

**ALL  
IN**  
UNION  
POWER



FIGHTING FOR THE SCHOOLS  
OUR COMMUNITIES DESERVE

Road Map for  
**HIGHER  
EDUCATION  
MEMBERS**

[www.massteacher.org](http://www.massteacher.org)

**Welcome to the Massachusetts Teachers Association.**

And welcome to your new job, your new campus and your new union.

We congratulate you on your decision to join the thousands of dedicated faculty members, librarians, professional staff members, administrators and education support professionals who are the backbone of our community colleges, our state universities and the University of Massachusetts.

The MTA is the largest and strongest advocate for public higher education employees in the Commonwealth. We believe that all employees deserve respect, fair pay and benefits and a good work environment. We also know that a well-funded, high-quality, affordable public higher education system is critical for our students and our state's economy.

We will work with you, students and the community to ensure adequate funding for public higher education and the working conditions that make the Massachusetts public higher education system one of the best in the country.

The following pages will provide you with an overview of the programs and services now available to you as an MTA member, along with other important information.

We look forward to working with you in the years ahead.

Best wishes for a successful career.

Sincerely,



Merrie Najimy  
*President*

Massachusetts Teachers Association



Max Page  
*Vice President*

Massachusetts Teachers Association

# PERSONAL DIRECTORY

Name ..... Phone/Ext .....

Building/Office ..... E-mail .....

MTA Member I.D.# (from membership card) .....

*Chapter President,  
if applicable*

NAME ..... BLDG/OFFICE .....

PHONE/EXT ..... E-MAIL .....

*Grievance Officer*

NAME ..... BLDG/OFFICE .....

PHONE/EXT ..... E-MAIL .....

*Local Association  
President*

NAME ..... BLDG/OFFICE .....

PHONE/EXT ..... E-MAIL .....

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## The MTA Strategic Action Plan and All In Initiative

The MTA is on the move, systematically educating, organizing and mobilizing our 110,000 members to meet the challenges of today and the needs of tomorrow.

By engaging and activating our members under the guidance of our **Strategic Action Plan** and the **All In Initiative**, we are building our organizational power and our strength.

One key priority is to increase the voice of educators in the policy, political, legislative and regulatory processes at the local and state levels.

Through the All In Initiative, we seek to activate all of our members as we advocate for quality public education and improved working conditions.

All members — including those new to the MTA — are strongly encouraged to be active in the union. For information, please consult your local president or field representative and visit [massteacher.org/allin](https://massteacher.org/allin).

Working together, we can make a difference and help shape a bright future for our students, our members and public education.

## What Is the MTA?

When you join your local association, you become part of a family of public higher education faculty and staff that extends well beyond your campus. You are joining with the 110,000 members of the Massachusetts Teachers Association and the 3 million members of the National Education Association. The union provides opportunities for you to work with others who share your professional goals and concerns and who support efforts to improve our state's public higher education system.

The MTA takes the lead for public higher education employees, representing 18,000 employees working on 27 campuses across Massachusetts. Members include full-time, part-time and continuing education faculty, librarians, professional staff, administrators and education support professionals.

Using the strength of a unionized work force and the power of collective bargaining, MTA members negotiate contracts, secure pay raises, defeat anti-employee initiatives and advocate for a well-funded, high-quality public higher education system.

The MTA is a union dedicated to improving the workplace and the quality of life for all public higher education and public school employees and to protecting our hard-won rights. MTA members are dedicated and qualified public employees who believe that education is everyone's birthright and that a good working environment means a good learning environment for the students who attend our public schools, community colleges, state universities and UMass.

Over the years, MTA members have obtained raises for faculty and higher ed employees in spite of months of foot-dragging by our employers in state government. The MTA has effectively lobbied for the passage of early retirement bills and against proposals for increases in health insurance premiums that would unfairly burden employees in public higher education. MTA attorneys have successfully litigated pay equity cases that have resulted in millions of dollars in salary increases for higher education employees and cases that have resulted in the defeat of unpaid furloughs illegally imposed on all state employees.

The MTA provides a forum for higher education leaders to interact, exchange ideas and organize around specific issues. This is especially significant during periods of bargaining because most of the higher ed associations are in negotiations at the same time. The MTA is a source for information on professional issues, contract negotiations, health insurance, retirement benefits, working conditions and salary trends. The MTA continuously monitors and analyzes political decisions that could affect you.

The NEA, the MTA and local associations are highly democratic organizations in which members' views and concerns are vital to the development of policies and programs. Your membership means you have a voice in determining the direction of your campus, as well as education policy on Beacon Hill and in Washington, D.C. There is power in numbers, and we make a difference for public higher education.



The membership of some associations is spread out across many campuses and chapters, while others are contained at one location.

For example, the Massachusetts State College Association and the Association of Professional Administrators have members in chapters on all nine state university campuses and are separately governed by a statewide board of directors. The members of the Classified Staff Union, however, all work at the Boston campus of the University of Massachusetts, so the chapter and association are one and the same.

By joining your association, you become part of a powerful statewide network of public higher education employees with similar professional interests and goals. Your association represents you in contract negotiations and a variety of other areas, providing the technical support of trained and experienced MTA staff.

As a union member, you have the backing and support of a much larger professional association that brings your voice together with those of your colleagues on other campuses to advocate for positive changes, economic parity for employees, favorable contract language and forward-thinking legislative measures.

You also have certain privileges, including:

- Voting in union elections and seeking office.
- Legal protection in the event of an employment-related legal problem.
- A voice on Beacon Hill.
- Employment liability insurance.
- Group discount purchasing power.
- Access to a range of MTA resources.

Remember to always contact your local leadership when issues relating to employment arise.

## MTA-Affiliated Public Higher Education Unions

MTA affiliates represent faculty, librarians and staff in the University of Massachusetts system at:

- Amherst (Massachusetts Society of Professors, Professional Staff Union and University Staff Association)
- Boston (Faculty Staff Union, Professional Staff Union and Classified Staff Union)
- Lowell (Massachusetts Society of Professors at Lowell, Grant and Contract Funded Employees Association, Maintenance and Trades Union and Classified/Technical Union)

The Massachusetts State College Association and the Association of Professional Administrators represent faculty, librarians and administrators on all nine state university campuses. The campuses are:

- Bridgewater State University
- Fitchburg State University
- Framingham State University
- Massachusetts College of Art and Design
- Massachusetts College of Liberal Arts
- Massachusetts Maritime Academy
- Salem State University
- Westfield State University
- Worcester State University

The Massachusetts Community College Council membership includes faculty and professional staff at the state's 15 community colleges. The campuses are:

- |                                 |   |
|---------------------------------|---|
| ■ Berkshire Community College   | ■ Middlesex Community College             |
| ■ Bristol Community College     | ■ Mount Wachusett Community College       |
| ■ Bunker Hill Community College | ■ Northern Essex Community College        |
| ■ Cape Cod Community College    | ■ North Shore Community College           |
| ■ Greenfield Community College  | ■ Quinsigamond Community College          |
| ■ Holyoke Community College     | ■ Roxbury Community College               |
| ■ MassBay Community College     | ■ Springfield Technical Community College |
| ■ Massasoit Community College   |   |



# MTA – Serving the Massachusetts Public Higher Education Community

## MTA Staff

The MTA has a staff of approximately 140 people working around the state. MTA divisions work directly with members at all levels.

## Division of Higher Education

The MTA Division of Higher Education is mainly composed of field staff who work with chapters and associations of faculty, administrators and staff employed by the University of Massachusetts system (at the campuses in Amherst, Boston and Lowell), the nine state universities and the 15 community colleges. The staff members provide assistance to chapters and associations with negotiating, contract enforcement, political action and organizing.

## Communications

The MTA Division of Communications keeps members, the public, the news media and opinion leaders informed about member issues and concerns. It also provides public relations expertise to chapters and associations. The division publishes four issues a year of *MTA Today*, MTA's award-winning magazine; maintains the MTA website, [www.massteacher.org](http://www.massteacher.org); and communicates through a variety of social media. Visit [massteacher.org](http://massteacher.org), [twitter.com/massteacher](https://twitter.com/massteacher), [facebook.com/massteacher](https://facebook.com/massteacher), [instagram.com/massteacher](https://instagram.com/massteacher) and [youtube.com/massteacher](https://youtube.com/massteacher).

## Government Relations

The Division of Government Relations is responsible for MTA's legislative and political activities. Each year, MTA's lobbyists testify and advocate for and against scores of important bills that affect MTA members. The division also assists the MTA Candidate Recommendation Committee and works with members to help elect MTA-recommended candidates to Congress, the Legislature and the governor's office, as well as other statewide offices.

## Legal Services

MTA/NEA members and local associations receive legal assistance in accordance with MTA's Legal Services Policy. MTA's full-time attorneys argue hundreds of cases on behalf of individual members and associations, and the MTA retains outside law firms that provide members with services in specialized areas such as workers' compensation. In addition, all MTA/NEA members are protected by \$1,000,000 in liability coverage if they are sued in connection with their employment.

## Research

The MTA research director works closely with the higher education field staff to provide chapters and associations with salary comparisons, research reports, collective bargaining support, customized local surveys and regular updates on data important to MTA and its members.

## Reasons to Join Your Association

As you begin your new career or a new phase of your career in public higher education, one of the actions you should take right away is to join your association, which automatically makes you a member of the Massachusetts Teachers Association and the National Education Association.

**Here are just a few reasons to join:**

**Support.** In coordination with the MTA, your association represents your professional interests on campus, at the bargaining table and in state government. Association leaders are responsible for bargaining contracts that include provisions pertaining to your pay, your work hours, the way you carry out your work responsibilities or conduct your classes, your job security, including

## Massachusetts Teachers Association

The 110,000-member MTA represents public school employees throughout the state, as well as 18,000 full-time, part-time and continuing education faculty, administrators, librarians, professional staff and education support professionals working at community colleges, state universities and the University of Massachusetts.

## National Education Association

With 3 million members nationwide, including more than 200,000 higher education employees, the NEA is the largest college and university faculty and staff organization in the United States.

tenure, and the time you are allowed for vacation, sick time or personal and family leave.

**Networking.** We encourage you to get involved locally and with the MTA. Please consult your local leaders about participating in the MTA Annual Meeting of Delegates, which sets the statewide association's course each year.

You can also meet up with fellow public educators and higher education members in cyberspace. Through the MTA website, [www.massteacher.org](http://www.massteacher.org), and the NEA website, [www.nea.org](http://www.nea.org), you will be connected to other public higher education faculty, librarians and staff from across Massachusetts and throughout the nation. There are specific pages dedicated to higher education and ESPs on both the MTA and NEA websites.

**Legal Assistance.** MTA members receive legal assistance on employment-related matters in accordance with MTA's Legal Services Policy. MTA's full-time attorneys argue hundreds of cases on behalf of individual members, chapters and associations.

**Field Staff.** MTA's Higher Education Division includes a director, a support staff member and field staff who assist higher ed leaders and members with employment issues, recruitment and retention, organizing and political action. In addition, field staff members are available to help plan and coordinate activities during a personnel, contractual or political crisis.

**Member Benefits.** Your MTA membership comes with more than 40 benefit programs and services offered through MTA Benefits. MTAB has a program to meet most of your everyday needs, from eyewear to car rental discounts, auto insurance and travel. You'll be amazed at how quickly your savings add up when you take advantage of your benefits. In addition, MTAB's extensive discount programs enable you to stretch your hard-earned dollars. Visit [mtabenefits.com](http://mtabenefits.com) today.

**Liability Insurance.** All MTA members are protected by \$1,000,000 in coverage if they are sued in connection with their employment.

**Lobbying.** The MTA and the NEA support your local association by providing additional resources, expertise and training, as well as an effective and respected voice for public higher education on Beacon Hill and Capitol Hill.

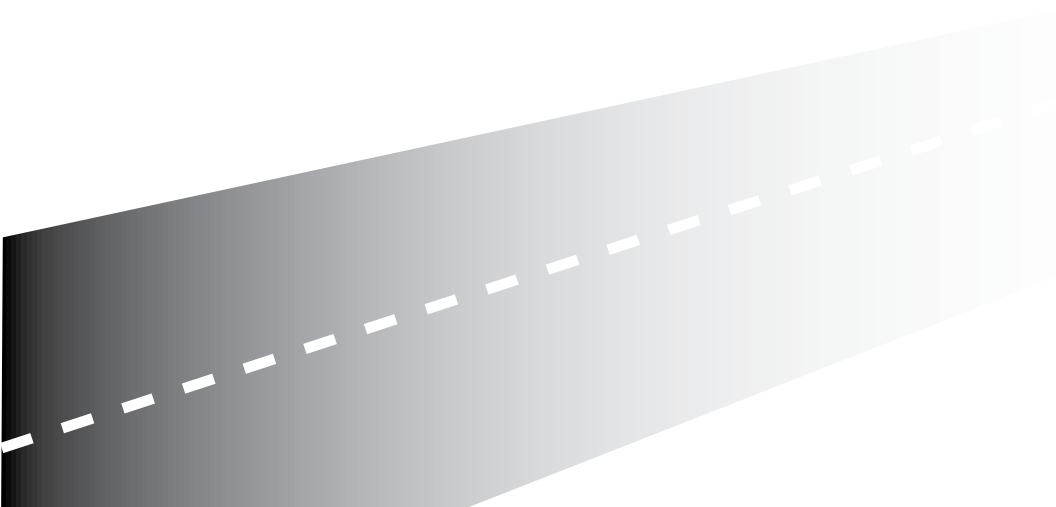
**Training.** The MTA provides members with training throughout the year on all aspects of education. Topics include legal issues relating to employment, contract

negotiations, leadership skills, communications and working with legislators. The MTA also holds an annual Summer Conference that features a variety of workshops, including some designed specifically for higher ed members. Please consult your local leaders for information on the conference and see the guide posted online at [www.massteacher.org/summer](http://www.massteacher.org/summer).

**Public Relations.** Through a comprehensive public relations campaign, we work continuously to remind citizens, legislators and opinion-makers of the vital role that public higher education and public higher education employees play in the future of our state economy. We are advocates for public higher education in all forms of media. In addition, public relations assistance is provided to chapters and affiliates upon request.

**Publications.** All association members receive the award-winning *MTA Today* with the latest information about education developments, news of interest and feature stories. The MTA also communicates individually with its members through direct mail and e-mail concerning issues such as political action, budget crises, collective bargaining and pertinent legislation.

**Representation.** As a state employee, you are directly affected by decisions made on Beacon Hill. The governor, the Legislature, the state Board of Higher Education and the UMass Board of Trustees all have the power to make decisions about your health care, your pension and the fiscal strength of your campus and our public higher education system. Wherever statewide decisions are being made, the MTA is there representing your views.



# The Road to a Funded Contract

Association of Professional Administrators (APA)  
 Classified Staff Union (CSU)  
 Classified/Technical Union (CTU)  
 Faculty Staff Union (FSU)  
 Grant and Contract Funded Employees Association (GRACE)  
 Maintenance and Trades Union (MTU)  
 Massachusetts Community College Council (MCCC)  
 Massachusetts Society of Professors (MSP)  
 Massachusetts Society of Professors at Lowell (MSP Lowell)  
 Massachusetts State College Association (MSCA)  
 Professional Staff Union (PSU)  
 University Staff Association (USA)

**Higher Ed associations represented by the MTA**

## **State Board of Higher Education**

negotiates with community college and state university employees

and

## **University of Massachusetts Board of Trustees**

negotiates with UMass employees

---

## **Steps Involved:**

1. Associations elect or appoint bargaining committees, which prepare proposals based on input from members.
2. Negotiations.
3. Union ratification.
4. Signoff by UMass Trustees or Board of Higher Education. (Most non-economic provisions take effect at this point.)
5. Governor files funding legislation.
6. Legislature approves funding.
7. Governor signs funding legislation.
8. Economic provisions are implemented in accordance with the dates in the contract.



**AN  
AGREEMENT  
IS MADE**

### **Massachusetts Chapter 150E**

Contracts are negotiated under the terms outlined in Massachusetts Chapter 150E, the state statute that provides public employees with the right to unionize and sets guidelines for negotiating wages and working conditions.

*<https://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXXI/Chapter150E>*



## **“The Contract”**

### **Your Collective Bargaining Agreement Covers**

- ★ Pay
- ★ Rights and Responsibilities
- ★ Work Year, Workweek or Workday
- ★ Evaluation
- ★ Grievance Procedure
- ★ Sick Leave, Time Off (Including Family Leave)
- ★ Job Protection Standards (e.g., Probation, Tenure, Just Cause)



**Read Your Contract!**

## Weingarten Rights: Your Right to Representation

Weingarten rights, as established in a 1975 United States Supreme Court decision — *NLRB v. Weingarten, Inc.* — guarantee an employee the right to union representation during an investigatory interview. The state Department of Labor Relations (formerly the Division of Labor Relations) has adopted the Weingarten rules for public employees covered by Massachusetts General Laws, Chapter 150E. These rights are based upon private- and public-sector collective bargaining laws.

### Which situations give rise to Weingarten rights?

- > Weingarten rights arise when the employer is investigating an incident or an allegation and the employee being questioned has a reasonable expectation that the investigation may result in his or her own discipline.
- > An employee is entitled to union representation if the employer is investigating an employee's alleged misconduct or inadequate work performance and convenes a meeting to elicit facts or get the employee's "side of the story."
- > Or, the employer may be investigating a situation in which the "wrongdoer" is unknown. If an employee believes his or her participation in the investigation could lead to discipline, the employee is entitled to union representation.
- > Weingarten rights can arise at any stage of an investigation. The employer may not have gathered any facts yet, may have some facts but not yet know whether discipline is warranted, or may have enough facts to know that some form of discipline is likely. What matters is that as soon as the employer seeks to discuss the issues or allegations with an employee who reasonably thinks he or she could be disciplined as a result of the investigation, the employee is entitled to have a union representative.

*If a situation occurs that you believe could affect your employment, then you may be entitled to union representation. **Do not be shy about this. Protect yourself!***

**Which situations DO NOT give rise to Weingarten rights?**

- > The meeting or discussion is merely for the purpose of conveying work instructions, training or needed corrections.
- > The purpose of the meeting is simply to inform the employee about a disciplinary decision that has already been made and no information is sought from the employee.
- > The employer has clearly and overtly assured the employee prior to the interview that no discipline or adverse consequences will result from the interview.
- > The employee initiates the discussion after the employer has made it clear that the matter may have disciplinary consequences.

For a Q&A on Weingarten rights, go to [massteacher.org/weingarten](https://massteacher.org/weingarten).

**YOUR WEINGARTEN RIGHTS**

An employee in a unionized workplace who is called into a meeting with his or her employer that may lead to disciplinary action is entitled to union representation upon request. Because the law does not specifically require a supervisor to inform employees of this right at or before such a meeting, the employee must state that he or she wants a union representative present. Once the request is made, the meeting must terminate until a representative is present. Faculty and staff cannot lawfully be disciplined for invoking this or any other union right.



## Liability: Protection Is Automatic with Your MTA/NEA Membership

The Educators Employment Liability Insurance Program gives you financial protection and expert legal representation in the event that you are faced with a lawsuit related to your employment. The program provides:

- \$1,000,000 in liability insurance.
- \$300,000 in liability insurance for civil rights claims.
- \$35,000 reimbursement for legal fees and costs related to charges that you violated a criminal statute in connection with your education employment. You must be found innocent or the charges must be dropped to qualify for reimbursement.
- \$1,000 per bond in bail bond protection in the event you are jailed in connection with your employment.
- \$500 for damages to your personal property when damages are caused by an assault in the course of your employment.

### NEA Complimentary Life Insurance (formerly known as NEA DUES-TAB)

This free insurance is a guaranteed benefit to active members who are employed in the field of education. Your coverage is completely automatic and provides four levels of coverage. (1) Basic life insurance coverage up to \$1,000. The amount depends on the length of the member's continuous association membership. (2) Accidental death and dismemberment insurance coverage equal to five times the basic life insurance coverage, up to \$5,000. (3) A special benefit that pays \$50,000 for accidental death or dismemberment that occurs on the job or while acting on association business in the capacity of an association leader. (NEA Retired members are also eligible to receive a \$50,000 benefit for covered events while acting on association business in the capacity of an association leader.) (4) A \$150,000 homicide benefit.

All you have to do is register the name of your beneficiary to enroll in the program. Call toll free: 800.637.4636.

Enroll online at

<http://www.neamb.com/insurance/nea-complimentary-life-insurance.htm>

# Grievance Processing Basics

## 1. What is a grievance?

The exact definition of a grievance is set out in the grievance procedure of your collective bargaining agreement (contract). Only those matters that are contained within this definition constitute a possible grievance. Most commonly, a grievance is defined as a violation, misinterpretation or misapplication of the collective bargaining agreement. It is important to review the grievance definition before filing a grievance.

## 2. How is a grievance different from other interactions with a supervisor?

Filing a grievance is a concerted, protected action—it is a union activity. As an employee covered by a collective bargaining agreement, you have the right to challenge certain decisions made by your employer.

## 3. Who can file a grievance?

Your collective bargaining agreement generally defines who can file a grievance. Typically, a grievant is defined as an employee, a group of employees or the chapter or association. A grievance filed on behalf of a group is sometimes considered a class action grievance.

## 4. Why grieve?

The main reason is to protect your rights. Failure to file a timely grievance means forfeiture. In general terms, filing a grievance allows you or your chapter or association to address problems affecting your work environment and your colleagues. It's a structured dispute-resolution process. The association has a strong interest in enforcing the negotiated terms of the contract and does so through the grievance process.

## 5. When do you file a grievance?

Timelines for filing a grievance are set forth in your collective bargaining agreement and must be strictly followed. Often there is only a short time in which to investigate and file the grievance. Make sure you contact your chapter or association grievance officer in a timely manner to see if you should file a grievance to protect your rights. Failure to file a grievance within the contract's time limits can result in the claim being lost as "untimely filed." You can always withdraw a grievance if new information is learned.

## **6. How do you file a grievance?**

While the law permits you to file a grievance on your own, it is advisable to take advantage of the expertise of your chapter or association before you do so. Contact your association or chapter president or grievance officer. Check the grievance procedure in the contract to determine where to file the grievance and when. Remember that timeliness is essential.

## **7. What are the grievance steps?**

A grievance procedure usually contains steps or levels at which grievances are processed. Steps within the college or university proceed up through management. All higher education contracts include steps that allow for a grievance to be brought to a forum outside the college or university if it is not resolved internally. Some use mediation and arbitration as the final step in resolving grievances. Others use only arbitration.

## **8. If it is determined there is no grievance, what are the alternatives?**

If it is determined that there is no grievance, consult with your UniServ representative to see if a remedy may be found in one or more of the following ways:

- College/university discrimination complaint procedure.
- Unfair labor practice filed at the state Department of Labor Relations.
- Alternative dispute resolution.
- Civil litigation.
- Through the federal Equal Employment Opportunity Commission, Massachusetts Commission Against Discrimination or other agencies.
- Bargaining (either mid-term bargaining or successor bargaining).
- Group action (for example, bringing social, moral and political pressure on managerial or legislative decision-makers).

## **9. What information is needed for a grievance?**

Remember to review the entire grievance procedure and follow it. Check the time limits and use the appropriate form or forms. If there is no form, consult with your association or chapter president or grievance officer regarding filing procedures.

The actual grievance should include the following basic information:

1. **Date of the incident.**
2. **Date the grievance is filed.**
3. **Sections of the contract violated.**
4. **Description of the complaint.**
5. **Remedy requested.**

#### **10. Do all grievances result in arbitration?**

No. The grievance procedure is an extension of the collective bargaining process. A grievance reflects a problem. Problems can often be resolved by mutual agreement. Upon investigation, some grievances, in light of the contract, do not add up. Some flag issues not covered by the contract that can be addressed later at the bargaining table.

## **When You Should Contact Your Union**

When in doubt, reach out!

There are many “unknowns” when you begin a new job in a new environment. If you haven’t been a public employee before, worked in academia or been part of a union, you may have a lot of questions. Don’t be reluctant to ask questions and live by the motto, “When in doubt, contact your association.”

It is important for members, especially new members, to contact their union leadership when questions or problems arise. It never hurts to double-check information provided by your employer. A second opinion is always helpful, so feel free to inquire regularly. Your president should be able to provide you with the answer or put you on the right track.

#### **Contact your union leadership if:**

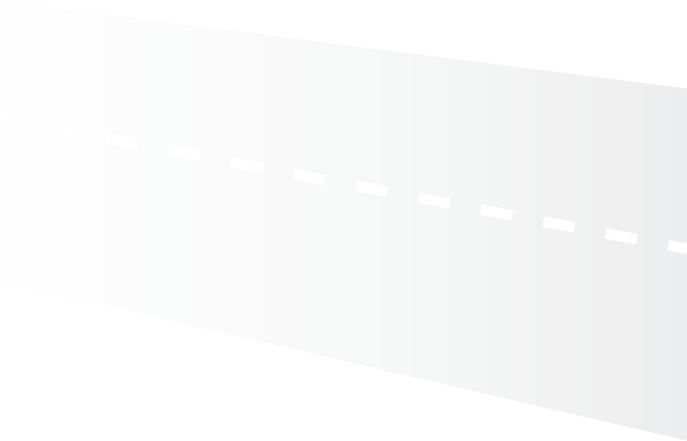
- You have concerns about a performance review or evaluation or have questions about tenure.
- You’re considering asking for a leave of absence.
- You need information to help you apply for a promotion or a salary increase.
- You’re worried that you may face disciplinary action.

Reach out to your association *before* there is a problem. That way your union leaders, who have a range of MTA resources available to them, can talk to you confidentially, address the situation and take swift action. Remember—help is just a phone call away.

## Make a Professional Papers File

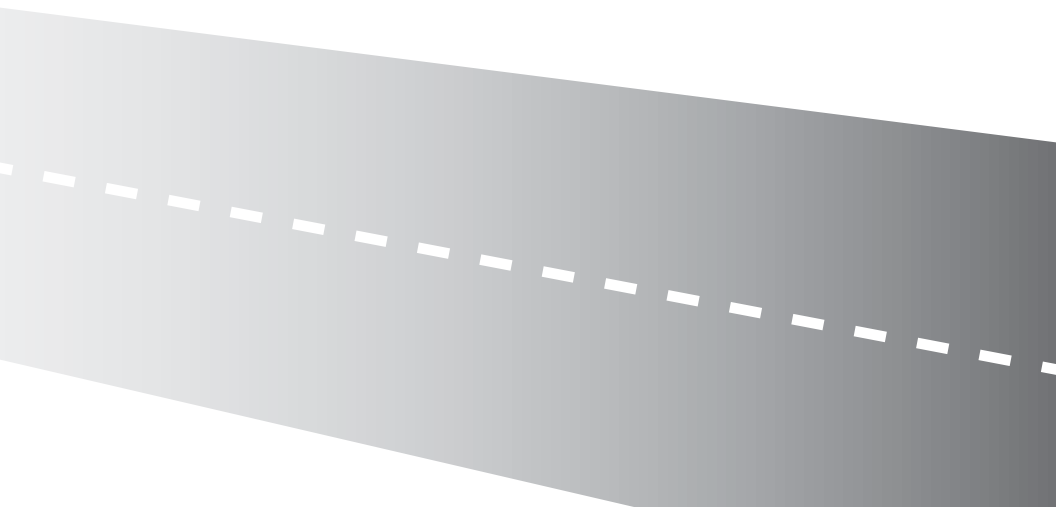
You never know when something unforeseen could affect your position, salary, reputation or financial status. Once a problem occurs, there usually is not enough time to search for all of your records. In order to be prepared for such an occurrence, members are urged to keep an up-to-date “Professional Papers” file of documents related to employment. This information provides an organized record if a crisis arises. If a problem does arise, you should contact your chapter or association president immediately.

*Check the items once they are complete.*

- Your employment contract and any supplemental contracts.
  - Your letter of employment.
  - Record of educational background, including certificates and licenses.
  - Records relating to retirement benefits. Keep these records indefinitely!
  - Your salary schedule and yearly salary notice.
  - Any letters of praise or reprimand.
  - All evaluations.
- 

- Records of any job-related seminars, workshops or conferences that you attended or addressed individually or as part of a panel.
- Proof of your membership in your chapter or association, the MTA and the NEA.
- Job history.
- Sick leave records.
- Copies of your schedule, duties and assignments.
- Any correspondence to or from the campus administration.
- Summaries of any conferences with supervisors.
- College or university service, including work on committees and events.
- Publications.
- Documentation of awards, honors or commendations.
- Record of any incidents, such as disciplinary actions, accidents, etc.
- Your association's collective bargaining agreement—hard copy or electronic version.

In addition to saving these materials, you may want to read and file your employer's personnel policies and any other general policies that have been issued. You should also review your personnel file on a regular basis.





## State Laws Affect Your Profession. Use Your Voice to Affect State Laws!

Decisions that have a direct effect on your daily work life as a public higher education employee are made on Beacon Hill. It's important that your elected officials hear from you before deciding on issues that can change your financial or professional standing.

### Bills and the State Budget

- Once work at the bargaining table is complete, your union contract must work its way through the legislative process. The governor must file a contract funding bill, the House and Senate must approve the bill, and then the governor must sign the legislation into law.
- Each year, bills affecting different areas of public higher education—funding, health insurance for state employees and pension rights—are filed in the Legislature.
- Funding for public higher education is included as part of the yearly state budget. The long and involved process requires the governor and the members of the House and Senate to reach an agreement before the end of each fiscal year on June 30.



#### **In fiscal 2018, Massachusetts ranked 45th in the nation**

*—near the bottom among the 50 states—in state support for higher education as a share of personal income. When adjusted for inflation, state appropriations for public higher education have dropped by 26 percent since 2001.*

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**“When too many Americans don’t vote or participate, some see apathy and despair. I see disappointment and even outrage. And I believe that out of this frustration can come hope and action.”**

Paul Wellstone, two-term U.S. senator from Minnesota known for his progressive politics, who died in a plane crash in 2002

## Add Your Voice to the Debate

Your state representative and senator were elected to represent you! As a member of our public higher education system, you have a unique perspective and a powerful voice. You can explain the real-life impact that legislators’ decisions have on our public colleges and university system and the students who attend them. Let them know where you stand on issues that are important to you.

**The MTA’s Legislative Action Web page** is a valuable resource. Here you can discover how to be active in the legislative process through MTA’s Legislative and Political Action Teams, read the MTA’s full legislative agenda and learn more about how the Massachusetts Legislature funds public schools and colleges.  
*[massteacher.org/legislation](http://massteacher.org/legislation)*



## An Important Decision for Your Future

### The Optional Retirement Program or the State Employees' Retirement System?

The MTA recommends that you take the following steps and consider the following points before you elect either the Optional Retirement Program (ORP) or the State Employees' Retirement System (SERS). The ORP is available only to faculty and certain other higher education employees. The ORP is a defined-contribution plan; the SERS is a defined-benefit plan. The Department of Higher Education website ([www.mass.edu/forfacstaff/orp/home.asp](http://www.mass.edu/forfacstaff/orp/home.asp)) points out that in a defined-benefit plan, "the employer bears the investment risk."

**See a financial planner.** It is important and advisable to seek the advice of an independent, qualified financial planner before you make this decision. College and university representatives, plan representatives and union representatives are not qualified to advise you regarding which choice is better for you.

**Your decision is irrevocable.** Eligible employees must enroll in the ORP within 180 days of initial eligibility, typically the first day as an employee. Once your choice to join the ORP or SERS is finalized, it is almost certain that you will not be allowed to change your mind. A 2011 law did allow those previously enrolled in the ORP a one-time opportunity to change participation to the SERS. No further such law is contemplated.

*Given the complicated nature of this program and the seriousness of your decision, you may want to seek out more detailed information on the Department of Higher Education's website at [www.mass.edu/forfacstaff/orp/home.asp](http://www.mass.edu/forfacstaff/orp/home.asp) and the SERS website at [www.mass.gov/retirement](http://www.mass.gov/retirement).*

**Consider portability.** If you leave state employment, different rules apply regarding withdrawal and rollover of your SERS contribution or of your ORP account. For more information, see the Department of Higher Education's website at [www.mass.edu/forfacstaff/orp/home.asp](http://www.mass.edu/forfacstaff/orp/home.asp)

#### **Early retirement incentive laws have not applied to members of the ORP.**

From time to time, the state Legislature has passed early retirement bills that grant SERS members additional years of age or creditable service in order to promote retirement. Such bills have applied only to SERS members.

#### **ORP members are affected by the Government Pension Offset and Windfall Elimination Provision to the same extent as members of SERS.**

Because Massachusetts does not participate in the Social Security system, federal law may

reduce your expected Social Security benefits. Becoming a member of the ORP does not shield you from the effects of the Government Pension Offset or the Windfall Elimination Provision.

More information is available at [www.mass.edu/forfacstaff/orp/home.asp](http://www.mass.edu/forfacstaff/orp/home.asp)

*This choice can be difficult. For that reason, we strongly suggest that you see an independent financial planner before deciding.*

The MTA and the NEA are campaigning for passage of federal legislation that would repeal two provisions that have a deleterious effect on retirement benefits for public employees in states like Massachusetts. To stay informed and get involved in the fight to defeat the Government Pension Offset and the Windfall Elimination Provision, please visit:

[www.nea.org/home/16567.htm](http://www.nea.org/home/16567.htm)

## Links to Information on the Web

### MTA and NEA

#### Massachusetts Teachers Association

The 110,000-member MTA represents 18,000 faculty and staff members who work on 27 campuses throughout Massachusetts, as well as public school employees across the Commonwealth.

[www.massteacher.org](http://www.massteacher.org)

#### National Education Association

The NEA, with 3 million members, is the largest college and university faculty organization in the United States, representing more than 200,000 higher education employees nationwide.

[www.nea.org](http://www.nea.org)

#### MTA Benefits

MTA Benefits, a wholly owned subsidiary of the MTA, provides members with a vast array of competitive programs to help with life outside of work. Benefits and services include insurance, financial services, health and wellness discounts, travel and entertainment.

[www.mtabenefits.com](http://www.mtabenefits.com)

## **MTA Public Higher Education Affiliates**

### **Association of Professional Administrators**

The APA represents professionals working in administrative-level positions at the nine state universities. They include admissions directors, academic and career counselors, assistant deans, registrars, IT professionals, facilities directors, nurses and financial aid officers.

*[www.maapa.org](http://www.maapa.org)*

### **Classified Staff Union**

CSU members hold a variety of jobs on the UMass Boston campus. They work in maintenance, telecommunications, information technology, the library and various academic and administrative departments.

*[www.csu.umb.edu](http://www.csu.umb.edu)*

### **Classified/Technical Union**

The CTU, located at UMass Lowell, represents workers who handle a variety of administrative and technical responsibilities on campus.

*[www.uml.edu/HR/Labor-Relations/classified-technical.aspx](http://www.uml.edu/HR/Labor-Relations/classified-technical.aspx)*

### **Faculty Staff Union**

The FSU represents full-time and part-time faculty members and librarians in both the day and continuing education programs at UMass Boston.

*[www.fsu.umb.edu](http://www.fsu.umb.edu)*

### **Grant and Contract Funded Employees Association**

Members of GRACE carry out a variety of functions on the UMass Lowell campus. They are educators, scientists, trainers and administrators.

*[www.uml.edu/HR/Labor-Relations/grants-contracts.aspx](http://www.uml.edu/HR/Labor-Relations/grants-contracts.aspx)*

### **Maintenance and Trades Union**

The MTU includes employees in maintenance and trades at UMass Lowell.

MTU members are tasked with the upkeep of the campus. They run the power plant, plow the streets and keep the buildings clean.

*[www.uml.edu/HR/Labor-Relations/Maintenance-Trades.aspx](http://www.uml.edu/HR/Labor-Relations/Maintenance-Trades.aspx)*

### **Massachusetts Community College Council**

The MCCC represents full-time, part-time and adjunct faculty and professional staff, including librarians and counselors, at all 15 state community colleges.

*[mccc-union.org](http://mccc-union.org)*

### **Massachusetts Society of Professors**

The MSP represents full-time and part-time faculty and librarians at UMass Amherst.

*[umassmsp.org](http://umassmsp.org)*

**Massachusetts Society of Professors at Lowell**

MSP Lowell includes full-time faculty members and librarians at UMass Lowell.  
[faculty.uml.edu/msp](http://faculty.uml.edu/msp)

**Massachusetts State College Association**

The MSCA includes full-time and part-time faculty and full-time librarians who work in the day, evening and continuing education programs at Massachusetts' nine state universities.  
[mscaunion.org](http://mscaunion.org)

**Professional Staff Union**

The PSU represents full-time and part-time professional staff on the Amherst and Boston UMass campuses.  
[umass.edu/psumta](http://umass.edu/psumta)

**University Staff Association**

The USA represents clerical and technical staff members at UMass Amherst.  
[universitystaffassociation.org](http://universitystaffassociation.org)

**Government Agencies and Programs**

## PUBLIC HIGHER EDUCATION EMPLOYERS

**The University of Massachusetts Board of Trustees**

The trustees represent the university administration in negotiations with all UMass employees.  
[www.umassp.edu/bot](http://www.umassp.edu/bot)

**Massachusetts Department of Higher Education /Board of Higher Education**

The BHE represents the administrations at all nine state universities and 15 community colleges.  
[www.mass.edu](http://www.mass.edu)

## LABOR

**Massachusetts Department of Labor Relations**

The Department of Labor Relations—which includes the former state Labor Relations Commission and Board of Conciliation and Arbitration—is a quasi-judicial agency tasked with enforcing the Commonwealth's collective bargaining laws.  
[www.mass.gov/dlr](http://www.mass.gov/dlr)

## RETIREMENT AND PENSION

### **State Board of Retirement**

The board, which is chaired by the state treasurer, administers state pension benefits.

[www.mass.gov/retirement](http://www.mass.gov/retirement)

### **Optional Retirement Program**

An alternative to the State Employees' Retirement System for faculty in public higher education.

[www.mass.edu/forfacstaff/orp/home.asp](http://www.mass.edu/forfacstaff/orp/home.asp)

### **Key Features of the SERS and ORP**

[www.mass.edu/forfacstaff/orp/comparingfeatures.asp](http://www.mass.edu/forfacstaff/orp/comparingfeatures.asp)

## MEDICAL/DENTAL

### **Group Insurance Commission**

State-run agency tasked with administering health care benefits for active and retired state employees, their dependents and survivors, and certain municipal employees.

[www.mass.gov/gic](http://www.mass.gov/gic)

### **Massachusetts Public Employees Fund**

State-run dental and vision benefits program administered by joint labor-management board. This program is available to PSU, CSU, GRACE, MTU and CTU members.

[www.mpefund.org](http://www.mpefund.org)

### **MTA/BHE Health and Welfare Trust**

MTA/BHE-run dental benefits program administered by joint labor-management board.

[www.mass.edu/forfacstaff/healthwelfare/home.asp](http://www.mass.edu/forfacstaff/healthwelfare/home.asp)

## **Useful NEA Sites**

### **NEA Higher Ed**

[www.nea.org/he](http://www.nea.org/he)

### **FAQ: Organizing and Collective Bargaining**

[www.nea.org/home/35267.htm](http://www.nea.org/home/35267.htm)

**National Council for Higher Education**

[www.nea.org/home/32959.htm](http://www.nea.org/home/32959.htm)

**Legal Issues Concerning Academic Freedom**

[www.nea.org/assets/docs/HE/legalissues.pdf](http://www.nea.org/assets/docs/HE/legalissues.pdf)

**Useful MTA Sites****MTA's Higher Education Division**

[massteacher.org/about-the-mta/staff-directory/1255](http://massteacher.org/about-the-mta/staff-directory/1255)

**MTA Today Online**

[massteacher.org/mtatoday](http://massteacher.org/mtatoday)

**MTA Benefits**

[www.mtabenefits.com](http://www.mtabenefits.com)

**Part-Time MTA Regional Retirement Consultants**

[massteacher.org/mta-membership/retirement-planning](http://massteacher.org/mta-membership/retirement-planning)

**Also of Interest****Commonwealth of Massachusetts**

[www.mass.gov](http://www.mass.gov)

**Massachusetts Legislature**

[www.malegislature.gov](http://www.malegislature.gov)

**Massachusetts Budget and Policy Center**

[www.massbudget.org](http://www.massbudget.org)

**Massachusetts Jobs With Justice**

[www.massjwj.net](http://www.massjwj.net)

**Public Higher Education Network of Massachusetts**

[www.phenomonline.org](http://www.phenomonline.org)

## GLOSSARY

**Association** The association is the professional organization/union that represents its members' interests through bargaining and grievance procedures, as well as political action, professional development and other means. PreK-12 employees are traditionally members of locals, while higher education members belong to chapters or associations. The chapter is based on campus and is the voice for employees on a particular campus, while the association serves as the umbrella group for all of the campus-based chapters within that particular union.

**Bargaining Unit** A group of employees with similar employment interests who are represented by a single union and covered by the same collective bargaining agreement.

**Collective Bargaining Agreement (CBA)** The CBA may be referred to simply as “the contract” or “the agreement.” It is the agreement negotiated between the association and the UMass Board of Trustees or the state Board of Higher Education that determines wages, hours and conditions of employment.

**Defined Benefit** A defined-benefit pension plan is also known as a traditional plan. An employer puts money aside for its employees, manages it and guarantees a specific amount of money for life upon retirement. The total amount of the pension depends on your age, length of creditable service, the amount of your average annual compensation and your job classification. The state retirement system is a defined-benefit plan.

**Defined Contribution** A defined-contribution pension plan provides retirement income that, for the most part, is based on the account balance at the time of retirement. Plan contributions and the account's investment growth are tax-deferred. Income from a defined-contribution plan can either be fixed or variable, reflecting the nature of the underlying investments. You select the investments for plan contributions. Strong investment performance can help the account grow, providing large benefits at retirement. Conversely, poor investments can result in little growth. The state's Optional Retirement Program is a defined-contribution plan available to faculty and certain administrators.

**Grievance** A claim filed by an association on behalf of an employee, a group of employees or the union contending that the employee's rights under the contract were violated.

**Higher Education Leadership Council** Best known as HELC. An MTA committee made up of MTA higher education presidents and Board members that was established to advocate for the interests of higher ed members. During times of collective bargaining, HELC members coordinate actions at the bargaining table on behalf of all higher education employees.

**Just Cause** A legal standard for dismissing or disciplining an employee after completion of the probation period.

**Retrenchment** Similar to Reduction in Force, meaning layoffs due to funding cuts or program changes.

**Segment** Term used to describe the three sections of public higher education in Massachusetts. They are community colleges, state universities and the University of Massachusetts.



### Visit the MTA at:

- » [massteacher.org](http://massteacher.org)
- » [twitter.com/massteacher](https://twitter.com/massteacher)
- » [facebook.com/massteacher](https://facebook.com/massteacher)
- » [youtube.com/massteacher](https://youtube.com/massteacher)
- » [instagram.com/massteacher](https://instagram.com/massteacher)



## MATERIAL SAFETY DATA SHEETS

The Massachusetts Right-to-Know law applies to public-sector employees in Massachusetts, including higher education employees. The Right-to-Know law is similar to the federal Hazard Communication Standard administered by the Occupational Safety and Health Administration (OSHA), which regulates private-sector workplaces. The Right-to-Know law requires that information on chemical hazards be given to employees who may be exposed to toxic or hazardous chemicals in the workplace. The law requires employers to label containers of chemicals, provide written instructions or training to employees on chemical hazards and safe work procedures and give employees access to Material Safety Data Sheets (MSDSs).

MSDSs are the primary instruments for transmitting detailed information about any and all chemicals used in the work environment. Many employees will work with or handle chemicals in the course of their employment. MSDSs will be sent to the employer by the company producing the chemical. These sheets should be sent with the first shipment of any chemical and with the first shipment after an MSDS has been updated. These MSDSs must be kept on file and be readily available at all regular work sites and storage facilities.

Many employers are remiss when it comes to providing training and making this information readily available for viewing by employees. However, this should not prevent you from asking your supervisor to show you a copy of all MSDSs. Carefully look through all of those sheets and determine which chemicals are used by you or other employees in your work area. Ask for a copy of all those data sheets.

If a student is exposed to a chemical for which you are responsible or that is used in your work area, and that student suffers an adverse reaction, you are legally immune from liability under state law for any negligent or wrongful acts, as long as you were working within the scope of your duties and pursuant to employer directives, unless your conduct is deemed grossly negligent or reckless.

## **An MSDS often contains at least nine sections of very important information that you should know:**

- 1. Name of Product** including the name of the chemical and/or trade name.
- 2. Hazardous Ingredients** including the names of all the chemicals that can be harmful.
- 3. Physical and Chemical Characteristics** including appearance, odor, boiling point, solubility in water, vapor pressure, etc.
- 4. Fire and Explosion Hazard Data** including the temperature at which the product ignites (flashpoint), extinguishing media, special firefighting procedures and unusual fire and explosion hazards.
- 5. Health Hazard Data** including symptoms of overexposure (skin rash, dizziness, headache, etc.) and emergency first aid procedures.
- 6. Reactivity Data** including information about the stability of the chemical and how it reacts to heat and sunlight, conditions to avoid, other chemicals with which this chemical is incompatible, hazardous decomposition products, etc.
- 7. Spill or Leak Procedures** including steps to be taken in case the material is released or spilled and waste-disposal method.
- 8. Special Protection Information** including information about respiratory protection, ventilation required and personal protection items necessary for safe use (rubber gloves, respirator, eye protection and other protective equipment).
- 9. Special Precautions** including precautions to be taken in handling and storing this chemical and any other precaution that the company producing the chemical believes the consumer should know.

In addition, the company that manufactured the chemical will often have information at the bottom of the MSDS regarding how to make contact with the company in an emergency medical situation. The chemical company will often include a cover letter reviewing information on how best to use this product. Take the time to ask for and to read all MSDSs for any chemicals for which you are responsible or that may be used in your work area.









800.392.6175

[www.massteacher.org](http://www.massteacher.org)