



## Massachusetts Department of Higher Education

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Carlos E. Santiago  
*Commissioner*  
Chris Gabrieli  
*Board Chairman*

### MEMORANDUM

**TO:** All State University Presidents

**FROM:** Carlos E. Santiago, Commissioner

**DATE:** June 25, 2020

**RE:** University Budget Actions during the Current Pandemic and Financial Exigency

As you continue to lead your institutions through the ongoing financial challenges created by the global pandemic, I know that you have been doing your utmost to preserve existing staffing and service levels. Unfortunately, the economic effects of the pandemic, as well as uncertainty about state and federal funding, create the need for many of you to consider difficult decisions as you seek not only to protect the continued financial viability of your university but also the academic programs and experiences that the Commonwealth's students deserve.

It is likely that your management discussions and decision-making processes will include implementing cost control measures in order address anticipated decreases in revenue in the Fall 2020 semester. Personnel actions such as retrenchments and furloughs are inevitable parts of such discussions.

In order to assist you in your financial and personnel deliberations, I offer some guidelines to follow should you decide to institute retrenchments or furloughs at your institution in order to balance the upcoming fiscal year budget. The guidelines are as follows:

1. Please notify the Department of Higher Education, through Thomas Simard, Deputy Commissioner of Finance and Administration and Michael Murray, Director of Employee and Labor Relations of any proposed retrenchment, lay-off or furlough plan for unionized employees and non-unit professionals.
2. Any proposed lay-off or furlough plan for non-unit professionals will be reviewed by the Department to ensure compliance with law and consistency across the system to the extent possible.
3. Tom Simard and Michael Murray will be available to assist any university in the development and administration of any such plan.
4. As for retrenchments or furloughs of employees covered by collective bargaining agreements, the Board of Higher Education (Board), acting by and through the Department, will delegate its authority as employer of record to a state university upon its request to implement retrenchment procedures under the pertinent collective bargaining agreements and/or bargain furlough plans with the several unions. Such a delegation of

authority is contingent upon the Board, acting through the Department of Higher Education, playing an active role in all negotiations or other meetings on retrenchments, lay-offs and furloughs, including but not limited to, attending all bargaining and other meetings on the personnel actions described above. Michael Murray, the Department of Higher Education's Director of Employee and Labor Relations, will be the Board's representative in these matters. It is expected that Mr. Murray, or his designee, will be given advance and reasonable notice of all bargaining sessions or other meetings and shall attend all such sessions or meetings. He shall also be regularly informed of all proposals, bargaining priorities and positions taken by all parties. No commitments should be made on behalf of the Department or Board of Higher Education without prior approval.

I hope that the above provides you some guidance as you move forward to address the COVID-19 related financial exigencies on your campuses. If I can be of further assistance or if you have any questions, please do not hesitate to contact me.