amendment to increase the tax rate on income in excess of \$1,000,000 by 4%. The anticipated \$2 billion in revenue is being proposed to be spent on education and infrastructure.
- At its March meeting the MTA Board recommended no dues increase. The proposed budget absorbs what is anticipated to be a 10% loss in membership due to the expected Supreme Court ruling that will come out in May or June.
- The Higher Education Leadership Council will be holding a higher education conference in the fall.
- The MTA Summer Conference will be held at UMass Amherst again August 5-8.

BHE/MTA Health and Welfare Trust – Nancy George

The Board of Higher Education/MTA Health and Welfare Trust Fund administers the Dental Plan and Vision Discount plan for all employees in public higher education who are affiliated with the MTA. There are twelve Trustees, six appointed each by management and by labor. I serve as the MSCA Trustee and as treasurer of the Trust.

Currently, the fund represents approximately 9000 individuals who hold either individual or family dental plans. Funding is provided solely by negotiated state contributions of around \$15.50 per week per employee (depending on the employee's bargaining unit).

The Dental Plan is currently administered by MetLife. Coverage is up to the annual maximum benefit of \$1,200. Negotiations have just ended for the MetLife renewal and there will be a 0% increase in the premium cost this coming year. Our average loss ratio was 83% from July 2017-March 2018; our typical loss ratio for the end of the fiscal year months is 99%. Our rate cap was negotiated at 5% for FY2020 and 6% for FY2021.

The manager of the trust is Health Plans, Inc. (HPI). HPI has created a solid member database and strives to answer members' questions in a pleasant, professional, timely manner. The Trust also employs Jack Nicolas, of KD Consulting Group, as our negotiator/consultant. The monthly reports to the trust are very comprehensive and informative and the consultant is extremely helpful to the Trustees at both Trust meetings and Financial Committee meetings.

Financial activities in the past year: We continue to transition to using EBSB, rather than Bank of America, as our banking institution; An audit was performed by Whittlesey & Hadley, P.C.; IRS tax forms 5500 and 990 were filed in a timely fashion. Any members having issues with their dental or vision plans can contact any Trustee who can put them in touch with either Health Plans, Inc. (eligibility manager for the trust) or with our direct representative at MetLife.

Web page: <https://bhe.healthplansinc.com/>

Final Report of the Credentials Committee

Sarah Mabrouk, Framingham/MSCA Chapter, delivered the final Credentials Committee Report: 37 registered delegates, 6 guests. It was moved and seconded to adopt the report. The motion passed.

Old Business:

None.

New Business:

none.

Adjournment

The meeting adjourned at 6:00 pm.

Respectfully submitted,

Nancy George

MSCA Secretary