



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE  
HUMAN RESOURCES DIVISION  
ONE ASHBURTON PLACE, BOSTON, MA 02108

DEVAL L. PATRICK  
Governor

TIMOTHY P. MURRAY  
Lieutenant Governor

JAY GONZALEZ  
Secretary

PAUL DIETL  
Chief Human Resources Officer

January 4, 2010

David J. Holway  
National President  
National Association of Government Employees  
159 Burgin Parkway  
Quincy MA 02169

Dear Mr. Holway:

Attached please find a Memorandum of Agreement (MOA) between the Commonwealth and NAGE Units 1, 3 and 6 that incorporates agreed-upon amendments to the parties' July 2009-June 2012 Collective Bargaining Agreements. In addition to the economic items set forth in the MOA, the Commonwealth commits to the following:

**To reopen the wage provisions of the MOA to further bargaining in the event that the group insurance premium percentage contribution rate for employees is increased during Fiscal Years 2010 and/or 2011.**

**To use savings associated with the agreement to mitigate future layoffs of employees represented by NAGE Units 1, 3 and 6.**

**That new employees shall not be recruited into positions in Units 1 and 3 without the prior written agreement of the Union. The Commonwealth shall engage NAGE in discussions regarding the current impacts of prior recruitments of employees above Step 1. The Union reserves its right(s) to pursue litigation concerning the Commonwealth's past recruitment practices, but agrees to not seek monetary damages prior to January 1, 2009.**

**To analyze management staffing pattern in Executive Branch agencies and to discuss the results with the Union;**

**To analyze the use of contractors and post-retirees/so-called "120 day appointees" and to discuss the results with the Union.**

The parties have also agreed to the following procedures for the administration of the negotiated furlough program:

- Employees shall receive credit for furlough and WorkShare time already contributed voluntarily;

- Employees may specify the manner in which salary deductions are made (either at once or over remainder of fiscal year);
- Employees may volunteer additional days in an effort to preserve jobs;
- Employees who separate from service before December 31, 2010 will be permitted to cash out any unused personal furlough time.

I trust that the MOA and this letter accurately reflect the understanding(s) that the parties arrived at during negotiations. Please contact me directly with any questions or concerns.

Sincerely,

Mark E. D'Angelo  
Director of Employee Relations