

HOUSE No. 2878

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 16, 1956.

The committee on Education, to whom were referred the petition (accompanied by bill, Senate, No. 200) of Ralph F. Taber and others for legislation to provide for the administration of the University of Massachusetts by the trustees as a state institution of higher education, and the petition (accompanied by bill, House, No. 798) of Joseph W. Bartlett, Philip F. Whitmore, Isaac A. Hodgen, Thomas C. Wojtkowski and others that the trustees of the University of Massachusetts be authorized to administer said university as a state institution of higher education, report the accompanying bill (House, No. 2878).

For the committee,

THOMAS C. WOJTKOWSKI.

Representative DONLAN of Boston dissenting.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Six.

AN ACT RELATIVE TO THE ADMINISTRATION AND PERSONNEL OF THE UNIVERSITY OF MASSACHUSETTS.

1 *Whereas*, The deferred operation of this act would
2 tend to defeat its purpose, which is to provide forth-
3 with for the trustees of the University of Massachu-
4 setts to have charge of the administration of certain
5 personnel, thereby enabling them to acquire the type
6 of professional staff commensurate with an educational
7 institution of university standing, therefore it is hereby
8 declared to be an emergency law, necessary for the
9 immediate preservation of the public welfare.

*Be it enacted by the Senate and House of Representatives in
General Court assembled, and by the authority of the same,
as follows:*

1 SECTION 1. Section 6 of chapter 75 of the General
2 Laws is hereby amended by striking out the third sen-
3 tence, as amended by section 11 of chapter 344 of the
4 acts of 1947, and inserting in place thereof the follow-
5 ing sentence:— There shall be a complete audit an-
6 nually by the state auditor of all accounts of the uni-
7 versity, including receipts and expenditures.

1 SECTION 2. Said chapter 75 is hereby further
2 amended by striking out section 13, as amended by
3 chapter 538 of the acts of 1953, and inserting in place
4 thereof the following section:—

5 *Section 13.* The trustees shall elect the president
6 and other officers of the university and necessary mem-

7 bers of the professional staff and shall define their du-
8 ties and tenure of office. The president shall receive a
9 salary of fifteen thousand dollars.

10 The trustees, except as hereinafter provided, shall
11 have complete authority with respect to the election or
12 appointment of the officers and professional staff, in-
13 cluding consultants, lecturers and persons rendering
14 temporary, part-time or intermittent services in or for
15 the university, whether or not technically in the employ
16 thereof; the establishment of temporary positions for
17 terms not exceeding the fiscal year; the dismissal, pro-
18 motion, demotion, transfer, classification and reclassi-
19 fication of the officers and professional staff as afore-
20 said; the assignment of their respective ranks and
21 duties, the allocation and reallocation of their positions
22 to salary grades, but with respect to positions recog-
23 nized as permanent in schedules approved by the joint
24 committee on ways and means of the general court, sub-
25 ject to said schedules as from time to time so approved;
26 the fixing of the salaries, except the salary of the presi-
27 dent, or other compensation and allowances of the offi-
28 cers and professional staff within the duly authorized
29 budget of and appropriations for the university, with
30 the right, with respect to any of said personnel, to hire
31 within any salary grade at a rate of compensation
32 greater than the minimum established for that grade
33 and to grant or withhold within a grade such incre-
34 ments as the trustees may determine; the authoriza-
35 tion and payment, within such budget and appropria-
36 tions, of compensation for overtime work and for serv-
37 ices rendered in addition to the normal services or
38 duties of a member of the professional staff or in summer
39 sessions or other periods outside the session-periods of
40 the normal academic year; the expenditure of all funds
41 appropriated for salaries of positions, other than the
42 aforesaid permanent positions, and of persons not tech-
43 nically employees of the university; and the establish-
44 ment of rules and regulations governing the other terms
45 and conditions of their service, pay, overtime work and

46 employment; provided, however, that such rules, ex-
47 cepting rules relating to overtime work, additional serv-
48 ices and compensation therefor, shall conform to rules
49 of general application relating to the matters author-
50 ized by section twenty-eight of chapter seven. Rules
51 established by the trustees relative to vacations shall
52 have the same standing and effect as rules of the di-
53 rector of personnel and standardization under section
54 thirty-one A of chapter twenty-nine.

55 The term "professional staff" as used in this section
56 shall mean the positions, and persons holding the posi-
57 tions of vice-president, provost, dean, associate dean,
58 assistant dean, assistant to the president, division head,
59 director, associate director, assistant director, depart-
60 ment head, professor U of M, and professor "A" U of M,
61 associate professor U of M, and associate professor
62 "A" U of M, assistant professor U of M, and assistant
63 professor "A" U of M, instructor U of M, and in-
64 structor "A" U of M, dean U of M, dean college of
65 arts and science U of M, dean school of engineering
66 U of M, dean college of agriculture and director of ex-
67 periment station U of M, treasurer U of M, assistant
68 treasurer U of M, director of extension service U of M,
69 head of division U of M, head of department "A"
70 U of M, head of department U of M, secretary U of M,
71 director of experiment station U of M, business manager
72 U of M, director bureau of government research, dean
73 of men U of M, dean of women U of M, assistant dean
74 of men U of M, assistant dean of women U of M, dean
75 of students U of M, registrar U of M, associate regis-
76 trar U of M, assistant registrar U of M, director of
77 admissions U of M, associate director of admissions
78 U of M, assistant director of admissions U of M, di-
79 rector of placement U of M, associate director of place-
80 ment U of M, assistant director of placement U of M,
81 placement officer U of M, director of scheduling U of M,
82 librarian U of M, associate librarian U of M, assistant
83 librarian U of M, head cataloguer U of M, assistant
84 cataloguer U of M, library reference assistant U of M,

85 school librarian U of M, reference librarian U of M,
86 curator U of M, supervising engineer U of M, business
87 officer extension service U of M, associate director ex-
88 periment station U of M, assistant director bureau of
89 government research, field agent U of M, administrative
90 assistant U of M, administrative assistant to treasurer
91 U of M, administrative assistant to business manager
92 U of M, editor U of M, director of publications U of M,
93 technical assistant U of M, dean school of business ad-
94 ministration U of M, dean school of home economics
95 U of M, dean school of nursing U of M, dean school of
96 education U of M, dean graduate school U of M, di-
97 rector of physical education and athletics U of M, lec-
98 turer, tutor, research fellow, teaching fellow, research
99 assistant, visiting professor, and such other positions as
100 may be established in the professional staff from time
101 to time by the general court.

102 Salary payments and other compensation and allow-
103 ances shall be disbursed by the treasurer of the uni-
104 versity, weekly or monthly as determined by the trus-
105 tees, on the basis of payrolls certified to the comptroller
106 of the commonwealth in such form, except as otherwise
107 herein provided, as he may require by the president of
108 the university or an officer thereof designated by him.
109 The president shall, within sixty days after the end of
110 each fiscal year, report to the governor and to the chair-
111 men of the senate and house committees on ways and
112 means a list of all personnel, permanent, temporary or
113 otherwise, employed by the university as of the last
114 day of the fiscal year, with a statement of their re-
115 spective classifications, grades, salaries or other com-
116 pensation, sources of compensation, tenures, length of
117 service and such other information as to personnel as
118 the governor or either of such chairmen may require
119 from time to time.

120 In exercising the authority conferred by this section,
121 the trustees shall not be subject to the supervision or
122 approval of the commission on administration and
123 finance or the director of personnel and standardiza-

124 tion, and no such approval of any matter pertaining to
125 payment of officers and professional staff of the univer-
126 sity shall be required by the comptroller of the common-
127 wealth or the state auditor; but, in the fixing of any
128 salary rate, the trustees shall conform to the maximum
129 salary limitation provided in the general salary sched-
130 ule established by section forty-six of chapter thirty for
131 the salary grade of the position in question.

132 Except as herein expressly provided, the provisions
133 of sections forty-five to forty-nine, inclusive, of said
134 chapter thirty, including without limitation all pro-
135 visions as to initial salary rate for new appointments,
136 periodic increment rates, and appointments, promo-
137 tions and transfers of personnel, and rules established
138 pursuant to any of said sections, shall not be applicable
139 to the trustees, officers and professional staff of the uni-
140 versity; provided, that the trustees adopt as rules for
141 the personnel administration of the professional staff
142 such of said provisions of said sections forty-five to
143 forty-nine, inclusive, of said chapter thirty, and of the
144 rules established thereunder, as the trustees, in their
145 judgment, consider appropriate and desirable for a state
146 educational institution of university standing, with a
147 view to standardization of the university personnel ad-
148 ministration, so far as the trustees deem it consistent
149 with the objectives and proper conduct of the univer-
150 sity, in conformity with the administrative provisions
151 applicable generally to personnel administration of the
152 commonwealth.

1 SECTION 3. Section 45 of chapter 30 of the General
2 Laws, as most recently amended by section 2 of chap-
3 ter 643 of the acts of 1955, is hereby further amended
4 by adding the following clause: —

5 (9) The provisions of this section and of sections
6 forty-six to forty-nine, inclusive, shall be subject, with
7 respect to the officers and professional staff of the Uni-
8 versity of Massachusetts, to the provisions of section
9 thirteen of chapter seventy-five.

1 SECTION 4. Section 28 of chapter 7 of the General
2 Laws, as amended by section 2 of chapter 680 of the
3 acts of 1954, is hereby further amended by inserting
4 after the third paragraph the following paragraph:—

5 The foregoing provisions of this section shall be sub-
6 ject, with respect to the officers and professional staff
7 of the University of Massachusetts, to the provisions
8 of section thirteen of chapter seventy-five.

1 SECTION 5. Each officer, except the president, and
2 each member of the professional staff of the University
3 of Massachusetts holding a permanent position, as ap-
4 pearing in schedules approved by the joint committee
5 on ways and means of the general court and in effect
6 on the effective date of this act, shall continue to hold
7 said position and shall be subject to the general salary
8 schedule set forth in section forty-six of chapter thirty
9 of the General Laws as in effect on said date, until he
10 shall be promoted by the trustees of the university to
11 a position of higher grade, or until his salary shall be
12 increased by the trustees by an amount in excess of
13 the periodic increment to which he would be entitled
14 under said salary schedule, or until he resigns, retires
15 or dies, whichever of said events shall first occur.

