

NEWSLETTER

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Democratic principles: abandonment or retreat

The democrats have not abandoned their principles, they are merely in retreat. That was the essence of House Ways and Means Chair Thomas Finneran's remarks to the House at the beginning of the budget debate at the end of May. Both Rep. Peter Forman, the House minority leader, and Sen. David Locke, the Senate minority leader, began each chamber's debate commenting on the bipartisan cooperation which had not been seen in state government for years. From the final House budget to the 25 1/2 hour budget debate (actually debate is a misnomer; agreement is more appropriate) in the Senate, where more time was spent in caucuses than in debate over the more than 500 amendments, the no-tax, balanced budget prevailed. Some attempts were made to restore monies in certain hard-hit areas. Sen. John Olver attempted to have the state's surplus returned to the furloughed state workers. Sen. Michael Barrett attempted to have excess revenues in fiscal 1992 earmarked for K-G education. Even as support began to build for the postponement of the income tax decrease in January, 1992 to 5.95%, a 3:30 a.m. caucus eroded Sen. Martin Dunn's (D/Holyoke) momentum. Senator Olver submitted an amendment, which passed, and increased the U/Mass. budget by \$7 million and also increased the state and community colleges' budgets by \$1.5 million each. Though minimal amounts of money were shifted around, the final budget remained \$12.9 billion. Though no one was surprised that the legislature did what they said they were going to do—give Governor Weld his no-tax, balanced budget, many questioned where the commitment to the democratic principles was during this process. The budget now goes to the Conference Committee which will take each chamber's budget and come to a compromise. This process will no doubt go very quickly, and it will be necessary to go through the language quickly to try and eliminate potentially dangerous proposals. For the first time in years, it looks as if the commonwealth will have a balanced budget by end of the fiscal year. The best we can hope for is that the democratic principles will begin to peek through this morass once the revenues turn around.

The following is an outline of the budget deliberations through the Senate:

- Tuesday afternoon June 11, only the press was invited to the budget release briefing.
- On Wednesday the budget was presented and all amendments had to be filed by 5 p.m.
- In addition to the line items and outside sections, over 500 amendments were filed.
- The Senate would not permit public and legislators to have copies of amendments.
- The first reading of the budget (has to go through three readings) was done in five minutes when the process began at 11 a.m. Thursday, June 13.
- The Senate decided on a marathon session with no access to amendments so as to block advocate lobbying.
- Because of the number of amendments, the Senate decided to "bundle" them into two folders—one folder passed; one folder failed.
- Only amendments debated were ones which were pulled out because a Senator insisted on a debate.
- Budget engrossed around 12:30 p.m. June 14.

In this issue:

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 - House/Senate differences
 - Leadership Conference
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House and Senate budget differences

As both budgets go to the Conference Committee, each version contains language which we would like maintained, changed, or eliminated. Since the budget was passed early Friday afternoon and Monday was a holiday, the final Senate budget will not be available until after June 20. What follows are the differences which existed **prior to** the final vote on the Senate budget. The list, therefore, may not reflect all of the items which did or did not survive the debate. When there is a difference in language or when there is language in one budget and no corresponding language from the other chamber, then it moves to the Conference Committee. Since there were no similarities in any of the higher education proposals, except for one, it appears as if a number of issues will go to the Conference Committee.

House: Cap on academic/curriculum fees. **Senate:** No language.

House: Cap on tuition waivers. **Senate:** No language.

House: Health insurance would remain at 90 percent/10 percent, but it would be a "blended" rate whereby HMO and indemnity plans would be averaged into one cost for everyone, regardless of plan. **Senate:** Kept the 90 percent 10 percent ratio, but established an "Emergency Control Board" which gives the governor the power to unilaterally propose changes, in conjunction with a limited check and balance system, in the "budget buster" areas of Medicare, MBTA, workmen's compensation, debt liability, retirement system, and health insurance. The Senate also had an amendment to make health costs pretax income for federal returns. **Governor:** He wants to increase our health costs either by percentage or by increasing co-payments and deductible or by negotiating a less comprehensive health insurance package. The governor maintains that the legislature has not provided enough money to pay for these costs (we call that a supplemental budget).

House: Early retirement proposal by the governor was rejected and a committee was established. **Senate:** Proposed adding five years of service or five years of age, but disallows the filling of any vacancies created by early retirement. **Reminder:** Because we have not seen the final Senate budget, we are assuming that its early retirement package went into the "pass" bundle.

House: No language. **Senate:** The regents have to prepare a report evaluating undergraduate programs in the state colleges and universities. The study is to identify: the ratio of enrolled students to faculty; the programs which do not have a nationally recognized accrediting body or are regionally accredited; and associate degree programs at the state colleges and universities. The regents are to establish a plan for the elimination of the aforementioned programs. This report is due January 1, 1992. [As yet we do not know where this amendment came from. Since the regents already have the authority to do this, it is unnecessary for the legislature to be involved in this.]

House: Dropped the total allocated positions for the three segments from 14,533 to 12,194. **Senate:** The Senate's proposal restored the allocated positions to 14,533.

House: When the House announced at around 2:30 a.m. that it had found an additional \$38 million, it was split with \$4 million going to the community colleges because of disproportionate cuts in the past. **Senate:** The proposed budget does not appear to reflect this additional amount.

House: Reduced our health and welfare (Delta Dental) monies by \$351,519. **Senate:** Reduced our health and welfare monies by \$351,519. This means that this account will be reduced. Supposedly it is to reflect the reduction of employees in higher education.

House: No Language. **Senate:** Sen. Rauschenbach got an amendment passed that all undergraduate classes would start second Monday in September.

Concurrently in the House is the Governor's bill, House 5610 **An Act Reforming the Governance of Public Education in Massachusetts**. This bill is expected to be brought to the House floor during the week of June 17 for debate. The first part of this bill will deal with the restructuring of the public higher education system. The governor, as you have all read, wants a powerful secretariat of a K-G board. We have been lobbying very hard for two separate boards, at least, and a secretariat who does not have a lot

of power. It appears as if U.Mass will be reconstituted with one board of trustees for the five university campuses. It is unclear whether the restructuring of the community colleges and state colleges will happen by the end of the fiscal year or whether the legislature will wait until the Governor's Special Commission has issued its recommendations on restructuring.

House and Senate Budget Analysis

Account	FY91 Approp.	FY91 Adjusted Approp. ¹	Gov.'s Prop. House 1	FY92 House Budget ²	FY92 Prop. Senate ³
Admin/Maint (for three segments)	\$542.9	\$506.2	\$414.2	\$418.2	\$432.6
Community colleges	129.2	120.4		102.9	104.4
Tuition retention (comm. col)	7.5	6.6		10.3	11.7
Total regents budget for system	637.7	586.1	\$466.4	476.6	476.2
Total tuition retention for system	45.0	39.3	45.9	56.5	63.0
Total funding/retention for system	682.7	625.4	511.4	533.0	539.2

¹ This is the actual amount of monies appropriated after all the revisions throughout the 1991 fiscal year. ² The final House budget reflects the additional \$4 million.

³ This does not reflect the final Senate recommendation, only proposed, since no final figures were available at press time.

Nota Bene

- The MCCC Board of Directors has established an ad hoc subcommittee to look at a systemwide recommendation for integration of DCE representation at the chapter leadership level. Through discussions at the Directors meetings, it became apparent that no uniform DCE representation existed, and in order to address DCE concerns at the college, a systemwide structure was needed. The committee will submit its recommendations at the August Board of Directors meeting for its approval. The committee is chaired by Carolyn Tetrault chapter president at Springfield Technical Community College.
- The 1990-1993 full- and part-time day contracts have been sent to the chapter presidents. The contract will be distributed to full-time unit members until such time as each college has issued part-time contracts to day part-time unit members. You will note that though most of the language is the same as the 1986-1989 contract, the few changes which were made are in bold print. All language pertaining to part-time employees is also in bold print.

**Summer
Leadership
Conference**
August 12-16

The MTA Leadership Conference at Williams College will be held August 12-16. Higher education will have a mini-track beginning on Wednesday lunch to Friday noon. In addition to members of the legislature speaking, the governor's new Education Advisor Piedad Robertson, Bunker Hill Community College president and Barbara Wright, Director of the American Association for Higher Education, will each have a workshop. Cost for a single room and three daily meals is \$210 for the week. For those interested in attending the higher education track only, the costs is \$105. The MCCC will contribute 50 percent of the cost for two people per campus. Additional reimbursement can be received through local support. **Deadline for application is July 15, 1991.** Anyone interested in attending should contact his/her chapter president or director for an application or call the MTA 1-800-392-6175.

**Furlough
Arbitration
Held**

On June 6, 1991, the arbitration hearing ordered by Judge Elbert Tuttle was held for the community colleges. The issue argued was whether the implementation of Section 90 of Chapter 6 of the Acts of 1991 (furloughs) violated our 1990-1993 collective bargaining agreement and/or the October, 1990 cost-savings agreement. Marc Greenbaum was the hearing officer, and MTA General Counsel Ann Clarke and MCCC Grievance Officer Dennis Fitzgerald represented the MCCC. Management sent eight lawyers to the hearing. Post hearing briefs are due on July 19 and the reply briefs are due on August 8. Arbitrator Greenbaum should render a decision sometime in September. The state colleges' hearing was held June 10, and the other higher education segment hearings should be completed by the end of June.

DCE and MCCC relationship still tenuous

Despite the positive tone of some chapter grievance resolutions, there remains difficulties at some campuses where the DCE administration appears to harbor union animus sentiments. This is most evident in cases where senior faculty are assigned courses which are likely to be underenrolled, faculty are assigned courses which they have not taught in recent years, and faculty are not being assigned courses in work areas where they have seniority. In addition, the college is to post outside entity courses which are being offered so as to provide faculty with the opportunity to apply. The deans are ignoring this contractual requirement.

Grievance resolutions in DCE

- An unusual situation arose at **Greenfield Community College** where day part-time faculty salaries are more than the entry level DCE rate. Due to the state's fiscal crises, most day part-time work became DCE work. Eight faculty members who had not formerly taught in DCE found that they were experiencing a pay cut. Both the college and the MCCC acknowledged the injustice of this condition, and an agreement was reached which will restore the lost income to the faculty.

- At **Massasoit Community College** a number of science faculty were assigned more students than allowed by the contract. The college and the chapter have agreed that the faculty will be paid an additional amount and that in the future, the college will follow the contractual workload. Another resolution was reached when a faculty member was teaching a 4-credit course and was being paid based on a 3.5-credit course. The college agreed at the Step I hearing that the salary should be \$2,000 for the 4-credit course.

- When the DCE administration instituted a periodic classroom observation process for seniority pool faculty, the **Bunker Hill Community College** chapter filed a grievance. By contract once faculty pass the threshold for reappointment rights (5 courses over 3 years), they are not routinely observed and are only observed after they receive written reasons for an observation. Because of this contractual violation, the college agreed to discontinue this practice and expunge the files of those faculty who were observed.

- At **Cape Cod Community College** a noncontractual, computerized student evaluation form was being used by the DCE administration instead of the contractual form. The Step I decision stated that the correct form must be used and the incorrect form removed from all files. Faculty may keep the incorrect form for informational purposes.

If any unit member is experiencing problems with DCE or has any questions, the chapter grievance officer or the statewide DCE Grievance Coordinator, Joe Rizzo, should be contacted.

MCCC Newsletter

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