Trying to Fix a ‘Broken’ Bargaining Process
MSCA Joins Higher Education Unions across the State to Press for Reform of Chapter 150E

No one thought in 1973 when the current public employee bargaining law was adopted that governors would later use it to systematically degrade the contract process for employees in state colleges and universities—with devastating effects on their pocketbooks and morale.

At a June 9 hearing on Beacon Hill, educators and union representatives from around the Commonwealth packed the room to say the system is broken, and it must be fixed. Public higher education employees must have the same, unobstructed bargaining process that other public employees have in this state and throughout the nation.

They spoke in support of House Bill 530, which would amend Chapter 150E to allow signed contracts to go directly to the Legislature for review and funding. This would prevent the governor, who already sets negotiating parameters and can later use his veto power, from “taking three bites out of the apple,” said Catherine Boudreau, MTA president, speaking before the Joint Committee on Public Service.

The governor’s third bite of the apple costs higher education employees dearly in nullified and unfunded contracts; faculty and staff have gone years without salary increases, after investing uncounted hours in negotiations with their employer.

“The damage this does to our education system is immeasurable,” said President Pat Markunas of the committee, chaired by Sen. Stephen B. Buonoconti (D-West Springfield).

“It hurts morale. It hurts recruitment and retention of faculty, and it has a negative effect on the quality of education provided to our students.”

HB 530 would “remove pre-legislative opportunities to stymie negotiations and veto contractual cost items by failing to submit them for legislative action,” Markunas said. (See Markunas’s full testimony on page 3.)

Brad Art, MSCA bargaining chairperson, cited the “grueling process” of negotiating contracts, often stretching over years and seemingly endless meetings. Even when final agreements are signed and ratified, contracts have been returned for renegotiation, or have gone unfunded, he said, noting actions by the current governor and his predecessors to obstruct or delay bargaining and contract funding.

“This is not how collective bargaining works in other sectors,” Art said. “It is not how it should work here.” (Read Art’s full testimony at <www.mscaunion.org>.)

Speakers Counter Kriss’s Objections

The only speaker opposing HB 530 was Eric Kriss,
Consider the Benefits of MTA/NEA Retired Membership

If you're about to retire, or retired, consider this: for only $35 a year you can keep your membership in the MTA and the NEA. In the following letter, John McKeon, former Fitchburg State MSCA chapter president and liaison between the MTA/NEA and retired MSCA members, explains the benefits.

"There are a number of reasons why retired membership is desirable. If you are currently a member of MSCA/MTA/NEA, you support public education. The MTA and NEA are both strong advocates for public education and actively involved in issues important to retired faculty and librarians.

"The MTA supports the elimination of the GPO (Government Pension Offset) and the WEP (Windfall Elimination Provision), which diminish Social Security benefits for public employees, including state college faculty and librarians.

"The MTA supports the revitalization of higher education, and it is opposed to Romney's desire to increase our health insurance premiums.

"The MTA also provides many benefits to its members. For example, there are discounts to over 1,000 nationwide cultural, recreational, and entertainment attractions. Travel anyone?

"If education issues and/or benefits of interest to you, . . . go to www.mtabenefits.com and www.massteacher.org to investigate. The annual cost for both MTA and NEA retired membership is $35, or a lifetime membership for $325.

"If you have any question, you can email me at jmckeon@fsc.edu, or call Jo Ann Fitzgeral at 800-392-6175, ext. 8314. Jo Ann is the MTA retired service specialist. Retiring from fulltime teaching in 2003, McKeon is an adjunct professor at Fitchburg State College.

MSCA Perspective

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Doing the Work of the Union continued from page 1

Bargaining Committee chairperson Brad Art reported on efforts to approve and ratify the 2004-7 contract for day unit members, its current status, and continued efforts for a compensation agreement for the year 2003-4. That process is still in “fact finding,” he said. Although the fact-finding report is non-binding, “it is influential.”

C.J. O’Donnell, chairperson of the Salary Database Committee, reported on his committee’s extensive work to analyze and verify member salaries. “The MSCA is in the final stages of preparing a list of the names of faculty and librarians whose salaries, we believe, were miscalculated under the terms of the 2001-3 agreement,” he said. Preliminary reports have been used to review salaries and make corrections.

Len Paolillo, who represents MSCA on the MTA Board of Directors, reported on MTA legislative initiatives to support higher education. He updated efforts to repeal Social Security provisions that penalize Massachusetts public employees. “All of our Congressional delegation have signed on, bringing the total House sponsors to 232 with 17 sponsors in the Senate.”

Delegates heard from Margaret Vaughan, chairperson of the Grievance Committee, on the reduction of the arbitration case backlog from 164 to 83 cases, and the option of mediation, which led, in one case, to the resolution of 40 grievances.

Reporting for the Ad Hoc Committee on Librarian Concerns, chairperson Nancy George said a study of librarian salaries indicates continued inadequate compensation. President Markunas said a report has been made to the Council of Presidents for a full study, similar to the Council’s highly publicized report last year on state college faculty salaries.

David Twiss, trustee and treasurer of the MTA Health & Welfare Trust Fund, reported on increasing costs of the MedLife dental assistance program, and noted a slight increase in both member and employer contributions, with the benefit level continuing at $750.

From Higher Ed Funding to the War

The delegates voted to support four resolutions:
• That the Commonwealth make a “long-term, reliable and appropriate investment in its public higher education system, as recommended in the Senate Task Force Report on Public Higher Education,” and that “each political party in Massachusetts include a platform plank in support of this investment in the state’s public higher education.”
• That the Massachusetts Congressional delegation support House Resolution 36, introduced by Rep. Lynn Woolsey in January, “expressing the sense of Congress that the President should develop and implement a plan to begin the immediate withdrawal of United States Armed Forces from Iraq.” Submitting the resolution, MCLA chapter president Maynard Seider said: “As a union we should be willing to take a position on national issues. Congress is not being mandated with protests. This war is wrong.”
• That the Massachusetts Congressional delegation submit legislation to appoint a bipartisan commission to examine and report on “torture practices carried out by United States soldiers and contractors . . . including abuses carried out under the U.S. rendition policy.”
• That the MTA explore the feasibility of a merger with the Massachusetts Federation of Teachers.

Honor and Remembered

Certificates of appreciation were presented to two former directors for their contributions to the MSCA: Richard Bisk, for his active role at Fitchburg State (he is now at Worcester State); and Edward Movitz, a founding member of the MSCA, now retired from Mass College of Art.

President Markunas also led the delegates in a moment of silence in memory of Robert Lee, former chapter president at Fitchburg State, and Marjorie Helleisner, former MSCA director from Mass College of Art.

Voices from the Assembly

"It was unprecedented for college presidents to come to the table. It helped us break the logjam." Bargaining chairperson Brad Art on the three-on-three bargaining format that led to contract settlement.

"It was a great accomplishment. Now we have to follow through." Vice President Frank Minasian on introduction of legislation to streamline the bargaining process.

"In Guantanamo, in the Afghan prisons, at Camp Bucca in Iraq, at the prison at Baghdad International Airport, at Abu Ghraib . . ." Former Boston State College chapter president John E. Moon, in support of a resolution urging independent investigations of United States use of torture.

"Injury to one is injury to all. That was his guiding principle." Maynard Seider, MCLA chapter president, crediting former Grievance Committee chairperson Frank Minasian for over 25 years of service directing the grievance resolution process.

"A personal priority has been the establishment of health insurance and retirement benefits for hundreds of part-time faculty at the state colleges." Pat Markunas. Higher education union members lobbied in support of Senate Bill 1535 and House Bill 189 at the State House May 12.
secretary of administration and finance under Governor Mitt Romney. First to address the committee, Kris claimed the bill would be a “serious assault at the separation of powers” and would lead to “unsustainable wage increases.”

But speaker after speaker, including other legislators who dropped by to state their support for HB 530, countered his assertions, and said the time for reform has come.

Rep. John E. Quinones (D-New Bedford), the bill’s principal sponsor, said it would restore “fairness and reliability” to collective bargaining in public higher education.

Daniel Georgianna, president of the Faculty Federation at UMass Amherst, said HB 530 would make the bargaining process “quasi-legislative” and a “curse” to all parties involved. He said it would erode the productive relationship between management and faculty.

In September of 2004, the MSCA Board of Directors enthusiastically endorsed the proposed amendment to Chapter 150E, which would allow the union to bring the issue directly to the Legislature.

Laura Jensen, director of the Massachusetts State College Association, said the bill’s passage would mean “a tremendous step forward.”

The proposed amendment to Chapter 150E would allow the union to bring the issue directly to the Legislature.

In this regard, the Board’s position has not changed. As soon as a decision has been made by the governor, MSCA officers will act on the submission of our contract funding to the Legislature for its action. As soon as a contract is a signed agreement, it is not an issue of collective bargaining.

Ladies and gentlemen of the Committee, the members of the MSCA have long appreciated the support afforded by the Legislature to the state’s public higher education system and to its employees. The work of the Senate Task Force Committee on Public Higher Education and the restoration of group health insurance, paid parental leave, and other benefits have been critical to the maintenance of the collective bargaining process.

The collective bargaining statute as it exists now allows the governor too many opportunities to thwart the bargaining process. Every possible roadblock that a governor could erect in the collective bargaining process has been actualized over the past 15 years: refusal to provide economic parameters for negotiations, refusal to submit ratified and executed contracts for legislative action, renegotie on economic offers made and accepted at the bargaining table, and vetoes of the funding for contracts authorized, ratified and executed by the governor himself or herself. This situation can continue.

The proposed amendment to Chapter 150E would not affect the governor’s constitutional veto power over any bill passed by the Legislature. It would remove pre-legislative opportunities to stymie negotiations and veto contractual cost items by failing to submit them for legislative action. It would allow the employer and the Board of Higher Education, to negotiate contracts and submit the cost items for their funding directly to the Legislature. And in this regard, the Board’s authority would be the same as other state agencies and the judiciary, which have functioned appropriately in terms of the collective bargaining process.

Ladies and gentlemen of the Committee, the members of the MSCA have long appreciated the support afforded by the Legislature to the state’s public higher education system and to its employees. The work of the Senate Task Force Committee on Public Higher Education and the restoration of group health insurance, paid parental leave, and other benefits have been critical to the maintenance of the collective bargaining process.

As we go to press, the governor has not yet acted on the submission of our contract funding to the Legislature for its action. As soon as a decision has been made by the governor, MSCA members will be notified by campus email and on the MSCA website (www.mscacomm.org). We will not forget to tell everyone, at the same time, about this decision when I know it has been made.

MSCA faculty and librarians should check the MSCA website for the most current information as to the status of the contract funding. Thank you for your patience.
A Place for Coffee and Ideas
Westfield Faculty Center Supports Faculty and Learning
Lou Canton

Until recently, Westfield State College professors who wanted to share ideas arranged meetings at the Student Center, the campus diner, or a location downtown. Like small colleges everywhere, Westfield State did not have a stable, consistent location for teacher gatherings. After years of ad hoc scheduling of meetings, a few forward-thinking individuals began considering the possibility of a faculty center.

Philosophy Professor Jack Loughnane, one of the founding members, noted: “It is always difficult to distribute needed services among 235 or so tenured and adjunct faculty members.”

As soon as Robert Martin, Westfield’s associate vice president at the time, heard the idea, he was supportive. The argument for a center was a slam dunk: if teachers had a permanent gathering place for hearing each other’s ideas, more classroom successes of all kinds would occur.

Originally proposed by Professors Julian Fleron and Phil Hotchkiss (Mathematics) and Emily Todd (English), the center attracted other professors as sponsors and volunteers: Michael Engel and Marsha Marotta (Psychological Sciences), John Carolini (English), and Jack Loughnane (Philosophy).

The faculty members began working with Martin to establish a budget, find a location, and buy the necessary furniture and supplies.

“The problem of coffee,” Emily Todd said, “is that historically, faculty centers have existed in a few buildings on campus. We’re fortunate in that we didn’t have to do that. No buildings were available, so we had to be more creative in our location selection.”

Although the current budget of $2,500 a year is modest, it allows the center to purchase faculty books and academic subscriptions, invite outside speakers, organize social gatherings, and offer “mentoring” luncheons for first- and second-year faculty.

The center became the nexus for many activities: from luncheon discussions on pedagogical concerns to work-in-progress presentations of developing academic research.

Some discussions that have taken place include:

“Creating a Positive Learning Environment in the Classroom”

“IIs It Too Late to Teach Our Students to Think?”

“Diversity at WSC: The Dialogue Continues”

“What Do You Do When a Class Turns South?”

“Teaching Life of Pi: Or How to Teach a Class Without Succeeding?”

“Disruptive Students Revisited”

“Strategies for Writing Letters of Recommendation”

“Tax Issues for Professors”

“Plagiarism Revisited”

“Can Faculty at a Small State College Compete Successfully for Fellowships and Grants? Yes!”

Faculty Center workshops have included “Good Teaching and Learning: How Do You Know?” by Mary Deane Soricelli; and “Using Writing to Help Students Learn: Writing as High Stakes and Low Stakes” by Peter Elbow.

Professor Marotta remembers some of those presentations: “What a thrill it was to fill the room for those first brown-bag lunch discussions. We had faculty and librarians, and sometimes administrators, spilling out into the adjoining areas. And what a pleasure it was to discuss concerns about teaching and other issues with professors with different experiences or from different departments. As a new faculty member on the steering committee, I found it a great way to meet people from across campus. I still try to attend every event. I enjoy it, and I learn a lot.”

The center has even helped in recruiting new faculty. Psychology Professor Ricki Kantrowitz, a current volunteer, stated, “Several job candidates mentioned in their interviews that they looked over the Faculty Center website and were impressed by what was being offered.”

G ym

The T-shirts were also a big hit on Beacon Hill, as MSCA volunteers distributed them to all senators and representatives. Lobbyists, attorneys, UMass faculty and community college faculty (MCCC) wanted them. They were distributed at the State Democratic Party Convention in Lowell and the MTA Annual Meeting in Boston.

The T-shirts “had a powerful and creative message for everyone who supports public higher education in this state,” Markunas said. “Many people working together made the T-shirt project a success, and I thank them all.”

MCLA Liberal Arts Journal Welcomes Submissions

The Mind’s Eye, a liberal-arts journal published by the faculty at Massachusetts College of Liberal Arts, welcomes submissions of scholarly and creative work from other campuses, reports Bill Montgomery, managing editor and professor of interdisciplinary studies.

“We accept expository essays, including reviews, fiction, poetry and art,” Montgomery says. “Any subject is welcome, but we have a particular interest in the Berkshires.”

Founded in 1989 and reissued in 1997 in a new format, The Mind’s Eye has increasingly published the work of regional writers, as well as faculty artists and authors.

For a sample copy, writer’s guidelines and deadline information, please contact Montgomery at <wmontgomery@mcla.edu> or 413-662-5516.

To subscribe, send $7.50 to The Mind’s Eye, Massachusetts College of Liberal Arts, 375 Church St., North Adams, MA 01247.

T-shirts Tell a Story the Public Needs to Hear

First it was an idea. Then it was a PDF file sent to MSCA President Pat Markunas for her advice. Then it was a T-shirt design of scholarly and creative work by faculty at Framingham State College, carrying a union label, and the ironic message that Massachusetts, first in baseball, first in football, is 47th in support of public higher education (see photos below and on page 1).

Then it was a question: who would wear them?

That question was quickly answered as the initial order of 400 T-shirts sold out, not only to MSCA members, but to a broad audience.

“I knew higher ed people would want them,” Markunas said in a report to the MSCA Board. ‘I never expected K-12 people to want them. People even wanted them in children’s sizes.”

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MTA is considering producing more T-shirts. For updated information, check the MTA website at <www.massteacher.org>.

BENEATH THEIR ROBES—Framingham State College faculty took their “47th” message to graduation by wearing T-shirts designed and produced by colleagues Jennifer Drouin, Derrick TeBoeke and Leslie Storokhin. MSCA members pictured include (front row) Yusef Najar, Abdul Momon, Margaret Carroll, and Susan Massad; and (second row) Arthur Nolletti, Alan Feldman, Elaine Brelin, and Pam Ludeman.