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Professors file health care lawsuit

Adjunct instructors challenge denial of insurance coverage

By Tracy Jan
GLOBE STAFF

A group of part-time community college instructors filed a lawsuit yesterday against the state, saying that hundreds of adjunct faculty in Massachusetts' public higher education system are unfairly denied health care coverage.

The lawsuit, filed in Suffolk Superior Court on behalf of five instructors, follows nearly a decade of unsuccessful wrangling with state legislators to get an adjunct health insurance bill enacted

into law. It also comes as schools, particularly community colleges, are increasingly turning to adjuncts amid burgeoning enrollment.

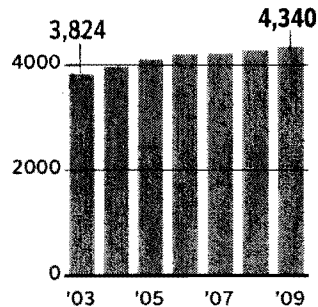
"We've been trying on the Hill to persuade the state to do the right thing, and, to be frank, I just ran out of patience," said Joseph T. LeBlanc, president of the Massachusetts Community College Council, which is a plaintiff in the suit, along with the Massachusetts Teachers Association. "It's a case of justice. The state ought to be providing a

large chunk of these people with a health insurance plan."

The situation is particularly startling, the plaintiffs say, given the 2006 state law mandating health insurance coverage for all residents. The Teachers Association estimates that about 500 adjunct faculty members meet the state's longtime definition of part-time employees — those who working at least 18.75 hours a week — and should be eligible for state health insurance because

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ADJUNCT FACULTY IN THE COMMUNITY COLLEGE SYSTEM



SOURCE: Massachusetts Teachers Association

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they work at least that amount, including classroom, grading, and preparation time.

If successful, the lawsuit would set a legal precedent that would extend to adjunct faculty at all the state colleges and universities, said Matthew Jones, attorney for the Massachusetts Teachers Association.

Extending coverage to adjunct faculty at community colleges alone could cost upwards of \$2 million a year as the state is struggling to make ends meet. Officials of the Department of Higher Education and the state's Group Insurance Commission, who are among the parties named in the lawsuit, declined to comment on the lawsuit, yesterday.

As colleges scramble to meet rising enrollment by hiring cheaper, part-time faculty, the adjunct ranks have expanded to about 4,300 instructors in the state's 15 community college campuses, a 13 percent increase from six years ago.

More than half of undergraduate courses at community colleges across the state are taught by part-time instructors, who make up two-thirds of community college faculty, according to the Massachusetts Community

College Council.

"We're the best deal going for the schools," said Patrick Lochelt, a plaintiff and an English instructor who teaches eight classes a semester at Northern Essex Community College in Haverhill, Middlesex Community College in Lowell, and the University of Massachusetts at Lowell. "In some ways, it really is exploitation."

Lochelt's class load, with nearly 200 students per semester, is nearly twice as much as a full-time instructor, but he is paid far less, about \$2,700 per course. He said he spends 23 hours a week in class and an additional 15 hours a week grading papers. He also serves as the faculty adviser for the award-winning student literary magazine at Northern Essex, an unpaid position.

Many adjunct professors, like Lochelt, patch together a full-time living teaching multiple courses at several colleges and shell out hundreds of dollars each month for private health insurance.

"Luckily, I'm only 30 and don't have any health issues, but if I did, I'd be in big trouble," Lochelt said.

But as insurance rates skyrocket, some instructors say, they can no longer afford the premiums.

'I'm working full time for . . . the only state with so-called universal health care. Great, where's mine?'

CYNTHIA DUDA

Plaintiff and English instructor

Cynthia Duda, another plaintiff and an English instructor who teaches six classes at North Shore Community College and Bunker Hill Community College, said she recently switched from a \$910 a month health plan to a bare-bones \$638 a month plan that does not cover urgent care.

"At my age, I need all the insurance I can get," said Duda, 61. "I am killing myself teaching all these courses trying to scrape up this health insurance money, trying to make it to Medicare. This is not right."

When Duda fell ill on a recent weekend and lost her voice, she said, she avoided going to the doctor because she could not afford to do so.

"I just had to take a chance that it wasn't something serious,"

Duda said.

In comparison, full-time community college instructors who are covered by the state's plans for individuals pay between \$80 and \$220 a month for health insurance, or about 20 percent to 25 percent of the cost.

Duda estimates that even as a part-time instructor, she works about 40 hours a week in and out of the classroom.

She said that since 1990, she has taught a full schedule, including summers, nights, and weekends, though she is still considered a temporary contract worker.

"I'm working full time for the state of Massachusetts, the only state with so-called universal health care," Duda said. "Great, where's mine? In the end, it takes a toll on you inside. That's when I think, why don't I matter? It's scary."

Amy Whitcomb Slemmer — executive director of Health Care For All, a consumer advocate group — said health care is "a basic human right."

"To deny it to educators, whom we entrust to cultivate and enrich the state's young minds, seems unkind and unfair," said Slemmer.

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