

MCCC NEWS



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Tsaffaras Answers Board's Questions: Commits to Begin Bargaining in March

Peter Tsaffaras, Director of Employee Relations and Benefits Administrator Board of Higher Education, and chief management negotiator for MCCC contracts came to the January meeting of the MCCC Board of Directors. Chapter presidents were invited to attend the meeting and a large number were in attendance.

Tsaffaras came specifically to explain the payment schedule of the raises from the contract. But he was also willing to take questions and comments from the group.

The schedule of payments is complex, as affected members already know. The first, and largest, payment was made Jan. 20, the week prior to this meeting. This payment represented seniority points accrued for 2003 and 2004, as well as points for satisfactory post tenure reviews during those years retroactive to Apr. 3, 2005.

The Jan. 27 payroll included seniority, experience and (where applicable) post tenure evaluation points that were accrued for 2005, again retroactive to Apr. 3, 2005. It also included an increase in the dollar value of points for professional staff members up towards the dollar value for faculty members.

The general increase for the Feb. 10 payroll is, as yet, undetermined because it will be the remainder of funds after the previous payouts had been made. Tsaffaras said that once colleges have gone through the first rounds, there should be some funds left over. Amounts will vary from campus to campus. He said that these remaining funds will be put into a state wide pool and distributed as an across-the-board percentage increase. He estimated that this would be 0.1 percent or less. Part-time unit members will receive a 5 percent increase at this time.

The Feb. 24 payroll will include what is called an "equity adjustment" that will



Peter Tsaffaras, Director of Employee Relations and Benefits Administrator for the Board of Higher Education.

equalize the value of points accrued prior to the current contract. On a state wide basis this will approximately equal 0.5 percent, although the actual increases for individual members will vary. Basically, this will bring all faculty up to the new minimum salary level plus the new point value. For professional staff there will be another step towards point value equity.

The March 10 payroll will include seniority and experience points that were accrued as of Oct. 2 2005, retroactive to that date. Points for post tenure evaluation are not included. This does maintain equity, as another evaluation would give some members two possible pay increases during the time span this contract covers.

Finally, the March 24 payroll will have another distribution of remaining funds similar to the Feb. 10 distribution. And on April 7 there will be another equity distri-

bution similar to Feb. 24. At that point there will be less than three months before the contract expires.

The question period that followed the payroll explanation began with some small issues about contract implementation and then it shifted to a slightly more confrontational dialog about negotiations.

David Kalivas, Director and President from Middlesex CC, wanted to know "How this process could be shaped a little differently, so that people that work hard and do a good job—and we have lots of evidence showing that that's the case—end up being validated and feeling respected in the process. Rather than at the end of all of this, getting a thousand dollars in their paycheck, and saying 'well I got some money, but it really doesn't offset the kind of damage done by agreeing to increasing our

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Librarians Upgraded

As a result of Classification appeals filed in the first round about two years ago, a new grade-6 librarian position has been created. The BHE notified college HR departments of the approval Dec. 14, and some librarians who appealed have already been placed at the new level.

The new position title is Coordinator of Library Services. Colleges are not limited to only one of these positions, but it is also expected that not all librarians will be eligible. The union feels that the classification consultants (DMG-Maximus) did not handle librarians well and that the grade-5 classification did not reflect the qualifications and duties of librarians.

In a Jan. 11 meeting of librarians at the MCCC Office three librarians reported that they had already been upgraded: W. Meunier of North Shore CC and K. McDonough and C. Todd of Holyoke CC. Some others who filed appeals are awaiting notification.

MTA Consultant Michelle Gallagher, who handles the classification appeals, advises every librarian to file an appeal soon for the next round. Request for Review forms should be available at all campus HR Offices. Members' E-7 forms will be critical in the appeals process.

By contract, E-7s are supposed to be filed yearly by July, 1, but they can be revised once a year at any time. For a successful appeal, the E-7 should closely

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The MCCC Day Negotiating Committee met Jan. 25, and Feb. 1. They have developed a member survey to be done on line. The members pictures are, standing from left to right, Michael Bathory, GCC; Michael Greenwood, Mt.WCC; Lois Martin, MaCC; Joe LeBlanc, NECC; Karen Carrera-Hubbard, BkCC; David Kalivas, MxCC. Those seated are, from left, Paulette Howarth, BrCC; Katie D'Urso, MTA; Marilyn Martin, QCC; Lori Pennel, BHCC; Margaret Wong, QCC; Maureen Woolhouse, QCC; Elizabeth Sergio, MBCC; and Gail Guarino, CCCC,

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'Need Teaches A Plan'

After decades of long-delayed and slowly-funded contracts, it's time to amend Chapter 150E



Joe LeBlanc,
MCCC Vice President

The history of negotiations between this union and our employer is tumultuous indeed, but the contract funding process has often been just as disrespectful to our members and our professions. The 2002-2003 contract extension funding fiasco provides but one example of the need to reform Chapter 150E:

• The MCCC's first contract (1976-77) was signed and then not funded. The parties were forced to return to the bargaining table. The contract was eventually funded.

• After a zero year in 1989-1990, negotiations concluded on Dec. 24, 1990. Gov. Michael Dukakis did not submit the funding bill - as required under Chapter 150E - to the legislature before leaving office. In January, 1991, incoming Governor William Weld said that new state employee contracts would not be funded due to the fiscal crisis. Two-week unpaid furloughs and increases in health care contributions soon followed.

By Spring, 1992 higher education unions pushed to file a funding bill directly with the legislature. Then Speaker of the

House Charles Flaherty agreed to file the bill, and the legislature engrossed the bill (with its 6 percent increase for December, 1992 and 7.7 percent for June 1993) in November, 1992. After a Weld veto and a legislative override, increases due since the Dukakis administration were finally paid in Spring, 1993. Retroactive monies were never paid.

• After a period of stonewalling and zero years in 1993-1994 and 1994-1995, both parties negotiated the 1995-1998 Agreement on Dec. 15, 1995. The Governor signed the funding bill (8 percent plus 3.5 percent to fund the beginning of the Classification Study) several months later on April 12, 1996. The legislature funded the Agreement on June 26 and members received the increases in July more than six months after negotiations ended.

• On Nov. 21, 1997 the MCCC's Board of Directors recommended that members ratify a one year contract extension with a 3 percent increase due on July 1, 1998. The Agreement was ratified in February, 1998, but the funding bill did not reach the legislature until August. The legislature funded the bill on Nov. 25, and the Governor signed it into law on Dec. 4, more than a year after the BHE/MCCC Memorandum of Agreement was signed.

• Our executed but never funded 2002-2003 contract extension with its paltry salary increases provides one of the best recent examples. The union and the employer

signed an MOA on August 29, 2002, and the BHE sent the cost item request to Acting Governor Jane Swift on Nov. 20, giving her one day more than the 45 days allowed under Chapter 150E to not submit the contract to the legislature.

Incoming Governor Mitt Romney refused to submit the Agreement, saying its 1.44 percent salary increases were outside his financial parameters (0 percent) set during the recent economic crisis. A year later, the Governor again refused to file the funding bill. The bill was eventually filed directly with the legislature. It was passed and vetoed in informal session and passed and vetoed again in formal session, but never overridden.

The 1.44 percent was eventually paid in the recently signed, executed and funded 2003-2006 Agreement, but the pain persists from more than two decades of contracts that have been too frequently delayed.

HB530 would allow contracts to go directly to the legislature. The Governor would still have two bites at the apple. He appoints the Board of Higher Education, our employer and bargaining agent by state statute. He also has the power to veto contracts after they have been funded by the legislature. While the proposal to submit contracts directly to the legislature is an uphill fight, the following proposal (at a minimum) would speed up the contract funding process:

1. Unions must ratify contracts within 30 days. [We took about two months to ratify our latest Agreement.]

2. Next, the BHE must cost out and execute contracts no later than 30 days after ratification.

3. Next, the Governor must submit the funding bill to the Ways and Means Committees within 30 days.

4. Next, contracts must be funded by the legislature within 30 days.

Add two payroll periods for salary increases to begin and you still have a five-month salary funding process from start to finish. Such a schedule is hardly expeditious compared to the private sector, but it would provide relief for thousands of state employees that often have to suffer zero years during economic downturns and wait many months to receive salary increases due under negotiated contracts.

As the Irish adage says, "Need does indeed teach a plan." Our members need an expeditious contract funding process that promotes good management-labor relations and honors our professions.

Our plan is simple. We will lobby both inside and outside the State House to amend Chapter 150E. Legislators know the contract funding process is broken. It's our job to tell our stories and to demand long overdue justice.

Note: I am indebted to Bristol CC union activist Joe Murphy's account of the MCCC's negotiations history titled "Respect Our Contract." ■



Senator and Co-chair of the Education Committee, Bob Antonioni, D-Leominster, meets with MCCC Intern Roza Tesfaye. Tesfaye is majoring in Physics at Bunker Hill CC. She hopes to transfer to a Boston-area university soon and plans to become a college professor. The union places interns in the State House on a rolling basis through out the year. Applications materials are available on the union's website: mccc-union.org. (Photo by Mark Kasianowicz)

Visit The MCCC Online!

<http://mccc-union.org>

(Note: sometimes using www in the address doesn't work)

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.

Librarians... *Continued from Page 1*

resemble the new job description. Be sure to read the new job description before revising your E-7.

It will also be very important to have the support of your library director in moving an appeal through the system and in getting the support of supervising deans or vice presidents.

A new joint management/union appeals committee has been formed to handle future appeals. The union is establishing a system of campus appeals representatives who will be trained to assist members in filing appeals. This Campus Classification

Representative Committee (CCRC) is still looking for some campus reps.

"The creation of new positions is just the beginning," said MCCC vice president Joe LeBlanc. "Now that we have a new appeals process and a good committee up and running, I expect that the committee will be working to make the classification system more relevant to the needs of our community college system. In addition, the appeals process and system should be timely, fair and equitable to our professional staff members." ■

President's Message

February 2006



Rick Doud,
MCCC President

Finally! After nearly three and one-half years of delay, MCCC unit members at long last have received an increase in pay. The January 13 paycheck contained pay increases that should have taken effect

on April 1, 2003 and April 1, 2004.

Pay increases for the 2003-2006 contract will continue to be paid out incrementally in every bi-weekly payroll until all monies are paid out in the April 7, 2006 paycheck. Almost all of the pay increases in

the 2003-2006 Agreement stem from points earned from seniority, experience, and post-tenure evaluations.

Although I have written about our "points" in the past, there still seems to be some confusion about the point structure that is the basis for our classification system. Our entire salary schedule is based on a point system that resulted from the Classification Study.

Exactly how the point system changes our pay is detailed in our collective bargaining Agreement (page 111 for faculty, page 112 for professional staff). Each additional point earned results in an increase to our base pay.

The point structure is designed to do three things: Initially it was established as an attempt to provide external equity. The dollar value assigned to each point was calculated to pay MCCC unit members at the 75th percentile of the 10 comparable

states used in the Classification Study. (We know that the current dollar value assigned for points no longer puts us at the 75th percentile. This will need to be addressed in the next round of bargaining.) Each year of service results in additional compensation, so that we keep up with our colleagues in other states.

Second, the point system should provide internal equity. On a yearly basis all full-time unit members should receive a minimum of 16 additional points. For faculty and professional staff in each grade, this reduces the effect of relying on percentage base increases that widen pay inequities among us.

Third, the point system provides for upward mobility in salaries based on years of MCCC service and seniority. Even though the pay increases were long past due, the point system provided unit members with a pay increase for every year of

work. There was no real retro, but we received pay for every year worked.

Even though the Classification Study has had a negative impact on many professional staff unit members, the MCCC was able to secure point payment increases for 2005 and 2006 that equalized pay raises for faculty and professional staff. It has always been my belief that the dollar value of the points should be equal for all unit members, and we will continue to demand equal treatment in the next round of bargaining.

Unfortunately, we won't have much time to enjoy our raises, as we expect to begin bargaining in March on a new three-year contract. We will do everything possible to reach a new agreement with the BHE on time. We won't tolerate being forced to wait another three years for an increase in pay.

In Solidarity,
Rick

Editorial Comment

Homeland Insecurity: Labor Under Attack



Don Williams, MCCC
Commun. Coordinator

I recently received a letter to my college address from a small labor union in Illinois asking for support. Their chemical plant was bought by Celanese Emulsions and that company demanded 33

percent wage cuts. The union rejected the contract, and while they were working on settling a contract, the employer decided to lock them out.

Now a lockout is bad enough, but this lockout has very ominous aspects. This plant in the town of Meredosia, IL (population 1,041) employs 147 union members of the Boilermakers Local 484. Obviously this lockout would have a major impact on such a small community.

To protect their property and the strike breakers that were brought in, Celanese hired a private security contractor. Special Response Corporation (SRC), a Maryland paramilitary security company, advertises itself as a Homeland Security operation. If you go to their web site, you'll see that a major aspect of their business involves protecting companies from unions.

A recent PBS Frontline show detailed the incredible growth of private armies like SRC and Vance Security being used in Iraq. When the conflict in Iraq ends, some of these contractors will be available to suppress labor disputes. One

Democratic congress member pointed out that in promoting democracy around the world, the U. S. encourages the development of free labor unions. Yet at home our government is making it more difficult for unions to exist.

A recent Human Rights Watch study, "Unfair Advantage" showed that workers in the U.S. have less freedom of association and expression than those in Canada and most European countries. The use of private armies against workers harkens back to the early 1900s when the Pinkertons were unleashed on striking workers.

Unions are really on the ropes in this country. Airlines declare bankruptcy, shed the burden of pensions onto the federal government, cancel labor contracts—reducing pay and benefits, and then give management big pay bonuses. Car companies cut pay and benefits and then layoff thousands of workers. Every concession to management leads to further declines in workers' rights and benefits.

Solidarity of workers is the only way to turn back the tide. The MCCC has done its small part by making a donation to striking graduate assistants at NYU. The GSOC/Local 2110 was the first union of graduate assistants at a private college to secure a contract. As they approached a second contract, the university refused to bargain. Citing a recent decision by the newly configured NLRB, the students were told that they did not have the right to have a union.

Union members across industries and employers need to stand together. The public sector has been the area of growth in union membership. But as unions lose influence in the private sector, we will eventually lose as well. ■



Peter Tsaffaras shares a lighter moment with
MCCC Secretary Phyllis Barrett and Treasurer Phil Mahler.

Negotiations...

Continued from Page 1

workload and then not [being kept at the promised] seventy-fifth percentile. When it's all said and done they have to ask, 'Did we really get anything out of this?'

Kalivas went on to say that the negativity generated by this feeling affects not only MCCC members, but it, "Dramatically impacts everybody's experience from the janitors to the administration, and every single student on our campus."

Tsaffaras responded by saying that he may not agree with everything said, but he had no quarrel with the thrust of Kalivas' point. "I certainly understand the toll that it takes when collective bargaining agreements are not negotiated in a timely manner." He referred back to Chapter 150E and how that dictates much of the process and gubernatorial involvement. "It is also, at the end of the day, a political process. I know you know that because of some of the things that you do politically."

Joe LeBlanc pointed out the long history of delayed contracts and the many years that members had no increases in their paychecks. In the past there was some retroactive pay, but recently has not been the case. He noted that last year the BHE, the college presidents and the union agreed that a key objective is getting a timely contract. "If you don't have them on time, you'll always be losing ground to those other ten classification states."

Tsaffaras said that the two contracts he negotiated with the MCCC were. "Negotiated in the shortest period of time...in the entire history of this unit." He went on to note that the contract that implemented the Classification Study was negotiated in three and a half months. The current contract took about a month and would have been less if he hadn't been "shaking the money

tree" with the administration to increase raises..

He was then asked how he sees the process going forward. He noted that he had received the required letter from the union that sets the process going. Under Chapter 150E, bargaining is not permitted until 90 days before expiration of the current contract. Tsaffaras said he would be prepared to begin bargaining in March.

Since the governor's FY2007 budget had been released, he was asked if there had been any indication of the funding available for contracts. Tsaffaras said he was unaware of any, and when asked if he had started "shaking the money tree," he said, no.

Donnie McGee pointed out that many of the flaws of the process were the result of the provisions of Chapter 150E. She wanted to know if the BHE would be doing anything to correct that law. While cautioning that he did not speak for the BHE on this issue, he did not see it as high on the Board's agenda given all the other issues it faces. ■

Know Your Day Contract

February 2006

- Feb. 1 Summary Evaluation returned p.41, 42
- Feb. 1 First Year Professional staff evaluations completed p. 42
- Feb. 1 Sabbatical Recommendations forwarded to boards of trustees p. 18
- Feb. 10 Summary evaluation rebuttals due p.41
- Feb. 15 First year professional staff evaluation conference p.42
- Feb. 20 Course materials returned p.40
- Feb. 28 New full and part-time hire list due MCCC

N.B. Dates may vary depending on the first day of classes. Most of these dates are "last date" standards. In many instances the action can be accomplished before the date indicated. ■



Write Us

The MCCC News welcomes your letters and opinion pieces. Text may be edited for space and appropriateness. Not all submissions can be published. Mail to:

Donald Williams
North Shore Community College
One Ferncroft Road
Danvers, MA 01923
or email
Communications@mccc-union.org

Legislation Would Improve Part-time Benefits

Several pieces of legislation that would improve benefits for many of the state's part-time employees have been making progress in the legislature.

The Joint Committee on Public Service has released SB1535 with a favorable recommendation. This bill would provide adjunct faculty who teach more than four courses per year with health insurance. It has now been sent to the Health Care Financing Committee.

As the leaders of the house, the senate and the governor are all discussing larger health insurance measures for private employees, this bill for state employees may have a better chance of passing than ever before.

The MCCC has been working to achieve this goal for years. This is something that cannot be achieved through collective bargaining because it requires enabling legislation. In an informal survey taken last year, over 200 adjunct faculty expressed interest in participating in a health insurance plan. It is expected that there are many others who did not participate in the survey.

The Public Service Committee has also released HB189 with a favorable recommendation. This bill would allow some adjunct faculty to enter the state employees retirement system.

The 03 creditable service buyback bill has now been renamed SB2294. This bill would allow more than 100 full-time

MCCC members to buyback up to four years of 03 service. The bill was reported favorably by the Public Service Committee last semester. We will be working closely with the MTA and a state employees labor coalition to lobby for this bill in coming months.

The co-chairs of the Joint Committee on Public Service, Sen. Pat Jehlen and Rep. Jay Kaufman have been very supportive of these pieces of legislation. The MCCC is grateful for their support and encourages members to express their appreciation.

As these bill move towards floor votes, members will be notified and urged to contact their own legislators. ■

Call for Nominations

Raymond C. Lemieux Memorial Award

Raymond C. Lemieux (1931-1987), Professor of Economics at Springfield Technical Community College, was a Massachusetts Community College Council treasurer, negotiator, grievance coordinator, and Health & Welfare trustee. His service and dedication to higher education, to the Massachusetts community college system, and to the MCCC / MTA / NEA immeasurably enhanced the lives of those around him.

Purpose

The purpose of the award is to recognize an individual whose service, leadership, and dedication have contributed significantly to the Massachusetts Community College Council.

Nominee Qualifications

To be eligible for this award, an individual must meet the following criteria:

- service to higher education and the labor movement in the quest for improved working conditions and high standards of professional excellence.
- demonstration of leadership in MCCC and higher education.
- exemplification of the concerned and caring approach of Raymond C. Lemieux, much of whose life was dedicated to the betterment of faculty and professional staff.

Who May Nominate

Any MCCC Board of Director or Chapter President may nominate by completing a nomination form which can be obtained from the MCCC.

Jon G. Butler Memorial Award

The Jon G. Butler Memorial Award for outstanding Chapter President was established in the Fall of 1984 in honor of Jon G. Butler, former chapter president at North Shore Community College, former MCCC Research Coordinator, and an outspoken and active proponent of unit members' rights.

Purpose

The purpose of the award is to recognize the Chapter President(s) whose leadership, acts, or support have made a significant impact on MCCC unit members.

Nominee Qualifications

Individual nominees must be current MCCC Chapter Presidents.

Who May Nominate

Any MCCC Director may nominate by completing a nomination form which can be obtained from the MCCC.

Nomination Process

Nominations are due by Feb. 15. Nomination forms can be found on the MCCC Website, mccc-union.org. ■

DCE Update

February 2006



John Palmer, Chairman of DCE Bargaining

As you know, our negotiations are not finished. We have two joint study committees on Technology and under enrolled classes. Both committees have met and are successfully under way.

I was very impressed by some of our DCE Members that e-mailed me regarding the New College, NY contract for adjuncts that has been completed. It seems to be a very generous contract with some very interesting language. I am working on getting a copy of the full contract as soon as it has been printed so that we might compare it with ours and perhaps seek some similar language in future negotiations.

A number of our campuses have decided to not yet go off work to rule. I would like to urge all DCE unit members to contact their local chapter presidents to see what they can do to help the full time unit members. Please remember, they were there to support us during our difficult negotia-

tions, and we must be there to help them as much as we can! There is always strength in solidarity!

As a final point, I would like to remind members of the importance of MTA membership option. When our DCE and full time members opt to simply pay an agency fee, we are represented by the MTA regarding grievances.

However, in these times of litigious actions against us as individuals, we need the MTA legal protection that full membership offers us. I worked with a DCE unit member's case involving accusations brought forth by a student, and because of the fact that the member had taken the option of the agency fee, the member was not eligible to have the MTA legal department at his disposal for representation when the accusations entered the realm of the court system.

Having to hire a trial lawyer cost this individual many thousands of dollars that would have been covered by MTA legal had he been a full member. If you currently have the option of the agency fee, I would strongly advise you to reconsider and to call the MCCC office to select the option of full membership in the MTA. The difference is a small price to pay for the confidence that you will be backed by the full weight of the MTA! ■



MCCC News

<http://mccc-union.org>

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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 Participates in "No Sweat"

The MCCC has joined the "No Sweat" Program of Bienestar International, an apparel company that promotes clothing made by union workers both in foreign countries and the U.S.

By going to the MCCC website mccc-union.org and clicking on the No Sweat icon you can access their website. The webpage will guide you to the various casual wear products that they offer. Jeans are one of their specialties.

When someone goes to the No Sweat website through the MCCC website that person is identified with MCCC. If a person who went through the MCCC makes a purchase, then No Sweat credits 7 percent of that purchase to the MCCC.

In deciding to participate in the program, the MCCC Board of Directors agreed that any proceeds from No Sweat will go into the MCCC PAC. ■

"If You Want To Be Heard, It Helps To Have A PAC"

So says political consultant Joel Blackwell in his book, *Personal Political Power*.

More than four years ago, the MCCC created its own Political Action Committee in an effort to further strengthen its clout on Beacon Hill. So far:

- Our PAC helped turn back Gov. Romney's attempt to unseat legislators in 2004
- Our PAC quickly raised funds to use in elections
- Our PAC attended many fundraisers.

In these challenging times on Beacon Hill, we need your contributions to our PAC TODAY!

Signed,

PAC Co-chairs and retired faculty Thelma Halberstadt and Frank Leary and PAC Treasurer Phil Kennedy

Send your checks payable to the

"MCCC PAC" to MCCC Political Action Committee, 27 Mechanic Street, Suite 104, Worcester, MA 01608