

Membership Elects Officer Slate of O'Donnell, Everitt, George and Pavlicek



C.J. O'Donnell



Amy Everitt



Nancy George



Glenn Pavlicek

MSCA Votes: Results of the 2008 MSCA Officers Election

On April 4th, the following results were tabulated in the 2008 MSCA Officers Election. Those presumed elected are indicated with an (*). These results are tentative, pending official tabulations by the Labor Guild and final certification at the 2008 MSCA Delegate Assembly. The new officers will begin their two-year term on June 1, 2008.

	O'Donnell* President	Everitt* Vice President	George* Secretary	Pavlicek* Treasurer
Votes Received	469	475	481	469
Write-In Votes	8	5	2	3
Blank/Void Ballots	30	27	24	35
Total Ballots Cast:	507			
Total Ballots Mailed:	2,650			

Thank you for your participation in the election.
*Deborah Foss, Chair, MSCA Nominations and Elections Committee
Supervisor, MSCA Elections*

PRESIDENT'S MESSAGE

Delegate Assembly to Act on Constitutional Amendments, Budget and a Dues Reduction

By Patricia V. Markunas

Saturday, April 26th, marks the 31st annual Delegate Assembly of the Massachusetts State College Association. The Assembly is the policy-making body of our union and thus, is empowered to amend the MSCA Constitution, enact an annual budget for the organization and set the dues for all members for the upcoming fiscal year.



Patricia V. Markunas

As part of the MTA strategic planning process, MSCA embarked on a review of its governing documents: all nine chapter constitutions, the MSCA Constitution and various policies enacted by the MSCA Board of Directors over the years. The review

of the MSCA Constitution revealed several topics that MTA staff members **Donna Sirutis** and **Matthew Jones** recommended be included, as well as out-of-date practices and language. Proposed amendments were considered, amended and endorsed by the MSCA Board of Directors throughout the year.

The amendments proposed concerned procedural practices that needed to be updated and issues that needed to be included. Substantive changes were not considered or recommended. The final list of amendments to be considered at this year's Assembly are published on pages 2 and 3 of this issue of the *MSCA Perspective*.

The proposed MSCA budget for fiscal 2009 can be found on page three of this issue. The budget is similar to recent years, with one new initiative: removing the MSCA's archives from the Salem State

Continued on page 3

BARGAINING UPDATE New Gov, Same Result?

By C.J. O'Donnell, bargaining chair

Negotiations began with an initial meeting Feb. 4. MSCA proposed the parties exchange proposals, but — as has been the case for the past several rounds — management refused. Instead, it asked MSCA to present its proposal first. MSCA rejected this suggestion. Management then informed us that the governor's office had not authorized salary increases and would not until, perhaps, sometime in March.

For the second session Feb. 22, MSCA, in an effort to reduce the number of issues on the table when bargaining began in earnest, presented management with less controversial proposals regarding contractual language. At sessions March 13 and 20, the parties neared agreement on or resolved outright a number of non-economic issues. At that time, though, management informed us that the governor was not likely to authorize an economic offer until late May, or perhaps even later. This is dangerously close to the current agreement's expiration date of June 30.

Following the March 20 meeting, MSCA communicated to Board of Higher Education Chairman **Fred Clark** and Council of Presidents Chairman **Bob Antonucci** ways we believe negotiations could be less contentious and more productive when the administration finally authorizes salary increases.

Despite MSCA offering nearly a dozen dates in April, management agreed to meet only twice, on the morning of April 18 and on May 1.

The union team comprises **Sue Dargan** (Framingham), **Amy Everitt** (Salem), MSCA President **Pat Markunas**, **Ann Mrvica** (Fitchburg), **C.J. O'Donnell** (Mass Maritime), **Len Paolillo** (MCLA), **Glenn Pavlicek** (Bridgewater), **Sam Schlosberg** (Mass Art), Vice Chairman **Dan Shartin** (Worcester) and **Cheryl Stanley** (Westfield). **Donna Sirutis** is the consultant for the MTA day unit. Hard copies of the union's asking proposal will be available for review by MSCA members in chapter offices after it has been presented to management.

Management's team comprises **Mark Peters**, counsel for the Council of Presidents and the Board of Higher Education; **Peter Tsaffaras** of the BHE Division of Employee Relations and Benefits Administration; **Mike Fiorentino**, vice president for academic affairs, Fitchburg State College; **Julie Wollman**, vice president for academic affairs, Worcester State College; **Ken Lemanski**, COP executive director; **Steve Kearney**, associate dean of human resources, Mass Maritime Academy; **Neal DeChillo**, dean of the schools of human services, Salem State College; and **Kurt Steinberg**, vice president for fiscal affairs, Mass College of Art.

—*MSCA Vice President C.J. O'Donnell, a professor at the Massachusetts Maritime Academy, is the union's president-elect.*

Amendments Proposed to the MSCA Constitution

Endorsed by the MSCA Board of Directors for Consideration at the 2008 MSCA Delegate Assembly

Additions appear in *bold-face italics*; deletions are struck; comments appear in [brackets].

1) Article II, Section 2. Constitutional Relationships.

“The MSCA shall be a member of the Massachusetts Teachers Association (hereinafter, the MTA) and of the National Education Association (hereinafter, the NEA), and the Constitution of the MSCA, and those of its Chapters, shall not be in conflict with the constitutions of the MTA and the NEA. *If any provision of this Constitution is held unenforceable, then all remaining provisions of this Constitution shall remain in full force and effect.*”

Rationale: This severance language has been recommended by our MTA staff.

2) Article III, Section 1. Membership of Chapters.

“The members of the faculty and the librarians *who are included in the bargaining units represented by the MTA* at any public college or public university in the Commonwealth of Massachusetts shall, upon the granting of a charter by the MSCA Board of Directors, comprise a Chapter of the MSCA. Prior to the granting of such a charter, any petitioning Chapter shall submit its constitution to the MSCA Board of Directors for approval. ~~Each Chapter shall submit amendments to its constitution to the MSCA Board of Directors for approval.~~

“No constitution of a Chapter, *including any amendments enacted once a Chapter has become a member*, shall be in conflict with the Constitution of the MSCA. *All amendments to Chapter constitutions shall be submitted to the MSCA Board of Directors to verify the lack of such conflict. Each Chapter shall submit any amended constitution to the MSCA President’s Office for safekeeping.*”

Rationale: The first change (“bargaining units”) is based on advice from our MTA staff that MSCA membership be restricted to bargaining unit members. The subsequent changes reflect the reality that, in the past 20 years, no chapter has ever submitted constitutional amendments to the Board for approval. However, the Board should retain its authority to review chapter constitutions for possible conflict with the MSCA constitution. It is appropriate for the chapter constitutions, when amended, to be submitted to the president’s office for eventual storage in the MSCA archives. The paragraph has been divided into two for stylistic reasons.

3) Article III, Section 2. Membership of Individuals.

“Any person who is eligible for membership in a Chapter of the MSCA and who is a member of a bargaining unit represented by the MTA is eligible thereby for membership in the MSCA.” [The remaining language in this section stays unchanged.]

Rationale: The advice from our MTA staff is that MSCA membership be restricted to bargaining unit members.

4) Article IV. Officers and Elections.

“Section 1. Officers. The Officers of the MSCA shall be the President, the Vice-President, the Secretary, and the Treasurer. These Officers shall perform the duties prescribed in this Constitution and in the parliamentary authority adopted in Article IX. All persons elected to Office shall take office on the first day of June next following their election. All persons elected to fill vacancies in the various Offices shall take office upon election.

“*[a] Special Duties of the President. The President shall be responsible for reporting to the MTA the names of MSCA delegates and designated alternates to the MTA Annual Meeting. The President shall be responsible for reporting to the NEA the names of MSCA delegates and designated alternates to the NEA Representative Assembly*

“~~Section 4 [b] Special Duties Duty of the Secretary. The Secretary shall be responsible for conducting the election of MSCA delegates and designated alternates to the MTA and NEA Representative Assembly. [Move the second sentence of Section 4 to be the first sentence in Section 5 after it is amended. Delete the last two sentences of Section 4.]~~

“~~Section 5 [c] Special Duties of the Treasurer. The Treasurer shall be responsible for the preparation of a budget. All deduction payments shall be made to the MSCA. The Treasurer shall receive these funds, bill cash-payment members for dues, and transmit amounts due the Chapters, the MTA, and the NEA according to a previously agreed upon plan. The Treasurer shall maintain a roll of the members. The Treasurer shall be bonded. *The Treasurer shall be responsible for the determination of each Chapter’s delegate allocation for the Annual Meeting of the Delegate Assembly and the MTA Annual Meeting, subject to approval by the Board of Directors.*~~”

Rationale: The MSCA Secretary has not conducted elections of delegates to the MTA Annual Meeting nor has the Secretary determined chapter allocations or voting procedures for this meeting since the late 1980s. This section reflects the actual practice of the MSCA concerning the responsibilities of the officers and moves the responsibilities for Secretary and Treasurer from the existing Sections 4 and 5 to this section, where the officers are listed.

5) Article IV, Section 2. Nomination for Offices.

“Any member in good standing shall be eligible to be a candidate for office except for members of the MSCA Elections *and Credentials* Committees.

“*[a]* At any time after November 1 of any odd numbered year, an eligible member shall be required to obtain nomination papers by requesting by certified mail to the MSCA Nominations & Elections Supervisor stating the Office to be sought. The Nominations & Elections Supervisor shall enter the name of the eligible member and the Office to be sought on the nomination papers and deliver them to the eligible member within two weeks. No person shall be a candidate for more than one office.

“*[b]* In order to be certified as a candidate for Office, an eligible member shall be required to obtain at least forty signatures of members in good standing; no more than fifteen shall be counted from a single Chapter. The eligible member shall file nomination papers with the Nominations & Elections Supervisor prior to 5:00 PM of the third Friday of January next following.

“*[c]* The Nominations & Elections Supervisor shall certify that each eligible member’s nomination papers have been timely and appropriately filed and shall report the names of the certified candidates and the office sought to the Board of Directors no later than the MSCA Board of Directors meeting next following. The Supervisor shall prepare a ballot on which names shall be entered in order, by lot, without designation of incumbency. A space for write-in candidates shall be provided for each Office. No person shall be a certified candidate save those who have complied with the above designated procedures.”

Rationale: The only change in this section adds “Credentials Committee” to the introduction. The nomination process is separated from the election process but remains unchanged. Paragraphs [d] through [f] will be moved to a new section 3.

6) Article IV, Section 3. “Election of Offices Recall of Officers: Filling Vacancies.

“*[a] [d]* Ballots shall be sent to all eligible MSCA members, who shall be certified as eligible voters by the MSCA Treasurer. In order to be eligible to vote, *a member shall have paid dues shall be paid* in compliance with Article III, Section 2, by March 15 of an election year.

“*[b] [e]* The Nominations & Elections Supervisor shall publish the names of certified candidates for Officers of the MSCA at least thirty days prior to the election. Election of Officers of the MSCA shall be held at least 30 days after publication of the names of certified candidates. The Nominations & Elections Supervisor shall conduct the election for Officers of the MSCA by direct, secret balloting of the MSCA membership and shall report the election results to the Assembly prior to its adjournment. The Supervisor shall make a full report of the election to the MSCA Board

of Directors no later than the first Friday in June next following.

“*[c] [f]* The Nominations & Elections Supervisor shall submit all documents and ballots regarding the election to the MSCA President’s Office for safekeeping.”

Rationale: This section separates out the election process from the nomination process and re-letters the existing sections. There are no changes in the election procedures themselves. In the new paragraph [a], second sentence, the grammatical error has been corrected. In reference to the new paragraph [c], since the elections have been conducted by outside vendors, the ballots have been retained by the vendor and then destroyed. Deleting “and ballots” from the new paragraph [c] is consistent with this practice since 1994.

7) “Article IV, Section 4 3. Vacancies and Recall of Officers: Filling Vacancies.”

Rationale: No changes are proposed, except to renumber this section and change the section heading.

8) “Article IV, Section 5 4. Election of MSCA Delegates to the MTA Annual Meeting ~~Special Duty of the Secretary.~~

“~~The Secretary shall be responsible for conducting the election of MSCA delegates to the MTA and NEA annual meetings. Each Chapter shall be responsible for the election of its delegates to the MTA Annual Meeting, in accordance with the procedures established by the MTA. The Secretary shall be responsible for the determination of each Chapter’s delegate allocation and for the notification of each chapter as to the procedures for election established by the MTA. The Secretary shall be responsible for reporting to the MTA the names of all MSCA delegates to the MTA Annual Meeting. *Should there be vacancies in any chapter’s delegation, the Board of Directors shall be empowered to fill such vacancies, in accordance with the procedures established by the MTA.*~~”

Rationale: This new Section 5 spells out the MSCA’s practice in electing delegates and alternates to the MTA Annual Meeting. The text of the existing Section 5 has been moved to Section 1, paragraph [c].

9) Article V. Delegate Assembly.

“Section 2. Meetings. The Delegate Assembly shall hold an Annual Meeting on a day determined by the Board of Directors, which day shall be either the last Saturday in April or the first Saturday in May. At least fourteen days prior to the Annual Meeting of the Delegate Assembly, each Chapter shall submit to the ~~President Credentials Committee~~ a list of its Delegates and designated alternates. *At least seven days prior to the annual meeting of the Delegate Assembly, the President shall report the names of Chapter Delegates and designated alternates to the Credentials Committee.*

“Special meetings of the Assembly may be called by the Board of Directors, by the Assembly itself, by petition of one-tenth the membership of each Chapter, by petition of one-half the membership of any two Chapters, or by a Petition of Recall presented under the provisions of Article IV, Section 4.”

Rationale: For practical reasons, the MSCA president’s office gathers the names of delegates and designated alternates to the Delegate Assembly and then transmits them to the Credentials Committee. This change reflects that practice. The section on special meetings has been put into a separate paragraph, and a comma has been added after the word “Directors.”

10) Article VI. Board of Directors. New Section 4.

“*Section 4. Quorum. A quorum of the Board of Directors shall consist of 50% plus one of the members of the Board (excluding vacancies but including the MSCA statewide officers who are not otherwise Board members).*”

Rationale: This definition has been the practice of the Board since 1992, at least.

11) Article VII. Committees and Appointments.

“Section 1. Standing Committees. The Standing Committees shall be the Bargaining Committees, a

Grievance Committee, a Legislation Committee, an Affirmative Action, Equal Opportunity, Diversity (AA/EO/DIV) Committee, an Elections Committee, a Resolutions Committee, a Credentials Committee, and a Librarians Committee. Members of Standing Committees will serve a two year term commencing October of even numbered years and on the date of appointment by the Board of Directors under the provisions of Section 2 of this Article VII; however, no member of the Elections Committee nor of the Credentials Committee shall be a candidate for any Office of the MSCA during his or her term of service in such committee. Each Standing Committee shall consist of one member from and representing each Chapter. Each Standing Committee shall elect its own Chairperson *and determine its own quorum.*"

Rationale: The Resolutions Committee has meet only once since it was included in the Constitution and should be deleted. The amendment in the last sentence incorporates the practice of the Committees.

12) Article VII, Section 2. Appointments of Members Representing Chapters.

"Chapter members of Standing Committees of the MSCA shall be appointed by confirmation of the Board after first being nominated by the MSCA President. Said nomination(s) shall be made upon the recommendation of the local Chapter President."

Rationale: This deletion is a style change only.

13) Article VII, Section 8.

~~Resolutions Committee. The Resolutions Committee shall consider all resolutions sent to the Chair of the Committee and shall recommend suitable action thereon when presenting the resolutions the Delegate Assembly.~~

Rationale: The Resolutions Committee has meet only once since it was included in the Constitution and should be deleted. The remaining Sections 9 through 13 would be renumbered as Sections 8 through 12, respectively.

Delegate Assembly *Continued*

College Library (closed since October) and storing them professionally and independently.

MSCA has signed a contract with RetrieveX, an archival storage facility located in Danvers, to permanently store significant documents of the union in a secure location. These materials include minutes of meetings, governance documents, publications, arbitration decisions, original copies of collective bargaining contracts, legal opinions and matters, and other historical documents.

The work involved in this project is considerable but, once completed, it will allow designated MSCA officials to search the archival index electronically and retrieve materials via several methods.

The proposed membership dues structure can be found on page three as well. Note one major accomplishment of our union: our financial situation has improved sufficiently to warrant a dues reduction across the board for all members next year.

When I took office eight years ago, our financial situation was desperate. Delegates to the 2001 and 2002 Assemblies understood the need for cost-savings and substantial increases in the dues. Managing our finances conservatively since then has built up reserves sufficient to allow us to reduce our dues for the upcoming year. A debt of gratitude is owed to our two treasurers during this time frame, **Gail Price** and **Glenn Pavlicek**, as well as members of the Board and MSCA committees for saving money wherever possible without loss of services to the membership.

MSCA Board Meetings, 2008

Regular meetings of the MSCA Board of Directors begin at 10:00 a.m. and usually adjourn around 3:00 p.m. Meetings are open to all MSCA members in good standing—full-time, part-time and DGCE. Time is set aside on the agenda each month for visiting speakers. If you are an MSCA member and wish to address the Board on an issue of concern, please contact the MSCA President's Office <Pmarkunas@aol.com> to request a place on the agenda or with any other question about Board meetings.

April 25

Salem State College -
Agganis Enterprise Center, Central Campus

April 26

Delegate Assembly
Salem State College - Recital Hall, Central Campus

June 6

Mass Maritime - IMB Center, Hurley Library

Fiscal 2009 Budget Proposal to the Delegate Assembly: Recommendation of the MSCA Board of Directors

	Fiscal 2008 Budget	Fiscal 2009 Budget Proposal
9010 Office Maintenance		
Telephone	8,000	3,000
Supplies	12,750	12,750
Postage	12,750	15,000
Insurance	4,000	4,000
Archives	0	2,000
Printing	5,000	5,000
Moving Expenses	0	500
	<u>42,500</u>	<u>42,250</u>
9020 Administrative Salaries*/Payroll Taxes		
President	17,351	17,871
Vice President	7,956	8,194
Secretary	7,956	8,194
Treasurer	12,977	13,367
Grievance Chair	10,615	10,933
Negotiations Chair Day	6,964	7,173
Negotiations Chair DGCE	2,754	2,836
Editor	7,432	7,646
Webmaster	3,342	3,442
Taxes	36,050	36,000
Secretarial Services	146,342	160,148
Salary Database Supervisor	7,956	8,194
	<u>266,014</u>	<u>284,000</u>
9023 Professional Services	<u>1,000</u>	<u>1,500</u>
Archives	1,000	1,500
9030 Board of Directors/Delegate Assembly	<u>30,000</u>	<u>25,000</u>
Meetings	30,000	25,000
9040 Negotiations/Labor Management		
Sessions	20,000	20,000
Employee Relations Committee	4,333	5,000
Printing Contracts	0	0
	<u>24,333</u>	<u>25,000</u>
9044 Data Base		
Data Base Supplies/Meetings	1,576	1,500
	<u>1,576</u>	<u>1,500</u>
9046 Committee on Librarians	<u>1,000</u>	<u>1,000</u>
	1,000	1,000
9050 Contract Administration/Grievance		
Committee Expenses	7,200	7,200
Arbitrators' Fees	16,974	17,000
Stenographers' Fees	3,700	3,700
	<u>27,874</u>	<u>27,900</u>
9060 Legislative		
Committee Expenses	1,100	1,100
Voter Voice/PHENOM	0	3,200
	<u>1,100</u>	<u>4,300</u>
9065 Affirmative Action Committee	<u>500</u>	<u>500</u>
	500	500
9070 Communications		
Publication & Mailings 7 Issues	17,050	17,050
Related Expenses	2,950	2,950
	<u>20,000</u>	<u>20,000</u>
9080 Conventions/Workshops		
MTA Annual Meeting		
NEA-RA		
NCHE/Membership		
	<u>24,000</u>	<u>25,000</u>
9085 Elections	<u>10,000</u>	<u>500</u>
9090 Auditor's Fee	<u>6,500</u>	<u>7,000</u>
9100 Discretionary Fund	<u>430</u>	<u>400</u>
9110 Local Support	<u>17,000</u>	<u>18,000</u>
9600 E-mail	<u>1,422</u>	<u>1,500</u>
TOTAL	<u>\$475,250</u>	<u>\$485,350</u>

Anticipated Income Worksheet

Current Dues Structure

	Members	Current Dues	Proposed Dues	Total
Full Time	1,530	\$230	\$200	\$306,000
Part Time				
9-11 Credits	200	\$115	\$100	\$20,000
3-8 Credits	865	\$70	\$40	\$34,600
1-2 Credits	60	\$20	\$10	\$600

Total Dues Income

Total Projected Members 2,655 \$361,200

2008-2009 Projected Income

Dues Income	\$361,200
Local Support Reimbursement	\$44,850
Secretarial Reimbursement from Chapters	\$70,000
Data Base Reimbursement from MTA	\$9,300
Total Projected Income	<u>\$485,350</u>

Massachusetts State Colleges: 2007 Faculty Salary Study Report to the Board of Higher Education, prepared by SIBSON Consulting

Executive Summary

This report presents the results of a study comparing faculty salaries at the Massachusetts State Colleges to competitive market salaries in 37 comparable institutions. The study was designed to understand the market forces within which the Massachusetts State Colleges must compete for qualified faculty, and to inform decisions related to the establishment of competitive faculty salaries.

Key Findings

- Faculty at the State Colleges are significantly under-compensated in comparison to the market.
- Despite initial efforts to increase faculty salaries, the degree of non-competitiveness has worsened since these salaries were first studied on a comparative basis in 2004.
- Progression towards competitiveness achieved in the 2006 study seems to have been eroded.
- Pay compression exists across and between ranks.

These findings are of serious concern: they disclose that the State Colleges are at considerable disadvantage in their ability to attract and retain highly qualified faculty.

National Trends in Faculty Pay and Recruitment

The national market for faculty is changing rapidly and the traditional techniques for managing salaries are becoming less relevant and effective than they were in the past.

- Institutions report that candidates for appointments are negotiating more rigorously for starting salaries and are becoming more selective in the offers they accept.
- Candidates' perspectives about potential employers is broadening as well—candidates are more flexible in their views of desirable institutions to join, requiring institutions to re-evaluate the competitiveness of their faculty salaries.
- Increasingly, tenured faculty are being recruited by other institutions with the promise of immediate tenure, eroding the long standing expectation that tenured faculty remain at an institution until retirement.
- Faculty in many disciplines have the option of leaving academia to pursue their field of study in more financially rewarding organizations. Most at risk are Business, Computer Science, Nursing and Health Sciences.

As a result of these national trends, more institutions are aggressively reviewing and updating their faculty pay systems in order to remain competitive.

- Traditional faculty pay systems generally create a negative impact on more experienced faculty whether tenured or not. Once someone joins the faculty, his/her salary is subject to incremental adjustments (typically, just annual salary increases and promotional increases) based on college policy or the provisions of collective bargaining agreements rather than on market forces.
- Over time this causes significant compression, where experienced faculty are paid only slightly more than more junior faculty. In highly competitive situations or disciplines, this compression occurs more rapidly. Since the percentage of annual increases is generally not sufficient to address the compression, more targeted adjustments are required.

Most other states invest more per capita in higher education than Massachusetts does—the Commonwealth was 46th in per capita spending in fiscal year 2007.

Variance Analysis — State Colleges to Market, 2004-2007

After a period of relative improvement following the 2004 Report, this year's study shows a worsening of the trend towards increasingly non-competitive salaries:

	State College Salaries as a % of Market					
	2004		2006		2007	
	Average	75th Percentile	Average	75th Percentile	Average	75th Percentile
Professor	86 %	78%	89%	81%	87%	79%
Associate Professor	91%	82%	95%	86%	91%	81%
Assistant Professor	93%	85%	98%	90%	92%	83%

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MSCA Perspective

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