MSCA Members Protest Contract Funding Delay
Markunas Voices Frustration with Delay at the September BHE Meeting

BHE Chairman Steve Tocco said it’s coming. Chancellor Judith Gill said it’s coming. “We’re waiting for a final sign-off with the governor,” Tocco said at the September 15 meeting of the Board of Higher Education at Massachusetts College of Liberal Arts in North Adams. “We have verbal approval for sure.”

“I want to express publicly our deep frustration and disappointment that once our contract was approved by Secretary [Eric] Kriss on July 15, few weeks passed” before the administration called campus administrators to begin cost calculations,” Markunas said.

“Then administrators were given two weeks to produce detailed and complicated calculations for the contract, and I thank them for this work,” Markunas continued. Another week of delay followed, however, “while certain BHE staff persons were on vacation.”

Markunas added: “No one disputes that everyone deserves long-overdue pay increases. Doyle called the chair of the education committee, he was shocked. Where one of her two daughters lives. August 16, a professor of education. Copying her round-trip ticket — Loyola would be shut down for at least the semester— Doyle called the chair of the education department at Massachusetts College of Liberal Arts, Ellen Barber. For three summers Doyle has to come to the North Adams campus to teach graduate courses in the Leadership Academy. Would the department, by chance, have courses she could teach in the fall? Harmony to have our contract funding delayed, in our perception, unnecessarily, when the funding request for the APA contract and pay increases for the college president were more focused. In his opening remarks, BHE Chairman Tocco invited calls to the Romney administration to urge action on the MSCA contract. 5

Markunas responded in her remarks, “We intend to take the chairman at his word and will encourage phone calls and communications with the Office of Administration and Finance to make sure that our contract is in the FY 05 Deficiencies Budget. We hope that all members of the BHE will make calls as well.”

Contract history: After two years of bargaining, the MSCA and BHE teams finally signed a contract last February. It was ratified by MSCA members on April 1. By June, however, the governor’s office, which had taken no action on the contract, recommended modifications. It also demanded that the MSCA provide a full audit of the administration’s spending for the 2003-04 year, the year after the previous contract expired. On July 15 Eric Kriss, secretary of Administration and Finance, stated that the administration would move ahead with funding of the modified contract. On August 1 the chancellor, BHE and MSCA members met again to formally sign the contract.

Over two months later, the Romney administration has yet to submit a funding request to the legislature. In contrast, the 2005-06 APA contract, settled and ratified after the MSCA’s contract, was costed out earlier, signed by the governor, and passed by the legislature on September 20.
Steps Required for Funding Enactment

1. The governor must submit a request to the legislature for an appropriation of monies to fund the contract. We are waiting for the governor to do this. Secretary of Administration and Finance Eric Kris, has told Chancellor Gill and Board of Higher Education Chair Tocco that he will recommend that the governor file the funding request.

2. Once a funding bill is filed, the legislature would vote on funding, and those already in effect, are also given.

3. The supplemental budget bill must be approved by the House Committee on Ways and Means, by the House, then by the Senate Committee on Ways and Means, then by the entire Senate.

4. The bill would then be sent to the governor for his action. The governor might sign the bill, veto the bill, or sign some items and veto others.

5. If the MSCA contract funding item is in the supplemental budget bill and is not vetoed by the governor, the contract funding would become enacted, and the contract changes, below, would go into effect. (Payment of the increases would not occur until some weeks after the funding bill becomes law. All pay increases will be paid retroactively to the date on which they take effect.)

6. If the governor were to veto either the entire bill or the MSCA contract funding item, we would have to lobby the legislature to override the veto. If the veto is overridden, the contract funding would become enacted, and the contract changes below, would go into effect.

7. If the governor were to veto either the entire bill or the MSCA contract funding item, and we were unable to persuade the legislature to override the veto, the provisions below would not go into effect.

You can see why it is not possible to predict when any of this might happen. Given that the governor has not yet filed a request for an appropriation to fund the MSCA contract as of September 30, 2005, we will be well into the 2005-2006 academic year before any funding bill could be enacted.

Nothing else, this outline reinforces the need for bargaining process reform, vigorously advocated by all public higher education unions before the legislature (see the June issue of Perspective).

Major Provisions Dependent on Funding

The following new provisions in the 2004-2007 contract do not go into effect until a contract funding bill is enacted into law. Numbers in parentheses are page numbers in the 2004-2007 contract. The entire contract is posted on the MSCA website and available in hard copy at local chapter offices.

- Article IV Employer contribution to H&W trust fund increased to $11/FFE/week July 1, 2006 (52)
- Article VI Chair stipends increased to $1650/ semester retroactive to Spring 2005 (67)
- Article VII Governance referendum (72)
- Article VIII Student evaluations (99-100, 103-104)
- Article VIII-C Temporary hold on the post-tenure review process from the 2001-2003 contract (129)
- Article XII Carryover of workload credits and debits from all prior years (192)
- Article XIII Joint Salary Study Committee (229)
- Article XIV Professional development monies (234-238)
- Article XX Separation of promotion to associate professor from tenure process, i.e., no requirement for untenured assistant professor to be candidate for tenure if applying for promotion, and no requirement to obtain both—language deleted (notification was given to affected faculty this summer)
- Automatic promotion for instructors who obtain credentials for assistant professor (251; see also XX-A, 256)

MSCA Board Meetings

November & December 2005

November 4 Worcester State College
December 2 MTA – Auburn Large Conference Room

Open to all MSCA members in good standing, including part-time and DGCE, regular meetings begin at 10 a.m. and usually adjourn by 3 p.m. Time is set aside for visiting speakers. If you wish to address the Board, or have a question about board meetings, please contact the MSCA President’s Office at 978-542-7282, or email Pat Markunas: <pmarkunas@aol.com>
Despite the delay in the governor’s submission of our contract funding to the legislature (see story, page one), higher education issues have been and will continue to be an important focus of hearings and briefings held at the State House this fall.

Joint Committee on Higher Education

The Joint Committee on Higher Education will hold a series of three informational hearings, each one devoted to a segment of public higher education. The first hearing was held on September 22 and focused on community college issues. The second hearing will be held on October 11 on the University of Massachusetts-Boston campus and will concern the university system.

The third hearing will focus on state college issues and all state college faculty and librarians are urged to attend. This hearing is scheduled on Monday, October 31, beginning at 1:00 pm at the Massachusetts Maritime Academy in Buzzards Bay. Any member of the public may testify by signing up that day at the start of the hearing. Further information will be posted on the MSCA website later this month.

Listed in the box below are the nearly 20 bills that have been assigned to the Joint Committee on Higher Education. Most of these bills will be the subject of a hearing scheduled at the State House on December 13. The MSCA Board of Directors will consider positions on those bills related most directly to faculty and librarians issues and to financial support for the colleges as a whole.

Joint Committee on Public Service

The Joint Committee on Public Service probably considers more bills that affect our working lives, careers and retirement than any other legislative committee does.

On September 22, a hearing was held to consider several bills concerning benefits and creditable service towards retirement. Most significant of these were two bills to establish group health insurance benefits for part-time faculty (H 1535) and retirement benefits for part-time faculty (H 189). Union leaders and part-time faculty from all three public higher education segments testified at length about the need for these legislative proposals to become law.

On behalf of the MSCA, I want to thank three part-time faculty from the state colleges who appeared in person to testify in support of these two bills: David Goodof (Salem State College), Margo Capparelli (Framingham State College) and Christopher Chippen-dale (Mass College of Art). Copies of their testimony, along with my own from this hearing, have been posted on the MSCA website.

Thanks, too, go to many part-time and full-time faculty across the state colleges who have written to their local representatives and senators in support of these bills so crucial to our part-time faculty.

Last June, many public higher education representatives testified in favor of changes to the state’s collective bargaining law, Chapter 150E (see the June issue of the Prospectus). This September, I held private meetings with members of the Senate leadership to urge their support for this legislation, the need for which is compounded every day that our contract funding sins in the Executive Office of Administration and Finance, rather than in the legislature.

One last legislative issue that members contact me about regularly is early retirement. An early retirement bill (S 1600) has been filed with the Public Service Committee, but no hearing has been scheduled and the bill has been given very little chance for passage.

For Further Information

You can read the text of the bills mentioned in this article by logging onto <www.mass.gov/legis/> and linking to the appropriate committee. You can also use this website or the MSCA website to contact your local representative and senator to urge support (or opposition) to these or any other bills before the legislature. Political action is important to our success in enactting this legislation.

Nominations continued from page 1

(including at least 40 signatures from MSCA members in good standing with no more than 15 counted from any single chapter) to Deb Foss at the above address. Nomination papers must be received by 5:00 PM on January 20, 2006, regardless of postmark. To insure confirmation of receipt of nomination papers, please return them via certified mail.

Specific information concerning the Election of Officers can be found in the MSCA Constitution (posted on the MSCA website at <www.mscunion.org>). The Election Rules and Calendar will be approved by the MSCA Board of Directors on or before December 2, 2005. These documents, once approved, will also be available on the MSCA’s website.

Questions can be directed to the Nominations and Elections Supervisor at 413.662.5400 or <dfoss@msca.edu>.

Report Change of Address for MSCA Officer Elections

Members are advised that ballots for the 2006 MSCA officers election will be mailed to home addresses. If your home address has changed since the 2004 MSCA officers election, send your new address to Gail Price at the MSCA Treasurer’s Office (see box below for contact information).

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AT THE STATE HOUSE

Higher Education Issues are Highlighted in State House Hearings

Pat Markunas

A Brief Listing of Bills Before the Joint Committee on Higher Education

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<td>Baddour</td>
<td>Handicapped students be granted priority for accessible campus housing</td>
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<td>S 761</td>
<td>Baddour</td>
<td>Hazingsharassment laws be extended to protect handicapped students in campus housing</td>
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<td>S 769</td>
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<td>Merger or acquisition of colleges must be approved by legislature and governor</td>
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<td>H 1236</td>
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<td>H 1253</td>
<td>Hynes</td>
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<td>H 1257</td>
<td>Hynes</td>
<td>No alcohol, either</td>
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<td>H 1259</td>
<td>Sanchez</td>
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<td>H 1263</td>
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<td>H 3912</td>
<td>Kaprielian</td>
<td>Colleges cannot accept gifts that limit academic freedom</td>
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Dan Shartin

The 1988-1994 conflicts. Meticulously-managed me country, almost everyone lost a friend or relative in over the territory of Nagorno-Karabakh. In this small resolve the ongoing disagreement with Azerbaijan on Friday evening, June 17, and met with individuals military elections that we flew to Karabakh.

Karabakh has been holding parliamentary and presi dential elections since 1994 – of self determination and to demonstrate to the world possibilities of sending representatives of the Center– within the Soviet Socialist Republic of Azerbaijan. The immediate result was an armed struggle that crossed, carved in the fort to better understand the leaders of the political par--

I spoke with a woman who worked in the laundry room at our delegation's hotel. I asked her whether she had decided for whom to vote and if she felt any of the candidates spoke to average people's issues. She replied that she had decided on a candidate, but not because he represented her interests; rather, she was a friend-of-a-friend. She said that none of the candidates addressed what people like her needed. But, once she shared this, she covered her mouth and looked at the open door to the laundry room. She stood up from her chair and briskly walked over to look outside the doorway. Gaining reassurance that no one was close enough to overhear her, she gave me a long list of priorities she wished the government would pursue. Her concerns revolved around childcare, healthcare, unemployment, and war reparations.

I was grateful that our delegation was not responsible for making conclusions about the level of democratic freedom practiced in these elections, since we had no way to gauge whether the public was manipulated during the period preceding the elections.

In Nagorno-Karabakh all citizens 18 and older are automatically registered to vote–there’s no separate registration process. Even with the great difficulties of travel, over 75 percent of those eligible managed to cast their votes in the election.

I was excited to participate in this delegation and to get acquainted with its Southern region – especially with Nagorno-Karabakh, which has such a unique history.

I had never had an experience anything like this. It was at times inspiring, contradicting, and tiring, but always fascinating and rewarding. Although the visit was short, the team returned from Nagorno-Karabakh confident that we had gained a well-rounded understanding of this intriguing and complex political situation. Our aim now will be to continue developing that understanding and to help educate others about this little-known part of the world.

Dan Shartin, chapter president at Worcester State College, teaches philosophy, Leontina Hormel teaches sociology at Worcester State and pursues research interests in post-Soviet societies.

The distinctive Armenian crosses, carved in the monastery of St. John the Baptist, are still visible. The Azeri forces destroyed most of the crosses but the Armenians were determined to recover them.