

FAQ

December 21, 2020

For the PowerPoint slides from the December 11 MSP membership meeting, see: https://umassmsp.org/site/assets/files/1266/msp_membership_meeting_12_9_20_for_website_pptx.pdf

Breaking news: Congress has just passed a \$900 billion stimulus package that includes \$20 billion for higher education. Based on a preliminary review, we believe that these stimulus funds will make pay cuts or furloughs completely unnecessary, and should be sufficient to bring back the staff currently on indefinite furloughs or reduced time. This is great news. Stay tuned for details...

Q. What is the MSP's response to the administration's proposal for a pay cut?

Based on feedback we received from members at the 12/11/20 meeting and beyond, the MSP's Executive Committee received the clear message that our members do not support the administration's proposal as it stands, and therefore we told the administration we cannot accept it. Instead, we propose three steps:

1. We will not reopen the current contract before February 20, 2021. We will wait until we have more information about federal stimulus funds. We expect stimulus funds to make pay cuts or furloughs unnecessary.
2. IF stimulus funds (plus any other new funds) total less than \$6 million dollars, the administration could begin by asking MSP members for purely voluntary measures to make up the difference.
3. IF "financial exigency" still exists after voluntary measures have been exhausted, at that time we will go back to the table to bargain. The administration would be able to use the retrenchment language in the MSP contract (Articles 22 and 22L), which would allow MSP to negotiate a progressive response that protects our lower-paid members and protects staff and students.

If it is necessary to go to step 3 and enter negotiations, MSP will reach out to members in advance of bargaining, to make sure we know what our members' priorities are. Given the federal stimulus package, we believe that neither step 2 nor step 3 will be necessary.

Q. What do you mean by voluntary measures? Why would anyone want to give up pay?

Voluntary means that individuals would have the option to give their time or money. For example, we have heard from some MSP members -- especially faculty and librarians who are on 12-month contracts -- who would like to take an actual furlough that would give them time off

from work and the ability to collect unemployment insurance. If pandemic unemployment assistance (PUA) is renewed soon, this might be an excellent option for our lowest-paid members. Last summer, PUA provided half pay and an additional \$600/week, which meant that anyone earning less than about \$62,000 per year earned more on unemployment. We might offer that option to anyone interested. We might agree on a menu of other voluntary options. None of this would begin until after February 20, 2021.

Q. Why are we putting forward any offer at all in response to the administration's pay-cut proposal? Why not "Just Say No?"

When the administration approaches us with an offer, even with an offer as unpalatable as this one, it is because they believe they need something. Formal or informal negotiations are a way for us to discover what it is they actually need, and what they would give in return. We're always happy to hear their perspective; that does not commit us to compromising our interests in any way. As always, the MSP's goal is to win the best possible outcome for our members. Rejecting an administration proposal is certainly an option. But even a flat "no" should be part of a larger strategy, and considered in the context of the campus and the world around us.

Q. Why hasn't there been a vote about the administration's offer? Will any agreed-upon offer be voted upon?

If we get to step three of our proposal (negotiating an agreement), we absolutely will bring any tentative agreement to the entire membership for a vote. Unions function as the exclusive bargaining agent of the unit. Members elect the board and officers, and vote to ratify contracts, but we do not directly vote on each and every proposal the administration makes. Instead, negotiations are overseen by the executive committee and the executive board. If negotiations happen, and if a nontrivial agreement is reached, then we would bring it to our members, and the membership as a whole would vote to ratify or reject it. In the meantime, we rely on our executive board members and MSP department reps and other committees to talk with their departments and keep us informed about what our members are thinking.

Q. Would proposed pay cuts be one-time or permanent? Will they affect retirement? Is it a pay cut, or a salary cut?

The proposal is a one-time (not permanent) cut to base pay. The administration proposed cutting pay on average by six percent for the remainder of FY21 -- which would be a three percent cut to annual pay. It could be implemented progressively, which would be negotiated. Any pay cut would affect retirement pay for people in their last three years of service. The administration's proposal made no mention of making us whole should, for example, stimulus money come in. We would have to negotiate any retroactive pay in advance.

Q. If we wait until February 20th (or some other day) would we immediately take pay cuts then?

No! Nor furloughs. Our current view is that there is no rush to action here. There is plenty of money in the UMass system stabilization fund, and there is money in campus reserves, and there is a high likelihood that stimulus funds are coming. A spring date gives all parties time to

plan and address this shortfall in a more thoughtful way. If a hypothetical future trigger date is reached, it would likely be a signal that we should start more formal negotiations, as opposed to immediately accepting cuts.

Pay cuts and Furloughs

Q. We are already carrying bigger loads because lecturers on short-term contracts were not rehired at the start of F20, and because of the hiring freeze that affected staff, faculty, and librarians. Is this proposed cut on top of those cuts?

Yes.

Q. I have a retention agreement that I signed with the administration. Would a pay cut or furlough negate my retention agreement?

We believe the administration has not carefully considered all of the repercussions of their proposal, and we are working to educate them fully on the consequences, including for people with retention agreements.

Q. What are the major differences between furloughs and outright pay cuts?

Pay cuts are an outright reduction in salary; all regular work is expected to be performed as usual. Furloughs are a period of time when you are released from all job duties, you do not draw your regular salary, and you are eligible for unemployment insurance. (You must not work during a furlough, especially if you draw UI, as doing so would be illegal!). The staff unions negotiated that their benefits continued during furloughs.

Q. If we were to accept a furlough, what happens to international faculty/librarians not eligible for unemployment insurance? What about people working remotely who live out-of-state?

In the unlikely event we agree to furloughs, then only eligible employees could claim unemployment insurance. MSP and MTA would be able to assist you in navigating the unemployment system, and we would likely expand the solidarity fund to assist members in these circumstances.

Other Options

Q. Why doesn't the administration start by capping the salaries of non-union administrators?

Why, indeed?

Q. Has UMass always been required to balance its budget every year? Why must it do so?

No; in the past, UMass ran three-year budget cycles. The mandate that each campus run balanced budgets every year (in fact, surpluses in most years) is imposed by the Board of Trustees -- that requirement could be changed at any time.

Q. If \$6 million (or \$11 million) were taken from the stabilization fund or one of the quasi-endowments, there would still be over \$100 million in each, right?

Yes.

Q. What would incentivize the Board of Trustees to release the quasi-endowment funds or to lift the balanced budget requirement?

All of the UMass unions are focusing our attention on the trustees and President Meehan. We believe that our interests should be perfectly aligned with the campus administration's in this respect. We hope that the Chancellor would be more inclined to lobby the trustees rather than acquiesce to unfair rules that would inflict pain on faculty, staff, and students. We will need everyone's help to put pressure on the system to free up the surplus funds that our campus has invested in their funds. A successful effort on all of our parts to convince the Board of Trustees to do the right thing, and to either release 5% of the stabilization fund, and/or to relax the balanced budget requirement, would be a positive outcome.

Q. What are the costs of "retrenchment" according to our contract? Would it increase borrowing costs for capital expenditures? Would it result in layoffs of senior faculty, NTT faculty, or librarians?

Retrenchment is fully described in the collective bargaining agreement (Article 22). It is a drastic step that could impact the University's reputation in all kinds of ways. We don't want to go there, and neither does the administration. It is possible that retrenchment could result in the layoff of faculty or librarians -- but the MSP would have the opportunity to negotiate and to propose alternative cost-saving measures before any layoffs would be implemented. We do not expect retrenchment to be necessary.

Q. Are more early retirement incentives being considered at the state level?

Not at this time.

Other Questions

Q. When are workload adjustment requests for Spring 2021 due?

They are due in APWS no later than January 8th. Late requests will not be considered.

Q. When are workload adjustment reports for F20 due?

They are due in APWS no later than January 15th. These reports do not have to be extensive; 250 words will be sufficient.

Q. Where do things stand with bringing back indefinitely furloughed staff?

The UMass unions continue to organize to bring staff back. Some staff have been brought back already and the staff unions are working with the administration to bring back everyone. Lobbying for stimulus funds and reserve funds and saying no to further cuts are necessary steps in that direction.

Q. How does this pay-cut proposal relate to other goals of the administration? For example, lecturer job protections seem under attack lately. How will this proposal impact members on short-term contracts, and contracts in general?

No existing contract will be abrogated arbitrarily; they are all protected under the terms of the collective bargaining agreement. MSP leadership is keenly aware of the importance of protecting the rights of members who are not tenure-track faculty. Members on short-term contracts, particularly NTT faculty and librarians pre-continuing-appointment, are as usual vulnerable to "non-renewal" at the end of their contract terms, as we saw at the end of Spring 2020. Renewal notification dates are specified in the collective bargaining agreement (Article 20 for librarians and Article 21 for NTT faculty). As always, any member concerned about their appointment should be in touch with MSP for a confidential consultation.

Q. "Preview week" from online courses is during our period of non-responsibility. Is it voluntary?

Preview week overlaps with our period of non-responsibility and in that sense is voluntary. Last summer we agreed to work for two weeks during the period of non-responsibility, instead of taking a furlough during an unusual time. We were not asked to make that kind of arrangement during this break. This spring semester our period of responsibility begins on February 1st.

Q. I heard that faculty will be asked to teach a course without extra compensation for UWW as part of their regular load if enrollment is low in one of their regular scheduled "ground" courses. Have you heard anything about that?

No! Please let us know if you have concrete information about this rumor.