

# MCCC News



The Official Publication of the *Massachusetts Community College Council* / Volume 14, Issue 9 / Summer 2013

## Adjunct Faculty Face Health Insurance Dilemma

**H**ealth insurance for part-time faculty and staff has long been a concern of the MCCC and its members. The Union has unsuccessfully pursued benefits for its members through a variety of venues from legislation to lawsuits, trying to get the state to honor its own health insurance mandate.

The federal Affordable Care Act (Obama Care) holds hope that health insurance coverage for part-time employees will become available. However, because of the way the law defines part-time, adjunct faculty are facing a conundrum: How many hours do they work?

Massachusetts state law says that an employee who works more than 18.7 hours weekly (essentially half-time) is entitled to health insurance. For part-time

staff positions, the hours are calculated on an annual average, so someone working 36 hours per week for six months only comes out working an average of 18 hours per week.

For adjunct faculty the issue is more complicated. When the MCCC sued the state over the lack of health insurance coverage, one of the issues was what constituted a half-time position. The union maintained that if a full-time faculty assignment is 10 courses per year, then an adjunct teaching five courses per year is half time. The court disagreed on this and other points, and ruled against the MCCC position.

With Obama Care, new national provisions come into play, and a new national debate arises over how many hours of work per week equates to a benefitted position. Because the Internal Revenue Service (IRS) will administer compliance with the health insurance mandate, it has advised colleges to “use a reasonable method for crediting hours of service,” and said that it would not be “reasonable” to simply use “only classroom

*Continued on page 3*

### Clarification

The raises paid beginning June 30 reflected ones deferred from a previous contract, so the amounts will vary for both faculty and staff depending on date hired prior to 10/15/2011.

#### June 30 Day Contract Raises

Year of Hire	Prior to 7/1/06	7/1/06-6/30/07	7/1/07-6/30/08	After 7/1/08
Faculty	\$ 2,395.85	\$ 2,395.85	\$ 1,411.85	\$ 922.85
PS 7	\$ 3,061.85	\$ 3,061.85	\$ 1,634.85	\$ 922.85
PS 6	\$ 2,890.85	\$ 2,890.85	\$ 1,577.85	\$ 922.85
PS 5	\$ 2,726.85	\$ 2,726.85	\$ 1,523.85	\$ 922.85
PS 4	\$ 2,554.85	\$ 2,554.85	\$ 1,465.85	\$ 922.85
PS 3	\$ 2,394.85	\$ 2,394.85	\$ 1,412.85	\$ 922.85
PS 2	\$ 2,221.85	\$ 2,221.85	\$ 1,354.85	\$ 922.85

This chart shows the disbursement of the Day contract raises that were due June 30. These represent a 3.5 percent carryover that was delayed from a previous contract. These are flat dollar amount increases to base that vary depending on the member’s date of hire and on staff grade status. Part-time professional staff should have received a 3.5 percent increase. The first raise of the new contract is 1.75 percent to every Day contract member beginning July 1, 2013. ■

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

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

## MCCC Members Applaud Hunter Conference

The MCCC was well represented at the annual conference on higher education collective bargaining held in April at Hunter College in New York. The National Center for the Study of Collective Bargaining in Higher Education and the Professions NCSCBHEP is housed in and supported by Hunter College of The City University of New York (CUNY) and by its five hundred institutional and individual members.

Since 1972 it has served as a clearinghouse and forum for those engaged in the study and practice of collective bargaining (and the related processes of grievance administration and arbitration) in colleges and universities. The conference is held annually.

MCCC Grievance Coordinator Joe Rizzo served on two different panels. One was titled “Compensation Models for Teaching Distance Education.” The other, titled “Challenges for Adjuncts Who Negotiate Contracts,” generated a lot of coverage in the academic press because another participant made the claim that he



MCCC DCE Grievance Coordinator Joe Rizzo and MCCC Adjunct At-large Director Randi Zanca (right) along with Teresa Lucas, president of United Faculty of Florida at Florida International University, outside the Higher Ed Conference at Hunter College.

was fired from his adjunct teaching position because of his union organizing activities.

Curtis Keyes, Jr., a long time activist with the New Faculty Majority was fired from his teaching position at East-West University in Chicago for the third time in nine years in 2012 after leading a success-

ful adjunct unionization drive at the university. While he is now Membership Chair at the City Colleges of Chicago Labor Organizing Committee, he pointed out the jeopardy that adjuncts face in union organizing.

Looking at the benefits of the conference Rizzo said, “It is very revealing to

*Continued on page 2*



# MTA Annual Meeting Opposes OPEB

Earlier this year a special state commission, that included former MTA President Ann Wass, made recommendations for legislation to reduce the costs of Other Post Retirement Benefits (OPEB) such as retiree health insurance. The MTA Board of Directors had decided to endorse the plan that would affect shorter-term employees in order to preserve benefits for long-term, career employees.

The March issue of the *MCCC News* explained the OPEB Commission's findings that the system's finances are unsustainable and its plan to reduce benefits on a sliding scale for retirees under age 55 and those with less than 20 years of service.

Given the financial problems of the system, and the threats to cut benefits for all retirees, MTA leadership calculated that the negative impact of the proposal on members overall would be less than the potential of wholesale cuts.

Some areas of education would be more negatively affected by the proposed changes than others. In particular voca-

tional education and the university sector where people often start state service after having private sector careers would be more impacted than other segments. Besides the protests of those members, many others felt that educators have faced many cuts over the past decade, and they had had enough.

After much debate at the MTA Annual Meeting of Delegates on May 11, the delegates approved New Business Item #1, which reads as follows:

*Be it resolved that MTA shall work to modify legislation that would adversely affect MTA members' health care coverage upon retirement, including changes to the minimum eligibility age, years of service required, and/or percentage of premiums to be paid. The MTA shall fight to improve the legislation filed by Governor Patrick entitled "An Act Providing Retiree Healthcare Benefits Reform."*

*The MTA Annual Meeting of Delegates hereby instructs the leadership to:*

- *Publish this resolution on the website*



Members from the Quinsigamond chapter made their presence known at the MTA Annual Meeting on May 10 and 11. From left, Dale LaBonte, Randi Zanca, Bob Gilles, Sharon Gillies and George McDermott. (Photo by Don Williams)

*and in MTA Today accompanied by a clear explanation of the legislation's specific provisions.*

- *Notify every local president of this resolution and encourage them to organize their members to contact legislators to improve the current legislation.*

- *Communicate the MTA's intent to improve the current proposed legislation via a letter to every state legislator.*

- *Direct the MTA Government Relations Division to work to improve the current proposed legislation. ■*



Linda Moussouris from Roxbury CC, on left, presented a comprehensive personal perspective about adjunct issues at the June 19 meeting of the MCCC Board of Directors. Vice President Donnie McGee is at right.

(Photo by Rosemarie Freeland)

**Visit The MCCC Online!**  
<http://mccc-union.org>

**Toll Free Phone: 877-442-MCCC**

The MCCC website is the best and most up-to-date source for late breaking developments. Additional documents of interest and import to Day and DCE unit members have been added.

The MCCC webpage is a valuable resource for MCCC updates, job opportunities and linkage to the NEA and MTA resources available to MCCC unit members.

Calendars of MCCC meetings, and committee assignments may be found there.

Additionally, MCCC events and news are available, as well as "old news" in the form of archived newsletters. Bookmark the site for frequent referral.

## Post-retirement Earnings Increase

The state has raised the limits that state retirees can earn from the state. Before this change, retirees could work 960 hours or earn the difference between what their full-time salary was and what their current retirement pay is—whichever is least.

For example, if someone had been earning \$50,000 prior to retiring, and their pension is \$30,000, they would always have been able to earn the \$20,000 difference working part-time for the state or other Massachusetts' public entity. Now they could earn an additional \$15,000 along with that \$20,000.

This extended limit only comes into play after a person has been retired for at

least one full calendar year. And if someone exceeds the limit, the difference will be deducted from their pension.

There is no limit on private-sector earnings for retirees, however if one works for a private company that contracts the person's services to the state, then the same limits apply as if the person were working for the state.

MCCC members who participate in the ORP rather than the State Retirement face no post-retirement earnings limit because the state does not monitor how much participants draw from their accounts.

For more information, see the State Board of Retirement's website at [www.mass.gov/treasury/retirement](http://www.mass.gov/treasury/retirement). ■

## Hunter Conference . . . Continued from front page

hear the candid comments from administrators when you will not be in the position of facing them across the bargaining table." He found the interchange of ideas with both management and union representatives across the nation very useful.

"It is clear," he said, "that our distance learning agreement has many positive features not commonly found in other higher ed. environments. There is always room for improvement and there was much to learn at the conference regarding national trends."

Cathy Boudreau from Massasoit Community College, who is also the Vice President of the National Council for Higher Education, serves on the conference Advisory Committee and was the moderator of a panel "New Technology Challenges in Higher Education." She said, "The conference brings together labor and management from public higher education that give insight into how each side thinks. And it gives

examples of how funding and contractual issues can be dealt with."

Randi Zanca, MCCC Part-time/Adjunct At-large Director who teaches at Quinsigamond Community College also attended. As a first time attendee, she said, "Overall, the conference was incredible. It was interesting in that some administrators knew, say, the plight of the adjuncts. There were others who believed there was nothing wrong at their campuses. A very interesting mix of people. I encourage others to attend."

Besides current MCCC members attending, other Massachusetts community college personages participated. Former MCCC president Tim Fitzgerald gave a workshop on Interest Based Bargaining. And Quinsigamond Community College president Gail Carberry was on a panel titled "Alliances, Trustees and Presidents." ■





MCCC's own Candace Shivers, director and chapter president from Mt. Wachusett Community College, on the big screen at the NEA Human and Civil Rights Dinner during the NEA Representative Assembly in Atlanta. Candace is on the 2012-2013 NEA Human and Civil Rights Committee. (Photo by Randi Zanca)



The MCCC Executive Committee honored MCCC office staff member Edy Stoddard (center front in blue) on the occasion of her graduation from Assumption College with a Masters Degree in Counseling and Family Therapy. On the left of Stoddard is staff member Angela Perno and to the right Candace Shivers from Quinsigamond. In the back row from left is Vice President Donnie McGee, Treasurer Phil Mahler, Rosemarie Freeland from Greenfield, MTA Consultant Bob Whalen, Liz Recko-Morrison from Berkshire, and President Joe LeBlanc. (Photo by Don Williams)

## Health Insurance Dilemma . . .

*Continued from front page*

or instruction time and not other hours that are necessary to perform the employee's duties, such as class preparation time."

The MCCC Day contract calculates a full-time instructor's instructional workload as between 29 and 35 hours per week. For traditional 3-credit hour didactic courses this is calculate by adding the contact hours (3) plus one and one-third (1 1/3) hours of preparation time for the first section of a course and one-half (1/2) the preparation time for a second section. Thirty hours is the threshold for coverage.

So the first section of a 3-credit course equals seven hours of instructional time. By this calculation, an adjunct faculty member teaching three sections of the same course would be working 20 hours per week. Someone teaching three different 3-credit courses would be working 30 hours per week.

At this time, no clear definition has been established. And although the provisions of Obama Care were supposed to go into effect in Jan. 2014, a recent decision will delay implementation for another year.

In anticipation of the law's implementation, colleges across the country have imposed limits on adjunct teaching assignments to keep them below the 30-hour threshold. Some Massachusetts community colleges are telling adjuncts that they are limited to two courses per semester. This is not in the contract.

The MCCC DCE contract does not have any limits on how the number of sections an adjunct instructor may be assigned. It also does not guarantee an adjunct with seniority any more than one course section. In language that predated the unionization of DCE faculty, the Day contract did impose a limit on part-time faculty who teach in before 4:00 P.M. under the Day contract. But the vast majority of adjuncts do not teach under that contract.

If you have been told that your college contractually cannot assign you

more than two sections, you should report that to either President Joe LeBlanc ([President@mccc-union.org](mailto:President@mccc-union.org)) or DCE Grievance Coordinator Joe Rizzo ([Grievance-DCE@mccc-union.org](mailto:Grievance-DCE@mccc-union.org)).

The upcoming year holds further challenges for our system of higher education. With the already high numbers of adjunct faculty, cutting their individual hours will result in swelling their ranks even more, as the earnings of individual adjuncts go down.

But it doesn't have to happen that way. As reported in Inside Higher Ed, one college, the College of DuPage Illinois, has responded by creating up to 45 "lecturer" appointments (roughly 15 percent of the 300 full-time faculty), who will teach up to 80 percent of a full-time faculty workload and will receive health insurance benefits. Unfortunately, the other adjuncts will be limited to 27 hours, keeping them below the threshold. ■



Arlene Vallie from Bunker Hill Community College attended her first NEA-RA from July 1-6 in Atlanta.

(Photo by Randi Zanca)

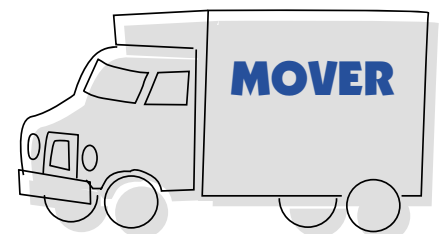
## MCCC Meetings Calendar 2013-2014

YEAR MONTH	EXECUTIVE COMMITTEE	OTHER EVENTS	BOARD OF DIRECTORS
2013 AUGUST	14	MTA Summer Conference 4-8	28
2013 SEPTEMBER	6		20
2013 OCTOBER	4	MCCC Fall Conference Oct. 23	18
2013 NOVEMBER	1		15
2013 DECEMBER	6		-
2014 JANUARY	3		17
2014 FEBRUARY	7		21
2014 MARCH	7	NEA Higher Ed Conf. TBD	28
2014 APRIL	4	MCCC Delegate Assembly 26	18
2014 MAY	3	MTA Annual Meeting 9-10	-
2014 JUNE	4		18
2014 JULY	-	NEA-RA 1-6	-

## MOVING?

Please make sure the MCCC has your correct mailing address. This affects receiving the newsletter, elections, important mailings and notices.

Call the office at **1-877-442-MCCC** toll free or go online at <http://mccc-union.org/ChangeMyAddress/>





# Unemployment Insurance Record-keeping Goes Digital

The Massachusetts Department of Unemployment Assistance (DUA) has implemented "UI Online" – a new way to file and access unemployment claims information. Starting July 1st, individuals can accomplish most of their unemployment record-keeping needs online. Unemployed individuals will be able to:

- Apply for unemployment benefits
- Reopen/reactivate an existing claim
- Request weekly benefit payment
- Submit weekly work search
- Check account balance and claim status
- Verify last payment amount and date
- Set up/change payment method: direct deposit or debit card
- Elect tax withholding
- Change address
- Request overpayment waiver or set up payment plan
- File an appeal
- Set up and view electronic correspondence
- Print 1099G form
- Add a dependent
- Change password or PIN

The system can be accessed at (<http://www.mass.gov/lwd/unemployment-insur/>)

Adjunct faculty may be eligible for unemployment benefits between semesters if they have no other or little employment and meet other DUA criteria. The MCCC does not provide assistance in filing claims, but if your claim is denied, then the MCCC can arrange for MTA legal assistance for the appeal process. If you are denied unemployment benefits, contact DCE Grievance Coordinator Joe Rizzo (*Grievance-DCE @mccc-union.org*)

MTA's legal services policy provides legal representation to UNION MEMBERS in connection with an unemployment appeal. The request for legal services to Mr. Rizzo should include the denial letter from the DUA and the notice of appeal filed by the member with the DUA. (The member files the appeal per the instructions provided to them when the claim is denied).

**NOTE:** Members should NOT use the employer's (college's) email accounts to communicate with DUA. ■

## MCCC Expands Office Space To Add New Meeting Rooms



On June 5 the MCCC closed on the purchase of a third condo unit in the building at 27 Mechanic St. Worcester. The unit adds over 600 square feet to the MCCC's holdings. The front room of the former travel agency office will be used as an additional meeting room, and the back room will have a wall removed to expand the Curley Board Room. (Photo by Don Williams)



### MCCC News

<http://mccc-union.org>

*Editor:*

Donald R. Williams, Jr.

*President:*

Joseph LeBlanc

*Vice President:*

Donnie McGee

*Secretary:*

Claudine Barnes

*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. Members' letters up to 200 words and guest columns up to 400 words will be accepted and published on a space-available basis. 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](mailto:Communications@mccc-union.org)

## Dental Insurance Problems?



To report any problems with the Met Life Dental Plan contact Rick Ponticelli, the MCCC representative to the Health and Welfare Trust, at [rpontice@northshore.edu](mailto:rpontice@northshore.edu). ■

## YOU BELONG

Adjunct faculty and part-time staff will be renewing their MCCC memberships as the new academic year begins. You have two membership options: agency fee or Union member. Everyone working in a faculty or professional staff position in a Massachusetts community college is a member of the MCCC Unit. Because the union works to negotiate and maintain the collective bargaining agreements, everyone is required to pay the agency fee. We hope you will consider the option of full MCCC union membership. Belonging has value.

### There are pragmatic values to union membership

- A \$1million NEA Professional Liability Insurance policy.
- MTA Legal Assistance, if needed, for employment related incidents.
- Discounts on insurance, financial services, travel, and wellness through MTA.
- Discounts at museums, theater, sports events, and lodging throughout Massachusetts and New England using your MTA membership card.

### But there's a value in just belonging

Nearly 100 percent of the full-time faculty and staff belong to the union. About 3,000 adjunct faculty and part-time staff belong. They've recognized the importance of a unified voice in preserving the rights of community college faculty and staff. They've recognized the vital need for advocacy on a state-wide level.

- If you're currently a union member, we look forward to continue working with you.
- If you're not currently a union member, we hope you'll join over 5,000 MCCC Union colleagues.

**Write Us**

**The MCCC News Welcomes Contributions.**

**Mail to:**

Donald Williams  
North Shore Community College  
1 Ferncroft Rd., Danvers, MA 01923

**Or email:**

[Communications@mccc-union.org](mailto:Communications@mccc-union.org)

### Letters to the Editor

Only submissions by MCCC unit members will be accepted. Letters should be no more than 200 words in length. The author must include name and chapter affiliation, which will be published with the letter. Authors must provide the editor with contact information in the form of either email address, mailing address or telephone number. Letters will be published on a space available basis and may be edited for length and appropriateness. Not all submissions can be published.

### Guest Columns

Guest Columns should be no more than 400 words in length. Columns by authors who are not MCCC members may be accepted. The author's name and affiliation will be published with the column.