

NEWSLETTER

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NEGOTIATIONS MOVING AT A SNAIL'S PACE

Negotiations are moving painstakingly slow. Management is holding firm on proposals that most affect our academic life. Though they have moved off their original demand of instructional workload to some degree, they hold firm on increasing our overall workload as well as the presidents having the ability to increase our workload. They still do not want us to have personal days, and want us on campus five days with more office hours and advisees. Though they have offered a 31 percent pay package, it, like the workload, is riddled with loopholes. Within the 31 percent, there are two merit pay proposals, and increases are not retroactive, thereby skewing actual versus on-paper increases received. It only guarantees us less than 22 percent over three years. Management still will not convert ranks for promotional purposes, although they admit they have the authority to do so. One administrator is quoted at a grievance hearing as saying that the presidents never convert ranks for faculty—only for returning administrators.

To date, our Team has signed off on Art. V (files), VI (agency fees), VII (academic freedom), XVIII (notices), and XXII (MACER). They are far apart on Articles concerning money, grievances, evaluations, promotions, retrenchment, department chairs, duration of contract, holdover and jurisdiction.

SHIVELY DROPS ANTI-UNION, ANTI-LABOR BOMB AT BHCC

A charge has been filed with the MLRC charging President Harold Shively, Bunker Hill Community College, with breaking the labor laws by interfering, restraining and coercing union members working at the college in the free exercise of their rights guaranteed under Chapter 150E. On Sunday, November 20, 1983, BHCC hosted an open house with each segment of the college represented by a table. Malinda Smutek, president of the faculty association felt the faculty association should also have a table. She was informed that she had to have permission from Shively, and in the course of their discussion, he threatened to have her arrested if she had a table without his permission and without his censuring the materials she was to display. She contacted Jim Rice, and a charge was subsequently filed.

Also on the day of the open house, a number of the leadership from the MCCC went to Bunker Hill to lend support to Malinda. Upon entering the College, Executive Vice President Maurice O'Shea and other employees of the administration attempted to restrain, and threatened with arrest representatives of the MCCC. A charge was filed against Shively, O'Shea, et als that week.

Plaudits

■ To the MCCC and Kenneth Irwin from Middlesex Community College for a great victor at a Level I hearing. President Houlihan did not reappoint Irwin to his position upon recommendation from his staff. Irwin filed a grievance, and it was presented in front of President Houlihan and Carl Schilling, Dean of Academic Affairs. When the union proved that there was no just cause for Irwin's nonreappointment, the grievance was affirmed by the President. Irwin's nonreappointment letter was removed from his file, and he was reappointed to his position.

Plaudits

■ To the Springfield Technical Community College Board of Trustees and other Boards that voted similarly against increasing tuition for the spring semester. Though Trustees can raise tuition by 15 percent and keep the overage, the STCC Trustees recognized a "Catch 22" situation in that this action could be detrimental in succeeding years.

Boodits

■ To the Greenfield Community College Board of Trustees for recommending a five-year contract for President Theodore Provo who has only been at the college since September, 1982. With objections from faculty and staff from the administrative personnel to janitors, and with Trustees evaluation rating of 6.9 out of 10, the Trustees recommended a five-year contract. This move was made without mention on the agenda and without prior notice that such an offer was to be made. The vote was taken despite objections from two Trustees over procedure. The Regents has to approve this recommendation, and members of the GCC community have let the Regents know of their disapproval. Provo is the *only* president in the system to have a five-year contract.

Plaudits

■ To all campuses who have actively participated in informational picketing, contacting the press and working on Work to Rule in support of the MCCC's demand to management to bargain in good faith and sending the message to management that we want a good contract.

Plaudits

■ To NEA for addressing the concern expressed by the Higher Ed. Caucus at the NEA Convention this summer. The message to NEA was that we wanted higher ed communication. Beginning this month, the NEA will publish an almanac once a year, a journal twice a year, and a newsletter 16 times a year devoted entirely to higher education issues throughout the country.

Arbitration Award

■ Professor Eugene Butler from Quinsigamond Community College has won his case in arbitration. The Arbitrator, in his decision, stated that President Peterson acted in an arbitrary and capricious fashion in that he included in his determination of college-wide ranking of eligible candidates for promotion a factor not permitted by the Agreement. President Peterson determined that Eugene Butler did not get a promotion because he had been in one rank too long and that had an adverse affect on his evaluation. The Arbitrator stated that time in rank cannot be included as an adverse factor; on the contrary, seniority is a positive criterion for making selections among candidates of equivalent performance.

Complaints

■ When a charge is brought to the Massachusetts Labor Relations Commission (MLRC), there is a hearing to establish probable cause. If probable cause is found, the Commission will issue a complaint. The MLRC has

found probable cause in two charges, and has issued complaints against two presidents.

■ President John Dimitry of Northern Essex Community College has been charged for criticizing the Association for its manner in its representation of Richard Dauphinee (his case is presently in arbitration). In addition, President Dimitry interfered with, restrained, and coerced its employee as well as discriminated against him with regard to his tenure of employment.

■ Another complaint has been issued against President James Houlihan of Middlesex Community College for interfering, restraining and coercing Michael Peregon, president of the faculty association. President Houlihan interfered in the formation, existence and administration of the faculty union and attempted to discourage faculty members from membership in the faculty union. When Mike Peregon was distributing union literature to fellow faculty members, President Houlihan approached him and in the course of discussion, threatened his job security.

Prohibitive Practice Charges

■ There are presently six charges pending against various administrators. The continuing and constant anti-union animous behavior on behalf of some Presidents and other administrators has reached an untenable point. This anti-union attitude has also found its way to the negotiating table, as we well know, via the college presidents and James Samels, and the MCCC is attempting to address this attitude at the MLRC.

■ Two charges have been filed against Harold E. Shively, President of Bunker Hill Community College. These charges are discussed in a separate article in this *Newsletter*.

■ A charge has been filed against the president of North Shore Community College, John Dimitry and his administrators for offering the sum of \$5,520.41 to Mr. Rubin Russell if he would resign his position at the college and withdraw grievances he had filed. Further, President Dimitry performed acts to prevent the attendance of Rubin Russell as a witness in another unfair labor practice charge pending against Dimitry and presently being heard at the Commission (Dauphinee).

■ A charge has been brought against the Dean of Cont. Edu. at Bunker Hill, Brent Bonah, for directing his staff to remove blank union authorization/designation cards which were in employees' mailboxes.

■ Two charges have been filed by the MCCC on behalf of Thomas Noone against the Regents. At his Step II hearing, Noone asked the hearing officer, Sharon Lowe, how many decisions she had handed down in favor of the employee in similar grievances. Lowe stated she found in favor of management 100 percent of the time. Noone asked that she disqualify herself because she was prejudiced toward management, since under the contract, he was entitled to seek a resolution based on good faith participation.

■ His second charge is against Dean Frydrych at North Shore for harassment during a conversation at a grievance hearing. Frydrych stated in part that he was not afraid of the damn union and if an award was handed down in Noone's favor, neither the president nor Frydrych would obey the award and no union was going to make them.

**Total Inequities Versus
Inequities Redressed***

Totals: 152

	46		98		26	
	5	1	4	0		
Berkshire	10	1	8	1		
Bristol	24	4	9	1		
Bunker Hill	7	1	6	1		
Cape Cod	6	3	4	2		
Greenfield	10	4	6	2		
Holyoke	10	1	7	1		
Mass. Bay	14	4	8	3		
Massasoit	8	1	4	1		
Middlesex	8	1	5	1		
Mount Wachusett	12	6	12	3		
North Shore	8	3	7	2		
Northern Essex	3	5	2	1		
Quinsigamond	4	3	1	2		
Roxbury	23	8	15	5		
Springfield	Faculty Staff Inequities		Faculty Staff Redressed			

*Some inequities only partially redressed.

**EQUITY
STUDY
FINALIZED**

The finalized Equity Study shows that there are 198 inequities within the system totalling \$245,277. Since the Equity Study implementation pool for the 1980-83 contract was funded for only \$75,597.53, all of the inequities could not be redressed. A list was generated at each campus beginning with the highest inequity. One step per person was given out until the pool at the individual college was depleted. If there was money left after going through the list once, the rotation began again. All of the monies are retroactive to July, 1982 and are added to base. Though not everyone had their inequity fully redressed, this is the first step in the elimination of all inequities in the community college system. Congratulations to Dennis Fitzgerald and Mike McSweeney for two long years working to bring the first equity study to fruition.

15 Community Colleges Roads to Education

MCCC Newsletter

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