

MCCC NEWS

The Official Publication of the *Massachusetts Community College Council* / Volume 6, Issue 9 / Summer 2005

150E: Higher Ed Members Testify



Rep. John Quinn (D-Dartmouth) testifies in favor of his bill HB530.



Secretary of Administration and Finance Eric Kriss makes a rare appearance to testify against HB530.

M TA and MFT members packed a State House hearing room on June 9 to testify in favor of a bill (HB530) before the Joint Committee on Public Service. The bill, sponsored by Rep. John F. Quinn (D-Dartmouth) would remove employees of the UMass Trustees and the Board of Higher Education from the list of employee groups exempted from the usual process of contract submission to the legislature.

Moving this bill will be a major thrust of the MCCC's legislative agenda for the upcoming year. The union believes that this will make a major improvement in the collective bargaining climate. SAC regional coordinator, Caroline Schwarzwaldner of North Shore Community College has told members "if there is only one issue that you lobby your legislators on, this is it!"

Under the current wording of Chapter 150E several employee groups are required to have their employer (agency) submit ratified contracts to the governor who would then submit it to the legislature for funding. Some unions negotiate directly with the governor's office. Most other state employee unions negotiate contracts with their employers and then the agencies submit the contracts directly to the legislature.

Rep. Quinn has proposed this change in the past, but in his testimony to the committee he pointed out that the problems of the current language have intensified in recent years under this governor.

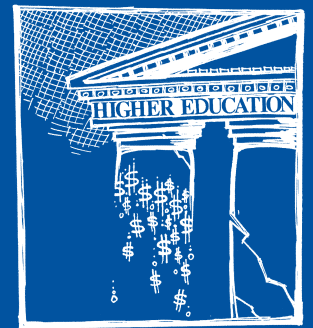
MCCC is the poster child for the problems with the current 150E language. The last 1-year contract extension was duly negotiated with the BHE and ratified by the membership, but Gov. Swift never submitted it to the legislature letting the 45-day review period elapse. Gov. Romney found it convenient to treat the contract as non-existent and ignored it. This has left full-time MCCC members without raises for three years. At this writing the state college faculty and librarian union (MSCA) is still waiting for the governor's response to their contract ratified over 45 days ago.

Romney's chief budget officer, Secretary of Administration and Finance Eric

Continued on Page 2

As of
July 1, 2005
1,097 Days
Without a Raise

Promises
To Keep



TELL MITT!

NON-PROFIT ORG.
U.S. POSTAGE
PAID
Permit No. 82
Worcester, MA

Tentative Day Contract Reached

On June 9th the MCCC Day Bargaining Team and the Board of Higher Education Team agreed to a Tentative Agreement for day unit members for the period July 1, 2003 to June 30, 2006. At its June 17 meeting the MCCC Board of Directors unanimously recommended ratification of this Agreement. The Agreement is now going out to the day unit membership for ratification. Day Unit members should receive a mailing by July 15 with a summary of the Agreement and relevant materials. Ballots must be returned to the MCCC Office by 4:00 PM Aug 3.

The employer's negotiating team was under strict directions from the Romney administration to keep within narrow salary guidelines and to not agree to any retroactive payments. They made an offer that would be retracted on June 10.

The Union team fought to preserve the elements of the classification system, including the system's point structure. It is difficult to pinpoint the exact raise that any individual member will receive, though there are worksheets that individuals may use, posted on the web site. The promised

"market update" was partially realized by increasing the value of the points accrued after 2003.

The points that members have accumulated since the last contract (1999-2002) will be paid out effective April 1, 2005. This represents accumulated seniority and experience points (8 points each per year) as well as points for a satisfactory post-tenure evaluation (10 points) over the 3-year period and points for change of rank and increased credentials (courses/degrees).

Continued on Page 3

MCCC Newsletter
27 Mechanic Street, Suite 104
Worcester, MA 01608-2402

Exploitation of adjunct faculty affects everyone



Joe LeBlanc,
MCCC Vice President

About 100 union activists visited the State House in May to lobby legislators to create a more fair and equitable system for our more than 3,000 adjuncts. Our volunteer

lobbyists learned they have nothing to fear from the process. Adjuncts like Mary Lee Goguen found the day empowering, saying "it is important that we put faces on these issues."

Sandy Howell and her steering committee organized the event. The group focused on HB 189 and SB 1535 to provide some of our adjuncts with health insurance and pension benefits. These bills just begin to address the many problems facing our adjunct members and our colleges in a system that is increasingly exploiting our colleagues and compromising the quality of instruction.

From fall 1999 to fall 2003 community college enrollments increased from 43,230 to 49,059 while full-time positions dropped from 1,614 to 1,418. Meanwhile, adjunct numbers increased from 2,848 to 3,397 in a system lacking both fairness and equity.

The exploitation is multifaceted. Adjuncts are not compensated fairly. They should be paid at a salary pro-rated to that of their full-time colleagues. Adjuncts should also be paid for holding office hours and for participating on college committees.

Adjuncts should be hired using a credible hiring process. They should not be hired a day before class begins and should be given ample preparation time. After hiring, they should be oriented to the college and their department in a professional manner and given equal access to faculty support services and professional development opportunities.

Our adjunct's world has been described as an "academic sweatshop." Adjuncts are being used at record levels. They are no longer used to supplement full-time faculty or to bring expertise not available elsewhere. In 2005, adjuncts are teaching more than half of our students. They are paid no more than \$2724 per course, which compares favorably with other two-year college adjuncts in other states, but is still not at the professional level it should be.

In an article titled "The Vanishing Professor" by the American Federation of Teachers, Lawrence Gold and Perry Robinson cite additional concerns for our adjuncts and our colleges:

- "A collection of course curricula, developed by a group of disconnected people who rarely communicate with each other,

does not add up to a good education." Adjunct faculty may work elsewhere or stay for a year or two or a semester. They usually work in conditions not conducive to forging connections with the dwindling numbers of full-time faculty.

- "Faculty should be chosen by and evaluated by academic colleagues who know how to assess other academics based on the quality of their teaching and their scholarship." We have all seen administrators searching for an instructor to teach a class a few days before the semester begins. An increasing number of administrators are needed to supervise and evaluate scores of adjuncts at every college.

- "Students learn best from faculty who have the time and knowledge to advise them about their courses and academic goals." Time is always going to be an issue for adjunct faculty. Adjuncts rarely have time to act as mentors in a frequent and consistent manner.

- "Because of their freedom from reprisal, permanent, full-time tenured professors are in a far better position to hold students to high standards and to grade students without worrying about the professor's employment prospects." Even with post-tenure evaluation, tenured faculty are better able to test the limits of academic freedom, explore new ideas and challenge our students than is the case with our adjunct colleagues.

- "Institutions with an inordinate number of transient, short-term faculty are diverted from their educational mission by the need to engage in constant searching for new instructors, imposing more work on the continuing faculty and the administrative staff and disrupting the academic process." Over the last decade, our members report an increasing lack of cohesiveness at their colleges. Departments have shrunk to half their former size of tenured or tenure track faculty due to early retirements. Community colleges often have a full-time faculty to student ratio of better than 30 to 1.

Some unions have been able to change the course. The Faculty Federation of the Community College of Philadelphia contract mandates that at least 60 percent of the student credits be assigned to full-time faculty. At Eastern Washington University, their faculty contract states "under no circumstances will the staff ratio drop below 75 percent full-time tenure track positions during the course of the agreement."

Unions in Washington and other states are working to pass bills to limit the use of adjunct faculty. In an environment where Massachusetts is beginning to restore public higher education funding, what better time to fight to end the exploitation of our adjuncts. What better time to fight for our students, who have a right to be taught by professors who are paid and treated in a just and equitable manner. ■



Rep. Smitty Pignatelli (D-Lenox) center, and David Sullivan (D-Fall River) meet with, from left, Pam Donohue of NECC, MCCC VP Joe LeBlanc and SAC Coordinator Donnie McGee, far right, after the hearing on HB530.



SAC Coordinator Caroline Schwarzwaldner testifies in favor of HB530.

Members Testify...

Continued from Page 1

Kriss, in an unprecedented move, appeared before the committee to testify against the proposed bill. Earlier in this legislative session, when Quinn's proposal was introduced as an amendment to the state budget, Kriss personally called each of the bill's sponsors to lobby against its passage. His involvement at this level indicates the importance the administration puts on their influence in collective bargaining.

Kriss's primary argument against the bill was on the basis of separation of powers, saying that this would give the legislature too much power in the collective bargaining process. He said that he would like to see greater changes to 150E. Given Kriss' previous negative statements about public employee unions, it could be inferred that the changes he wants would not be beneficial to unionized employees. Kriss was the only person to testify against the bill.

Rep. John Quinn was the first of many speakers supporting his bill. He brought UMass representatives to the table with him to make their comments. Other legislators also testified in favor of the bill included Reps. David Sullivan (D-Fall River) and William Straus (D-Fairhaven) who is a co-sponsor of the bill. Senator Joan Menard came to testify about another bill, but also spoke in favor of HR530.

Dan Georgianna, president of the UMass Dartmouth union, pointed out the extreme paradox of the current higher education bargaining situation under 150E: the management people at the table have no authority over the primary issue (salary), and the people who have the authority have no interest in the process.

MTA President Cathy Boudreau pointed out that under the present rules the governor gets "three bites of the apple": the governor appoints the members of the BHE and sets the contract parameters; the governor can refuse to submit a negotiated contract to the legislature for funding (the current problem); and finally, the governor can veto the funding when passed by the legislature. Boudreau also pointed out that the changes proposed by HB530 have a prece-

dent in that a few years ago employees of the trial court were removed from the list.

Joe LeBlanc, MCCC Vice President and Negotiating Team Chair, commented "It's tough enough to negotiate a contract in this state, but with the powers given to the governor in this process, it creates an unfair situation that virtually guarantees a seemingly endless state of conflict between management and labor." He pointed out that, "By enacting this bill into law, the legislature can allow us to get back into the business of making our system of public higher education the best in the nation."

Mass Bay Community College chapter president Tom Parsons pointed out the absurdity of the Romney administration's positions on collective bargaining. The MCCC negotiates and ratifies a modest contract (2002-2003), and the governor refuses to submit it to the legislature. Then Eric Kriss makes statements about how the administration opposes the idea of retroactive raises as a disincentive for unions to bargain. Then they refuse to give MCCC members retroactivity on a promptly negotiated contract that the administration would not submit.

Pat Markunas, MSCA President, noted that she has no idea of the status of the contract state college faculty and librarians ratified at the end of March. She doesn't know if the governor will submit it or not. She told the committee that the collective bargaining process for higher education affiliates is "broken and it needs to be fixed." She concluded by saying "It is time to fix the problem so that legislative action to remedy the bad faith tactics of the governor is no longer necessary."

This is not expected to be an easy bill to pass. Major objections are expected in the senate, and although support is stronger in the house, passage there is in no way assured. Legislators are reluctant to get involved in collective bargaining, fearing a circumvention of management by unions who go directly to the legislature. MCCC members will have to work intensively with their legislators to point out the demoralizing and destructive effects of the current law and the desperate need to make the proposed changes. ■

President's Message

State of the Union



Rick Doud,
MCCC President

[The following were MCCC President Rick Doud's report to the Delegate Assembly on May 7.]

Central Office

The MCCC Central Office continues to be a great investment for the MCCC. Thanks to the hard work and dedication of Treasurer Phil Mahler and our three office employees we continue to provide outstanding service to our members. Membership lists and dues collections are vastly improved. Most MCCC committees (BOD, Executive, SAC, Day and DCE Grievance) hold all their meetings at the central office. Also, special thanks to Treasurer Mahler for his outstanding work on the MCCC website. If you have not already done so, please check out the MCCC website: www.mccc-union.org.

Day Contract Extension

I am sure you know that the legislature, after having passed a supplemental budget that included payment of our April 1, 2003 points, refused to override the governor's veto. Just to remind you, our one-year extension was signed in August of 2002. This extension was an agreement negotiated between the MCCC and the BHE. It was within the parameters set by Governor Swift at that time, but after giving the BHE the authority to sign the contract, the governor reneged on the offer and refused to file legislation that would have funded our extension. The MCCC and the college presidents have formed a joint crisis committee to develop strategies to get our points funded. Both the college presidents and the MCCC leadership met with Chancellor Gill

to discuss the points issue. It was decided that the MCCC and the BHE would resubmit the one-year extension to the Governor one last time. The extension was signed on April 13, and hand delivered to the governor's office on April 26. The governor has 45 days to act on the funding request. Thanks to the MTA and all our members who participated in the postcard campaign. The MTA also provided letters that have been sent to the governor by college trustees and concerned members of the business community in an attempt to educate the governor about the classification system, including its history and the importance of points in such a classification system. If that fails, we plan to work together again with the legislature to find a way to fund our points in the FY06 budget. A more long run strategy will be to try to amend chapter 150e. At the March BOD meeting, the directors passed a motion in support of legislation that would amend chapter 150e to allow the employer (the BHE) to submit legislation to fund future contracts directly to the legislature, rather than having the governor submit such legislation.

Successor

The Day Bargaining Team, chaired by Joe LeBlanc, was formed in the fall of 2001. Official negotiations with the BHE have been taking place regularly since last fall. Until very recently the Romney administration had insisted that any new contracts that include salary increases would not be approved. In the last couple of weeks the administration has authorized offers of 2% per year salary increases to be made, with a 3% offer in the first year in lieu of any retroactive pay increases owed to unions. NAGE recently accepted such an offer reluctantly. The MSCA has ratified a three-year contract with 3% per year plus an additional 1% from the college presidents, but this offer has not been approved by the Romney administration. Once the MSCA contract offer is resolved, it will become clearer as to what the real financial offer will be from the BHE to the MCCC.

Appeals

Thanks to the work of the joint labor/management appeals committee we have agreed to a new protocol for all future faculty and professional staff appeals. All new hires will now be notified of how their initial salaries were calculated and be given an immediate chance to appeal their initial salary placement. In addition new forms have been adopted that allow professional staff members to request an audit of their position from their campus HR director if substantial changes have occurred in their job. The college has 90 days to conduct the job audit and render a decision. The decision of the HR office could then be appealed to the appeals committee.

DCE Contract

A new DCE three-year contract was ratified by a vote of 912 yes 85 no. The Agreement calls for 3% salary increases for three years, with an MOA for another 3% in the outside year. In addition a moratorium on changing the minimum number of students for under-enrolled courses was agreed to for one year while a study committee examines the issue. John Palmer (QU) with Jane Arnold (MX) serving as recording secretary chaired the DCE Team. Other members of the team were: Patrick Seyon (RX), Divya Taylor (NE), Michael Dubson (MX), Don Williams, (NS), Joe Rizzo consultant to the Team, and Michelle Gallagher as team spokesperson.

Part-Time/DCE Issues

The MCCC and the MTA both continue to work on getting legislation passed to provide health insurance and pension benefits to part-time employees. Obviously getting such legislation funded will be extremely difficult. On May 12, the MCCC is sponsoring a rally at the state house to support legislation that has been filed to provide pension benefits (SB1535) and health benefits (HB 189) for part-time members. The over reliance on both part-time professional staff and part-time faculty continues to be a concern for all of our higher education unions.

Senate Task Force Report

In late March, the Senate Task Force on Public Higher Education released a very promising report. The Task Force report titled "Investing in Our Future" would significantly increase state spending on public higher education over the next five to seven years. The Task Force, co-chaired by Senators Panagiotakos and Rosenberg, has laid out a plan that calls for:

1. Full "formula" funding, which will require an increase of \$400 million dollar in state spending on public higher education.
2. The use of general obligation bonds in order to increase capital spending at the state and community colleges by 1.2 billion dollars.
3. An immediate increase in needs-based financial aid of 7 million dollars for students attending public higher education institutions in the state.
4. An increase in funding directly related to hiring new faculty and professional staff.
5. The establishment of a general policy of retained tuition, and within one year establishment of a plan for community colleges to phase out the difference between Day and DCE unit work.

The Months Ahead

We must continue to use political action and campus activism to:

- Fund the April 1, 2003 points payments
- Complete negotiations for a new Day Agreement
- Amend Chapter 150e to allow contracts to go directly to the legislature
- Restore college budgets to offset the massive cuts suffered over the last few years
- Support the Higher Ed Task Force report "Investing in our future"
- Restore state tax revenues and fight Romney's plan to reduce income tax rates
- Fight for health care and retirement benefits for part-timers ■



MCCC President Rick Doud explains the salary aspects of the tentative Day agreement to the Board of Directors.

Day Contract...

Continued from Page 1

Points that accrue for the academic year 2005-2006 will be paid out as of October 1, 2005, six months earlier than the April 1, 2006 due date. This puts most of the payout of the 3-year contract in a narrow time-frame.

The benefits of this agreement's pay structure favor newer employees. They will generally receive larger percentage increases. And because of their newer employment status, they are more likely to be receiving changes in rank.

Professional staff members will see some improvements in the values of their points, and the professional staff will receive the same amount for points as faculty for the 2005 and 2006 points, which will work towards reducing some of the inequities in the classification structure. The Union succeeded in getting the employer to address other inequities in the system by getting professional staff credit for prior part-time employment.

Part-time day unit members will receive a 5% salary increase. These part-time hourly employees will also have a new

benefit of a limited amount of paid leave. This is on a one-year trial basis, but opens the door for further improvements in their working conditions.

There were several language changes in the Agreement. Improvements were made in family leave provisions, mileage and meals reimbursement rates.

University of Washington student evaluation forms will continue to be used, but the signature requirement will be dropped-however, median scores are used for each class evaluated instead of averages, which should make the score received more accurately reflect the assessment of the students. This change is mainly because of the dismal participation rates that students have exhibited, due to the awkward signature mechanism necessitated by the U-Washington form. And the language that specifies the length of winter semester break has been changed to allow more local flexibility.

The Union has been told that the package has been pre-approved by the Romney administration. After the experience of the past 3 years, Union leaders are not going to take that as a guarantee, and they are gearing up for a strong lobbying effort to ensure that the governor does submit the Agreement to the legislature if the membership does ratify.

More detailed information about the agreement is available on the MCCC website. You can view it at www.mccc-union.org.

If you are a Day Unit member and you have not received the contract ratification mailing, contact the MCCC Office toll free at 1-877-442 MCCC or email to office@mccc-union.org. ■

State Ethics Commission

In the Nov. 2004 issue of the MCCC News we reported on a State Ethics Commission Ruling regarding faculty members assigning self-authored textbooks. Recently members have reported being called by commission representatives.

As detailed last November, the original ruling said that there is a potential conflict of interest and violation of state ethics law when, in the course of their regular duties as state employees, faculty members stand to make a financial gain from their decisions.

Recognizing that faculty members are considered "special state employee[s]" who are allowed to engage in other employment during regular working hours, and recognizing contractual rights to choose their own course materials, the commission has not banned faculty from assigning their own books.

But, faculty should have approval from the college before assigning texts they have written to their classes. It might be expected that the colleges would approach faculty about this situation, but the direct contact of faculty members by the commission suggests that individuals should be pro-active.

If you are contacted by the State Ethics Commission, contact MTA for legal advice prior to making any statements. Members should contact their respective MTA Consultant at 800-392-6175 for a referral to MTA Legal: Full-time Day members call Katie D'Urso, DCE members contact Michelle Gallagher. ■



Roberta Albano (left) presents the Lemieux Award to her colleague Sandy Howell.



Margaret Wong (right) Quinsigamond Director presents the Butler Award to her chapter president Marilyn Martin.

Delegate Assembly

Approximately 100 members attended the annual Delegate Assembly on May 7. This large turnout demonstrated increased member interest in the issues facing the MCCC, and was the result of some chapters energizing and engaging their membership. The assembled group included a number of first time attendees and new members.

After initial reports by MCCC officers, the Butler and Lemieux Awards were presented. The Raymond Lemieux Award to an individual whose service, leadership, and dedication have contributed significantly to the MCCC was presented to Sandy Howell of Springfield Tech. The Jon Butler Award for outstanding chapter president was given to Marilyn Martin of Quinsigamond.

The major agenda item for this meeting is always approval of the annual MCCC budget. This year's budget proposal from the Finance Committee included a \$5 annual dues increase for full-time members—less for part-time members. There was debate for both lowering and raising the proposed dues.

The most impassioned arguments were to increase dues in order to fund more release time for members who engage in Union activities such as political action, MCCC committees and for presidents of large chapters. The proposed budget included cuts in a number of areas, and those advocating increases were attempting to preserve services.

In the end, the assembled chapter representatives accepted the proposed budget. The consensus was that although the membership has not had raises in three years, expenses have gone up with inflation and there was no dues increase in the last two years. This increase was only for the MCCC portion of dues. MTA and NEA also get a portion of the dues MCCC members pay, and they have their own dues increases.

Other issues were a proposed Bylaws change to equalize voting status of full-time and part-time members in MCCC elections. This proposal did not pass. Another motion that did pass was made by a member, Harry Bowen, from North Shore to implore the MCCC Board of Directors to design and implement a strategy for a one-fifth work reduction in September if the Commonwealth does not agree to a new contract. This reduction would reflect the faculty workload increase conceded under the last contract in return for the classification salary structure. ■



Bristol member, Raymond Puchot, speaks at the Delegate Assembly.



New North Shore member, Sven Stenberg, speaks at the Delegate Assembly.



MCCC News
<http://mccc-union.org>

Editor:
 Donald R. Williams, Jr.

President:
 Rick Doud

Vice President:
 Joseph LeBlanc

Secretary:
 Phyllis Barrett

Treasurer:
 Phil Mahler

The **MCCC News** is a publication of the Massachusetts Community College Council. The **Newsletter** is intended to be an information source for the members of the MCCC and for other interested parties. The material in this publication may be reprinted with the acknowledgment of its source. For further information on issues discussed in this publication, contact Donald Williams, North Shore Community College, One Ferncroft Road, Danvers, MA 01923. e-mail: Communications@mccc-union.org

MCCC Fall Leadership Meeting

Monday, September 26, 2005
 Best Western Royal Plaza, Marlboro, MA
 4:00 - 4:15 Registration

Special Guest Speaker
 Dr. Elaine Bernard

Dr. Elaine Bernard

Elaine Bernard is Executive Director of the Trade Union Program at Harvard University. She is a lively and popular lecturer who has conducted courses on a wide variety of topics for unions, community groups, universities and government departments in the United States, Canada, South America, Japan, South Africa, Australia and many countries in Eastern and Western Europe.

Some of her more recent talks and publications include: "Why Unions Matter," "Public Sector Workers in Reinventing Government," "Social Unionism: Labor as a Political Force," "Why Health Care Should Not Be A Business."

There will be breakout sessions, tentative topics are:

- New Member Issues
- Local Chapter Organizing
- What The MCCC Is Doing For DCE Contract
 Legal
 Legislative ■

WANTED

Members for DCE Contract Committees

The new DCE Agreement calls for two study committees: one to look into issues related to under-enrolled courses, the other to look into electronic transmission of information.

Under-enrolled courses—the minimum number of students for full pay and how it should be calculated—were a significant issue during negotiations, and forming this committee was a way to expedite a settlement.

This committee will be comprised of three union members and three management members. There is a one-year moratorium on changes to previous policies while the committee does its work. At the end of that period the committee will recommend new policies to the college presidents for consideration.

It would be beneficial to have members on this committee from Massasoit, Mt. Wachusett, Northern Essex or Springfield Tech as these are campuses with high levels of under enrolled sections or problems with changing under enrollment policies.

Electronic communication of information—using email and the internet versus U.S. mail—for various types of communication was another issue at the bargaining table that was difficult to resolve in a timely manner. There are benefits for both management and the union in the use of technology. However, DCE members may not have access or the ability to access some computer data.

If you are interested in serving on one of these two committees, contact MTA Consultant Michelle Gallagher at 1-800-392-6175 or email her at MGallagher@massteacher.org. ■