

MSP Chronicle

The Massachusetts Society of Professors | Representing Faculty & Librarians on the UMass Amherst Campus



From the President's Desk

By Eve Weinbaum, MSP President

Welcome to September! I hope you had a restful and fulfilling summer. Here at the MSP, we have been busy finishing up the contract and creating ambitious plans for the year ahead.

First, some good news: on June 25, faculty and librarians ratified our new collective bargaining agreement by an overwhelming margin. You can see the entire new contract here: <https://umassmsp.org/contract/>. Although the state-wide raises allowed by Governor Baker's administration were not impressive, we are keeping up with inflation, and we won full retroactive pay for the 2017-18 academic year. In addition, we were thrilled to achieve many goals that faculty and librarians had identified as top priorities. Read the details in the contract summary in this issue.

In the course of negotiations, we discussed some crucial issues that require more thought and discussion. In consort with the administration, we have created several labor-management committees that will be working on these topics. To fill these working groups, we need faculty and librarians who have interest or expertise in data analysis, gender equity, CPE and online teaching, student evaluation systems, and more. We will be sending more details about these committees – please read your emails and volunteer! Helping the MSP to craft new university policy and contract language is a great way to make a difference and to get credit for university service by working on important issues in a collaborative

setting.

This summer we also learned that Massachusetts is not immune to the national political climate, which is hostile to unions as well as public education. Just two days after we ratified our contract, the U.S. Supreme Court released its decision in *Janus v. AFSCME*, making it more



*Get up,
stand up.
Stand up for
your rights.*

Bob Marley and Peter Tosh

<https://www.youtube.com/watch?v=F6gPBQ4ZyNw>

difficult for all public-sector unions to do our work. Around the same time, the Massachusetts Supreme Judicial Court (SJC) released its decision on the "Fair Share" progressive tax plan that our coalition had worked on for many years. Fair Share would have increased taxes for individuals with

over \$1 million in annual income; that additional income would have been taxed at four percent, and the proceeds would have funded education and transportation. The constitutional amendment necessary for this plan was approved by the Attorney General's office as well as

(continued on p. 4)

SAVE the DATE

Contract Information Sessions
September 17 & 20, 2018, 11 AM-1 PM, Campus Center 904-908

MSP New Member Reception
September 27, 2018,
4-6 PM, 84 McClellan St., Amherst
(Eve Weinbaum's house)
Please RSVP: MSP@umass.edu

Personnel Committee Workshops
September 26 and 27, Noon-1:30 PM, Campus Center 804-808

Tenure Workshops
October 22 and 23, Noon-1:30 PM,
Campus Center 174-176

Senior Lecturer Promotion
Workshop
November 13, Noon-1:30 PM,
Campus Center 801

Have an upcoming event
enhancing MSP's mission you
would like MSP to announce?
Contact the MSP office at:
msp@umass.edu
(413) 545-2206

What is in the New MSP Contract?

By Lori Reardon, MSP Staff

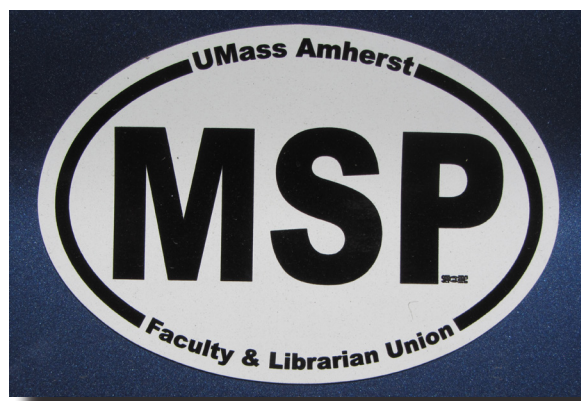
The new MSP contract provides for 2% across-the-board **salary increases** in each year of the three-year deal. Effective dates for the increases are July 1, 2017, July 1, 2018 and July 1, 2019. Merit increases on top of the across-the-board percentages will be provided only if additional funding comes from the state or the UMass administration. Our contract has been sent to the President's office for submission to the legislature for funding. As details become available, MSP will be in touch with members regarding the status of funding and retroactive payments.

In addition to the negotiated salary increases, this contract also secures **research and teaching support funds** for bargaining unit members, **increased salary floors** at every rank, **increased minimums** for teaching OE (formerly CPE) courses, increases to **promotional increments**, and increased **computer replacement** awards. Faculty and librarians will also enjoy increased compensation for teaching **one-credit first year and honors seminars**. Other highlights include language improvements to **strengthen academic freedom** (covering speech outside the classroom) and the **faculty role in major personnel actions** (reinforcing administrative deference to departmental recommendations). This contract will replace the old salary anomaly process with a new, highly data-driven, centrally reviewed process focused on **pay equity and appropriate salary adjustment**. There are additional improvements for unit members who teach **OE (formerly CPE) courses** including retention of intellectual property rights, pay for developing and refreshing courses, right of first refusal to teach a course one has created, and a path to develop a royalty arrangement when one's course materials are used.

A number of **contract enhancements** were also attained for several constituencies in the bargaining unit.

- **Non-tenure track faculty** gains include:

- 1) ensuring that lecturers at 100% FTE are expected to have service responsibilities with a commensurate reduction in teaching load, 2) professional engagement support for all NTT faculty and professional improvement leave (a full semester with pay) for senior lecturers (both at the Dean's discretion based on faculty recommendations; funding support at the Dean's discretion), 3) an end to the practice of "pink slipping" NTT faculty upon appointment, 4) ensuring that job descriptions for NTT faculty are



The MSP magnetic bumper sticker can snazz up your ride. Get one from the MSP Office in Hampshire House.

provided to DPCs for all personnel decisions, and 5) on-base pay (rather than ad comp) for NTT faculty who regularly perform recurring work during periods of non-responsibility (i.e. summer).

- **Librarians** will now be provided an automatic one-year delay in their trajectory toward continuing appointment review upon written notification of the birth or adoption of a child. Library PCs will convene without administrative participation. The AREL has been modified and renamed ALR (Annual Librarian Report) and language for personnel actions has been improved. Finally, language corrections have been made to sick leave and sabbatical accrual moving forward to avoid confusion and reduction in benefits.

- **Clinical nursing faculty** now have established processes for promotion and appointment/reappointment as well as language articulating workload expectations, salary minimums and longevity pay for clinical instructors.

- A joint labor/management committee to bargain conditions for **Research and Extension faculty** will be formed this fall. Items to be discussed at that table include identification of promotion criteria and processes, bridging funds to pay research faculty who are between grants, and negotiating compensation for research and extension faculty who regularly perform work outside of their grants. If you are interested in becoming involved in this bargaining, please let the MSP know by phone (545-2206) or email mzp@external.umass.edu.

Further details about any provision of the new collective bargaining agreement can be found on the MSP website at <https://umassmsp.org/contract/> or by calling the office at 545-2206. In addition MSP will be holding information sessions to answer any questions you may have. They are scheduled for September 17th and 20th in Campus Center 904-o8 from 11 a.m.-1 p.m. We do hope you will be able to join us at one of these sessions. Please let the MSP office know if you plan to attend. ■

Interview with a Member: Brokk Toggerson

The following are excerpts from an interview between the MSP Chronicle and MSP member Brokk Toggerson, Lecturer in the Department of Physics

Chronicle: *Tell me about your path to the University.*

Brokk Toggerson: After I finished my PhD in 2012 I knew I wanted to transition from a research job to a job that was more teaching-focused. I really enjoyed my teaching experience so I started looking for lecturer positions. I got really lucky with a temporary position at the University of Arizona. I was at U of A for two and a half years. When the funding for that temporary position was up, I started searching again and here we are. I was really excited by the prospect of teaching a TBL [team-based learning] course for life science majors which was a main project here at UMass. I had been involved in prototypes of the TBL style classroom at Arizona and so it was an interesting transition.

C: *What semester did you get here?*

BT: That would have been three years ago. I started in the fall 2015.

C: *Tell me about the work you do as a faculty member here.*

BT: For the most part my work centers around this introductory physics for life science course and using that as a vehicle to model and explore research based teaching for myself and then to model and promote it for my department. Now I'm starting to interact more with the college at large. Introductory physics for life sciences is a great course to do this because it's



encapsulated. It's a two semester sequence with no follow-on courses and good students. That's been the center. There have been a lot of tangential projects. We needed more assistants in the classroom, so I started the Physics 390 experimental course which is a course to train undergraduate physics majors who have an interest in education and expose them to the PER [Physics Education Research] community. We need really good graduate TAs to run this course, so I started a graduate TA training course. Through my work it became very apparent that there wasn't a lot of integration across the introductory life science curriculum, so I got a mutual mentoring grant with Lara Al-Hariri [Lecturer in the Chemistry Department], Caleb Rounds [Lecturer in the Biology Department] and Adena Calden [Lecturer in the Department of Mathematics & Statistics] to look at more effective ways to integrate that curriculum.

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Impact of the U.S. Supreme Court Janus Decision

By Mickey Gallagher, MTA

The Supreme Court in a 5-4 decision forced a sea change on US public sector unions like the MSP, the MTA and the NEA. The decision removes the requirement that unit members (that is, those individuals who are covered by a contract) who choose not to join the union that negotiated the contract can be compelled to pay a fee for the maintenance of the contract. Such individuals, sometimes called agency fee payers, will now be allowed to freeload on the backs of dues-paying union members. This is classic union

busting on steroids.

The following two excerpts, one from *MTA Today* and one from *MTA Governmental Update*, explain the case that resulted in a decision and some aspects of the MTA's response to the decision.

Unions No Longer able to Vote on Agency Fee Requirement

Janus v. AFSCME is a case recently decided by the U.S. Supreme Court. The lead plaintiff in the case was an Illinois social worker who

didn't want to pay any union dues or to allow the bargaining unit members to vote on a requirement that all bargaining unit members pay, at a minimum, the expense of collective bargaining and contract enforcement (an agency fee or fair-share fee).

The establishment of an agency fee provided employees of a bargaining unit with the ability to require that all bargaining unit members pay for the direct costs of collective bargaining and enforcement of the union contract

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(President's Desk, continued)

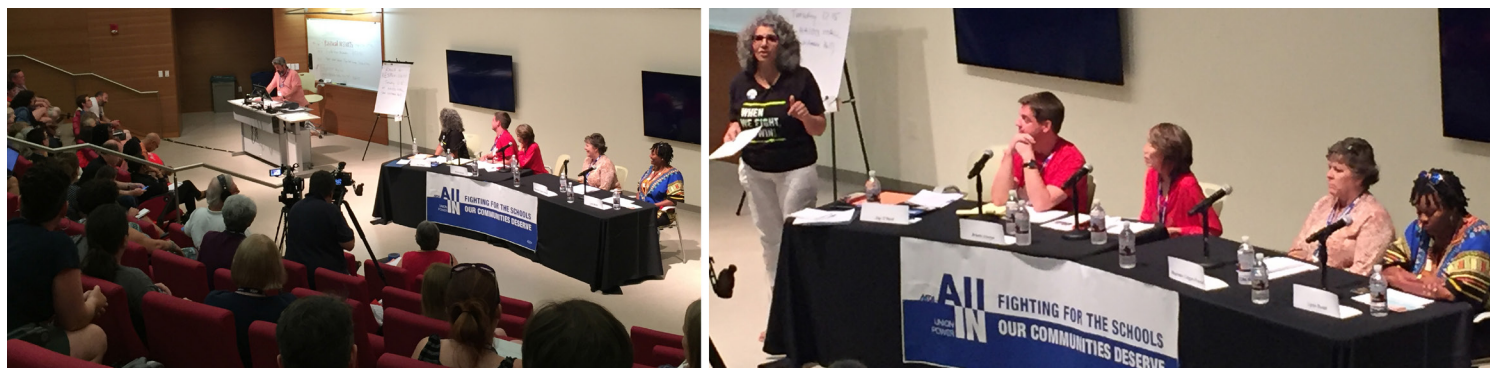
two subsequent legislative conventions. Nevertheless, the SJC members appointed by Governor Baker struck it down at the last minute. This was a huge blow to all of us who were counting on the additional \$2 billion of revenue that the tax would have provided for education and infrastructure.

So we will have to win this funding by other means. We're going to spend time this year talking about how to secure the resources we need to fully fund public higher education in Massachusetts. The Fair Share amendment was expected to bring over \$100 million a year for UMass Amherst – funds that would have supported hiring the faculty and librarians we need, student advising, better working conditions, and increased financial aid to reduce the debt burden that our students carry. All of these remain top priorities, and we will be working with our allies across the state to plan strategies and to persuade the legislature to do the right thing. We look forward to working with all of you on this campaign for full funding, as well as focusing on the particular issues that impact our members.

I hope the semester begins smoothly for everyone. MSP board members and department reps will be attending faculty meetings early in the semester to listen to your concerns and to update you on our activities. Keep in touch – we always want to hear your ideas about how we can work together. ■



Evidence of two-fisted union drinkers in Chicago and Amherst.



Max Page and Merrie Najimi addressing attendees at the MTA Summer Conference held at the ILC on the UMass Amherst campus in August. The conference opening panel featured teachers from West Virginia, Los Angeles and Springfield, MA (at table) talking about preparations they made for strikes and organizing. (Left) Max (red shirt at the podium) addresses attendees. (Right) Merrie (black t-shirt) introduces the panelists.

THE MSP PUZZLE

The MSP continues to play a leadership role in the MTA, our parent union. Barbara Madeloni, MSP member, was President of the MTA for the past four years. And now Max Page, MSP member and former President of the MSP, is the MTA's Vice President. In recognition of this accomplishment, this issue's puzzle is a "Where's Waldo" sort of treasure hunt. All you need to do is to find the number of times that Max appears in this issue. The first reader to submit the correct number by Oct. 31 will win a \$25 gift certificate to Amherst Books. Send your entry to MSPpuzzle@gmail.com. Open to MSP members. Decision of the judge is final. You can't win unless you enter!

(The fine print: there are a number of ways one might interpret what "Max appears" means. That's meant to be part of the puzzle.)

Big Successes at the MTA Annual Meeting

By Dave Gross, MSP Treasurer and MTA Annual Meeting Delegate

The MSP sent 28 delegates – a full slate – to the 2018 Massachusetts Teacher's Association Annual Meeting of Delegates held in Boston at the Hynes Convention Center on May 4 and 5. We'd like to think that we played a role in the huge gains that were won at the meeting.

At the start of the meeting, there was much uncertainty on the part of the progressive caucus within the MTA, the Educators for a Democratic Union, or EDU, as to whether the slate of candidates for President and Vice President who had been vetted and put forward by EDU would be able to win. Four years ago, in a surprise upstart candidacy, our own Barbara Madeloni, with backing from EDU, beat the "system" candidate and became President. (At the time Barbara was a faculty member in the College of Education and an officer of the MSP.) Two years later, Barbara won her reelection bid, but her EDU-supported running mate,

Merrie Najimy, didn't. This year the EDU candidates were Merrie Najimy for President and MSP's Max Page for Vice President. (For those of you who don't know all the history of the MSP, Max was MSP President in the 2000s.)

Prior to the rise of EDU, the MTA presidency had been a rubber stamp of the then-current Vice President. The MTA leadership focused on a service model, favoring legal and contract bargaining help, with a clear tendency toward conciliatory deals with the state when undesirable demands were made by the Governor. The EDU, on the other hand, favors an activist model for the MTA in which proactive efforts such as the Fair Share Amendment are the focus. It was that very item that laid the groundwork for the progressive gains that happened at the 2018 Annual Meeting.

On the first day of the meeting, a business item came up that

proposed to fully fund the campaign to promote the Fair Share ballot initiative to be voted in November. The supporters of the service model used a continuous string of yellow cards (yellow cards are used to ask questions on the current business item, and they have precedence over other cards) to hijack the discussion. A clever parliamentary maneuver by EDU changed the rules for this business item so that other cards could be used to move the item. An amendment by the service side to water down MTA's funding for the campaign was defeated, and the overall campaign was fully funded by a strong majority vote. (Unfortunately, later in the summer the Massachusetts Supreme Court ruled that the Fair Share Amendment was unconstitutional, and it was removed from the fall state election ballot.)

The vote on Fair Share support heralded what was to come. Max, in a three-way race for Vice President, won a majority of votes cast on the first ballot to become MTA's new Vice President and Merrie won a solid majority to become our new President. A business item offered from MSP, to study a change in the MTA dues structure from the highly regressive flat dues fee we now have to one that is much less regressive or even progressive also passed with a strong majority.

It now looks as if the majority of the delegates to the Annual Meeting are in the progressive camp. However, the MTA Executive Board, which still resists many progressive ideas, needs to align itself with the spirit of the Annual Meeting. When you are presented with the opportunity to vote for MTA candidates, be sure to look carefully at their allegiances and vote for progressive change. And come to the 2019 MTA Annual Meeting for a true dose of democracy! ■



MSP members electioneering at the 2018 MTA Annual Meeting of Delegates.

(Brokk Toggerson interview, continued)

I am also looking at the course from a research perspective centering around attitudes towards student self-efficacy, students' own belief to learn the subject, using some standard survey metrics. Now that the courses are starting to mature, we're using more methodical and research-based approaches to make further improvements. I'm using the research that's been done by the physics education research community to motivate what goes on in the classroom and then using what goes on in the classroom to feed back into that community and create this positive feedback loop.

C: Tell me about any previous experience you have with unions.

BT: As a graduate student we were unionized at the University of California Irvine. Grad students for the entire UC system are in a UAW chapter affiliate. For me, that was a really positive experience. The graduate student union was very instrumental in making sure that we had somewhat decent health care and that our TA responsibilities were very clearly enumerated. The union helped prevent overworking of TAs. TA overwork may be a little less common in the sciences, but I have friends who did their graduate work in the humanities where it's very common for TAs to be horribly overworked. When I joined the graduate student union I became a third generation UAW member. My dad worked in the car plants near Ann Arbor and my grandfather worked for GM for forever. After my dad worked in car plants he became a teacher for many years, mostly in North Carolina and later in Georgia. He taught everything from elementary to middle to high school. He got involved with the North Carolina affiliate of NEA and then with GAE [Georgia Association of Educators]. He was the Director at-Large of GAE retired.

C: Wow, that's quite a quite a long string of Union family traditions. Obviously you'll have to be an officer of the MSP one of these days. Tell me about your current involvement with MSP and MTA.

BT: It's been mostly as a member up to this point. I have been trying to get my feet under me. When the MSP holds events that need participants, I am happy to go and be a speaker. I spoke at the contract meeting that we had with the Chancellor and the Provost during the spring semester. I also gave my stories at a bargaining session during the contract negotiations. I had a great time. I went to the MTA annual meeting earlier this summer as a delegate. I'd love to do that again. I'm sort of in an active member role -- I guess that's how I'd phrase it. There are a lot of meetings that, because of my teaching schedule, I find it hard to get to. A lot of faculty members know that they're in a union but they don't quite know exactly what's going on. I try at least to stay somewhat current.

Upcoming MSP Events

Welcome New Members Across Campus!

Over the summer, new employee orientation sessions provided information to librarians, faculty and staff members joining the UMass community this year. During these sessions, the MSP met with dozens of incoming faculty and librarians to welcome them to UMass and provide them with information about the MSP. We are excited to have new members in almost every College and in more than 20 departments across campus. Join us at this year's New Faculty and Librarian Reception to welcome these new members to the MSP!

MSP New Member Reception

September 27, 4-6 PM, 84 McClellan St., Amherst
(Eve Weinbaum's house)

Please RSVP: MSP@umass.edu

MSP Workshops Provide Invaluable Information for Faculty

Our workshops have been very popular and well received in past years. Here's the schedule for this year:

Personnel Committee Workshops

September 26 and 27, Noon-1:30 PM, Campus Center 804-08

Tenure Workshops

October 22 and 23, Noon-1:30 PM, Campus Center 174-76

Senior Lecturer Promotion Workshop

November 13, Noon-1:30 PM, Campus Center 801

Full Professor Promotion Workshops

February 4 and 5, Noon-1:30pm, Campus Center 801

Information on the workshops and requests for RSVPs will be emailed prior to each workshop. Please let the MSP office know if you are interested in attending. See umassmsp.org/workshops/ for materials distributed at previous workshops.

C: We recently ratified a three-year contract that runs 2017 to 2020. What parts of that contract are most important to you?

BT: The parts that are really important to me are those dealing with lecturers. I really like the aspect of making sure that all lecturers have a clear and well-defined job description because it can be quite nebulous. I also really appreciate the opportunities for a professional development leave for senior lecturers. I know that there have been some lecturers who've arranged that for themselves both here at UMass and other institutions, and have gotten really good benefits from it. I think the efforts to begin to address pay inequities that were brought up is also an important step. ■

(Supreme Court, continued)

while opting out of being a union member. As a result of the decision in Janus the right of bargaining unit members to vote on an agency fee requirement has been eliminated. The impact: all employees, whether they pay dues or not, receive all the collective bargaining rights afforded to dues-paying members.

The National Right to Work Legal Defense Foundation and other corporate-funded groups behind this lawsuit seek to weaken unions. We know from experience that weaker unions lead to lower compensation. For example, since public employee union laws were eviscerated in Wisconsin in 2011, median pay and benefits for teachers there has declined by \$10,842.

Massachusetts Public Sector Union Legislative Response

The public-sector labor coalition, of which the MTA is a member, has been working diligently over the past year to develop a legislative response to the Supreme Court's Janus decision. The result of this coordinated effort was comprehensive legislation aimed at providing some basic protections needed as a result of the Supreme Court's decision, including ensuring the right of unions to meet with bargaining unit members and newly hired employees, creating a more stable process by which employees use the employer's payroll system to pay membership dues, and ensuring that a public employee's personal contact information maintained by the governmental employer for internal administrative purposes is not shared with the public at large. The legislation would also allow unions, if they so choose, to recoup the reasonable costs associated with grievance or arbitration proceedings for non-members. Each of these provisions are essential to continued stability in the workplace both for the employer and employees. Additionally, they address many of the issues raised by the Janus decision while also ensuring that all unit members, including non-union members, continue to be fairly represented by the unit's exclusive bargaining agent.




MTA VP and MSP member
Max Page is All In this year.



Photo credits this issue include Eric Berlin, Dave Gross, Eve Weinbaum, the UMass Physics Department website, the MTA, and My Pay, My Say.

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I have been getting pop-up ads like this one from *My Pay, My Say*, an organization funded by the conservative Freedom Foundation, which in turn is funded by conservative billionaires allied with David Koch. Beware! These ads are a direct consequence of the Janus ruling and are explicitly aimed to destroy public unions. See the President's Desk and Supreme Court Janus article in this edition. - Ed.

While this bill was passed by the Senate on July 31, the House failed to act on it prior to the end of formal sessions later that evening. While it is possible that this or other Janus-related legislation be taken up during an informal session in the coming months, it is important to note that the period after July 31 is typically reserved for non-controversial matters and other minor legislative business since unanimous consent is required for a policy to move forward.

We fully expect this legislation, if not acted on during the recess, will be raised again in the new legislative session this coming year. ■



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