

## **Why Gubernatorial Appointments Matter**

The Governor has the power to make appointments to many boards and agencies. The policies and regulations that are set by these boards and agencies affect the lives of educators both personally and professionally. Below is a list of some of the key boards and agencies that deal with issues of concerns to educators.

### **BOARD OF ELEMENTARY AND SECONDARY EDUCATION**

The Board establishes policies and regulations relative to the education of students in public elementary and secondary and vocational-technical schools, collects and analyzes data on schools, districts and programs, implements MCAS, sets standards for education licensure and re-licensure, grants charters, establishes standards for school and district accountability and administers state and federal grants.

11 Members Total, including the Secretary of Education

Governor selects the Chair of the Board

9 Selected by Governor without restriction or from among nominees

- Secretary of Education
- Chairman of the student advisory council, selected by State Student Advisory Council
- One representative of a labor selected by the governor from a list of three nominees provided by the Massachusetts AFL-CIO
- One representative of parents of school children, from a list of 3 nominees provided by the MA Parent Teacher Association
- One representative of business or industry selected by the governor with a demonstrated commitment to education
- Six additional members selected by the governor

### **BOARD OF EARLY EDUCATION AND CARE**

The Board administers the development and implementation of a program of voluntary, universally accessible high-quality early childhood education to all preschool-aged children in the commonwealth.

9 Members

6 Selected by the Governor

- The Secretary of Health and Human Services, Commissioner of the Department of Education, Chancellor of Higher Education, ex-officio
- One representative of the business community selected by the governor with a demonstrated commitment to education
- One education and care teacher, selected by the governor from a list of 3 nominees jointly provided by the MTA and the AFT
- One parent or guardian of a child receiving early education and care services

- One provider of early education and care services selected by the governor
- One person selected by the governor with expertise in the evaluation and assessment of successful pre-school education programs
- One pediatrician selected by the governor with a focus on child development or a person nationally recognized for research in the field of educational psychology

### **UMASS BOARD OF TRUSTEES**

The Board of Trustees functions as a legislative body dealing mainly with questions of policy. It establishes the general policies governing the University and developing sound administrative policies. When required by the Massachusetts General Laws, it may function as an appeal body.

22 Members Total; 19 Voting Members

17 Selected by the Governor

2 Student Trustees

3 ex officio non-voting student members

- Secretary of Education
- Chairman, selected by the governor
- Two Vice-Chairman, selected by the governor
- Five alumni of the University selected by the governor
- One representative of organized labor selected by the governor
- Two voting student trustees
- Seven additional members selected by the governor
- Three ex officio non-voting student members

### **BOARD OF HIGHER EDUCATION**

The Board of Higher Education is responsible for coordinating the Commonwealth's system of public higher education and its institutions.

13 Members Total

9 Selected by Governor

- Commissioner of education, ex officio
- 9 members appointed by the governor reflecting regional geographic representation (at least 1 shall be a representative of organized labor, at least 1 shall be a representative of the business community, and 1 shall be a member whom the governor shall choose from among not more than 3 full-time undergraduate students who shall be nominated, and who are currently enrolled in a public institution), and 2 non-voting student advisors from public institutions of higher education
- 3 members chosen to represent public institutions of higher education

### **GROUP INSURANCE COMMISSION**

The GIC provides and administers health insurance and other benefits to the Commonwealth's employees and retirees, and their dependents and survivors. The GIC also covers housing and redevelopment authorities' personnel, and retired municipal employees and teachers in certain governmental units."

15 Members Total

13 Selected by Governor

- Secretary of administration and finance
- Commissioner of insurance
- Eleven members to be appointed by the governor, one of whom shall be a retired state employee, one of whom shall be a health economist, and at least three of whom shall be full time state employees, of whom one shall be a member of the Massachusetts Public Employees Council, #93, AFSCME, Massachusetts State Labor Council, AFL-CIO, one of whom shall be a member of the Massachusetts State Employees Association, NAGE, and one of whom shall be a member of Local 254, S.E.I.U., Massachusetts State Labor Council, AFL-CIO, one of whom shall be a management representative appointed from a list of three representatives nominated by the Massachusetts Municipal Association, one of whom shall be a labor representative appointed from a list of three representatives nominated by the president of the teachers' union with the greatest amount of active and retired members enrolled in commission health plans (currently, Paul Toner, V-P MTA), there shall be an additional management representative appointed by the governor from a list of 3 representatives nominated by the Massachusetts Municipal Association and an additional labor representative appointed by the governor from a list of 3 representatives of municipal public safety employees nominated by the president of the Massachusetts Chapter of the AFL-CIO.

#### **THE EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT**

The Executive Office is the umbrella secretariat which includes the Department of Labor, an agency of substantial importance to MTA. The current Secretary is Joanne Goldstein, a union-side labor lawyer who was appointed in January 2010.

- Secretary of Labor and Workforce Development selected by Governor

#### **DEPARTMENT OF LABOR**

Within the Department of labor there are several agencies that are important to MTA including:

- **Division of Labor (DLR)** enforces the Commonwealth's labor laws, administers the collective bargaining law for public employees, investigates and adjudicates unfair labor practices and representational disputes, provides mediation and arbitration services, and conducts elections concerning employee representation in collective bargaining.

##### **Commonwealth Employment Relations Board**

The Board is the adjudicatory branch of the DLR with the final authority to review orders by the DLR and to issue decisions in labor cases

- Three members selected by the Governor.

##### **Director of Labor Relations**

The Director is the executive and administrative head of the DLR and has the authority to hire and train hearing officers, mediators, arbitrators, investigators, a General Counsel, and other staff; to issue regulations (after consultation with the Advisory Council); and oversee the performance and budget of the Division.

- Director selected by the Governor.

#### **Advisory Council**

The Advisory Council advises the DLR concerning policies, practices, and specific actions that the division might implement to better discharge its labor relations duties. 1

- 3 members on the Advisory Council selected by the Governor. Five represent public sector labor unions (an MTA attorney is one of the appointees); five represent public sector managers, including the director of employee relations for the commonwealth; and three are at-large members.
- **Department of Industrial Accidents (DIA)** administers the Commonwealth's workers' compensation system, providing compensation to workers who are injured on the job.

#### **Industrial Accident Board**

The Industrial Accident Board is the central component of the Division of Dispute Resolution. If the parties involved in the workers' compensation dispute do not reach an agreement at Conciliation, the case can be referred on to a Conference before an Administrative Judge (AJ). Twenty-one AJ's preside over disputed workers' compensation cases from the Conference proceeding to the Hearing stage.”

21 Members Total

21 Selected by Governor

All appointees shall be administrative judges appointed for six year terms by the governor with the advice and consent of the council, not more than eleven of whom shall be from the same political party

- **Division of Occupation Safety (DOS)** promotes and protects workers' safety and health, wages and working conditions. In collaboration with public and private entities, DOS protects workers by means of education and training, workplace safety and health consultation and assessment, occupational injury and illness data collection and analysis, and consistent and responsible administration and enforcement of its statutes and regulations.

#### **PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION - PERAC**

The Public Employee Retirement Administration Commission (PERAC) has oversight, gives guidance, monitors, and regulates the Massachusetts Public Pension Systems.

7 Members Total

3 Selected by governor

- Three appointed by the Governor

- Three appointed by the state auditor
- One of whom shall be chairman

**PENSION RESERVES INVESTMENT MANGAEMENT BOARD - PRIM**

The PRIT Fund is a pooled investment fund established to invest the assets of the Massachusetts State Teachers’ and Employees’ Retirement Systems, and the assets of county, authority, district, and municipal retirement systems that choose to invest in the Fund. The nine-member PRIM Board acts as Trustee for each retirement system that invests in the PRIT Fund and is responsible for the control and management of the Fund.

9 Members  
 Governor on Board  
 2 Selected by Governor

- Treasurer & Receiver-General of the Commonwealth is a member *ex officio* and serves as the Chair.
- Treasurer appoints one member who is a private citizen with an investment/business background.
- The Governor, or his designee, *ex officio* member
- Two employees or retirees who are members of the state teachers retirement system who shall be elected by the members
- Governor appoints two members of the Board: one is a non-state official or employee and one is a representative of a public safety union.
- The State Teachers’ Retirement System has two representatives on the Board: the members of that Retirement System elect one and one is an Elected Member of the Massachusetts Teachers’ Retirement Board.

**MASSACHUSETTS TEACHER’S RETIREMENT BOARD**

The Board “ensures that members of the Massachusetts Teachers’ Retirement System achieve and maintain a successful and secure retirement through responsible benefits administration, financial integrity and the provision of outstanding services.”

7 Members Total  
 1 Selected by Governor

- Commissioner of education, or his designee, who shall be a member *ex officio* and who shall serve as chairman.
- The state treasurer, or his designee
- The state auditor, or his designee
- A fourth member who shall be appointed by the governor for a term of four years and who shall be a retired former public school teacher within the commonwealth
- Two members elected by the members in or retired from service of such system.
- Seventh member chosen by the other six for a term of four years

## **STATE EMPLOYEES RETIREMENT SYSTEM BOARD**

Operating out of the Office of the Treasurer, the State Employees Retirement System Board manages state employee's retirement funds.

5 Members Total

0 Appointed by Governor

- State treasurer who shall be a member ex officio and who shall serve as chairman
- Member appointed by the treasurer
- 2 members who shall be elected by the members in or retired from service of such system
- Member who shall not be an employee, a retiree, or official of the commonwealth and shall be chosen by the other four.

## **SUPREME JUDICIAL COURT**

The Supreme Judicial Court is responsible for the general superintendence of the judiciary and of the bar, makes or approves rules for the operations of all the courts, and in certain instances, provides advisory opinions, upon request, to the Governor and Legislature on various legal issues. The Supreme Judicial Court is the highest state court in the Commonwealth.

7 Members Total

6 Appointed by Governor, with the consent of the Executive Council.

- Chief Justice
- Six Associate Justices appointed by the Governor with the consent of the Executive Council.

## **MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION - MCAD**

The Massachusetts Commission Against Discrimination is the state's chief civil rights agency. The Commission works to eliminate discrimination on a variety of areas, and strives to advance the civil rights of the people of the Commonwealth through law enforcement, outreach and training.

- 2 Commissioners appointed by the Governor

## **Appointments**

The Patrick/Murray administration has hired a number of active union members to positions that directly affect the lives of working families. In addition, the administration has also appointed union members to serve on boards and agencies. Below is a list of some of the important hires:

### **Hires from Organized Labor**

- Joanne Goldstein- Secretary of Labor & Workforce Development (AGO Fair Labor Division Chief & General Counsel UWUA Local 369)
- George Noel- MA Labor Director (IBEW 1505, MA AFL-CIO)
- Michael Byrnes- DLR Director (Firemen & Oilers Local 3)
- Michael Williams- EOLWD Director Labor Relations (NAGE)