

# MCCC News



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## DCE Grievance Trends

**D**CE Grievance Coordinator, Joe Rizzo, gave his fall report at the November MCCC Board of Directors' meeting. The report summed up the DCE grievance activity over the last academic year with a focus on trends in grievance issues.

### DCE Raises

Salaries will be rising by 1.5 percent for DCE courses starting in the Spring 2011 semester. The per credit rates will be as follows:

**Step 1 - \$859 (1-5 courses taught)**

**Step 2 - \$920 (6-10 courses taught)**

**Step 3 - \$989 (11 or more courses taught)**

**Step 4 - \$1,038 (8 years seniority at the college)**

He said there have been issues with some colleges not paying faculty at the appropriate levels, with errors in the accounting of seniority as one problem. He said that members should keep careful records of their employment and check on the accuracy of the colleges' records.

The MCCC website—[mccc-union.org](http://mccc-union.org)—has the DCE Seniority lists available that the colleges are required to file each August. There are other links of interest for DCE faculty on the MCCC website, as well, including contracts, explanation of dues levels, information about the OBRA pension, and grievance forms.

### Rescinded Course Assignments

The most frequent issue coming up has been DCE faculty having course assignments rescinded. Five of these cases were settled for the grievants with financial awards—in some cases, full compensation for the rescinded course—through either Mediation or at Step 1.

In all but one of these cases the DCE member's course was taken away and given to a full-time faculty member who had had a class cancelled due to under enrollment. This issue had been previously settled by an arbitrator in a 1997 grievance at Bunker Hill Community College.

In that Bunker Hill case the arbitrator found that the action of the college constituted a breach of contract and violated the communication provision of the collective bargaining agreement. The con-



MCCC Grievance Coordinator, Joe Rizzo, gave his annual fall report to the Board of Directors. (photo by Don Williams)

## Election Reflection



Members of the MCCC Board of Directors took a stand against Question 3 by taking time out from their October meeting along with some Quinsigamond members and MTA President, Paul Toner, to hold signs in downtown Worcester. From left Steve Proietti, Karen Reidl, Dale Labonte, Katie D'Urso, Margaret Wong, Rosemarie Freeland, Donnie McGee, Phil Mahler, Diana Yohe, Joe LeBlanc, Lois Martin, Miles Stern, and Paul Toner. (photo by Don Williams)

**R**eflecting on the Nov. 2 election, while the results nationally were disastrous for Democrats, the Massachusetts' results were relatively good. Continuing to hold all of the executive offices was a clear victory, but the legislative results were much more of a mixed bag.

MCCC members joined the political fray and participated in large numbers. They worked for candidates, they staffed MTA phone banks, and they held signs at demonstrations. They took

seriously the threats of huge state budget cuts from some candidates and from the ballot questions, and they rose to the occasion.

Despite some anger from parts of his base, including higher ed. faculty and staff, and an activated opposition, Gov. Patrick pulled off a solid victory in the three-way race. Union support, both public and private, was significant in his victory. He may have disappointed unions, but his policies are much more

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tract exists when the college offers the faculty member a course(s) and the member accepts the assignment.

Administrators are required to assign full-time faculty their day contract workloads first, before courses are offered under the DCE contract. Other than that initial assignment preference, there are no contractual provisions where full-time faculty have rights above those of adjunct faculty in DCE course assignments.

Rizzo pointed out that the DCE Contract applies to both adjunct and full-time faculty who teach courses under the DCE Contract. There are provisions in the Day Contract for what to do when a course that is part of a full-time faculty member's workload is cancelled, and making a contracted DCE course part of a full-time faculty member's Day Contract workload is not one of them.

### Unemployment Compensation Between Semesters

DCE members may be eligible for unemployment compensation between semesters, but a number of conditions apply. However, if someone's sole employment is from teaching DCE, then they have a solid case. There is a brochure about unemployment rights on the MCCC website.

Rizzo stressed that it is the faculty member's responsibility to file initially with the Department of Unemployment Assistance (DUA). Much of this can be done on the web. It is only when a member's claim is denied that the Union provides assistance.

Either the DUA or a college can challenge the filing. Usually the basis of the rejection is that the faculty member has a course assigned for the next semester, so therefore they are employed but on leave.

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## OBRA Pension Withdrawals

Adjunct faculty who are required to participate in the state's OBRA Pension should consider withdrawing their money at the end of each semester and putting the money into private pension plans.

The OBRA is not the same as a 401k Plan, and many financial planners are not aware of its particulars. OBRA is a forced 'retirement' benefit that provides little to no benefit (and with a shift of administrative fees onto participants it has become even less attractive). Because members are required to sign a contract each and every semester they are allowed to withdraw any funds from OBRA upon completion of each contract.

You may be told that you are not allowed to withdraw the money, but that is not the fact. When the semester is finished, adjunct faculty are no longer employed by the state, and therefore eligible to withdraw their pension contributions. (It is the same reason adjunct faculty are able to collect unemployment benefits over semester breaks.)

You can get more information by visiting the MCCC website <http://mccc-union.org> and clicking on the link under DCE and Part-time. You can also call the fund administrator Through the State Treasurer's office to get more information and to service your account. You can call at (877) 457-1900, option 2 or at [www.mass.gov/smartplan/participate/obrainfo.htm](http://www.mass.gov/smartplan/participate/obrainfo.htm).

As always you should consult a financial planner in making financial decisions. However, be sure that your financial advisor is fully aware of the OBRA policies. ■

## Grievance Trends . . .

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The union's position is based on the fact that the course assignment for the next semester is conditional based on enrollment.

All DCE union members who were denied benefits under these circumstances in the past year were successful in securing benefits with MTA legal assistance. This assistance is one of the benefits only provided to faculty who are members of the Union and not to agency fee payers.

### Community College Courses in High Schools

There has been a long association between community colleges and high schools, but the boundaries are increasingly blurred. College faculty have taught high level students college classes in the high schools, and qualified high school students have taken classes at the colleges. The MCCC has had an ongoing issue with much younger, sometimes home schooled, students attending classes at the colleges where the college level content may not be appropriate for young teens.

Rizzo discussed a new movement where college credit-bearing courses are being taught to less prepared students in the high school on a high school schedule. In some cases these courses are being offered to MCCC DCE faculty while in other cases management would like to offer them to existing high school faculty.

There are issues of workload, pay levels, academic freedom, along with concern about legal and regulatory ramifications. The MCCC is adamantly opposed

to the transfer of unit outside of the Union.

Rizzo strongly recommended that faculty considering accepting one of these positions become familiar with the legal and regulatory landscape of teaching and working in a K-12 setting. One issue to be aware of is the increased use of CORI and SORI checks on faculty, which may have effects on their full- or part-time teaching in traditional college courses.

### Disciplinary Administrative Leave

Increasingly the colleges are using paid administrative leave as a response to student or employee complaints. Complaints of a sexual nature are most likely to elicit this type of response, and there is often a presumption of guilt in these cases. Frequently, no investigation takes place, and the administration waits until the semester ends and then issues a letter of non-reappointment. Once this has happened the member is in a less advantageous position because there is no requirement for just cause as there is in a dismissal case.

### Other Issues

Rizzo went over the specifics of individual cases, and some unique cases that point to issues members may be facing in the future. One interesting one was when a college cancelled a subscription to an online "Wiki" software midway through a semester when an instructor had made it a key component of student grades. The directors had a range of questions for the coordinator and thanked him for the presentation. ■



Quinsigamond members demonstrate against Question 3. From left, Andria Schwartz, Chapter President; Bob Gillies, NEA Director; and Margaret Wong, MCCC Director. (photo by Dale Labonte)

## Election Reflection . . .

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favorable towards public employees and public higher ed. than Charlie Baker's.

In the senate, Democrats captured a number of seats, including the seat of Republican Lt. Gov. candidate Richard Tisei. The Republican side of the aisle is now reduced to a very lopsided three members.

The House is another story. Republicans increased their numbers by 16. This is a significant change as Party Chairperson Jennifer Nassour has pointed out in every interview she has done.

MCCC and higher ed. in general have lost some legislative friends. Sen. Rob O'Leary, an MCCC member, gave up his seat to run for congress. Gone are Reps. Mark Falzone, Barbara L'Italien, Matt Patrick, and possibly Higher Ed. Caucus member James Fagan, who at this writing is still contesting the very close results.

Although the Democrats will continue to be the majority, the MCCC will have greater challenges in advancing its legislative agenda. Any bill that has not been acted upon in this session of the legislature dies on Jan. 1. So bills such as the modification to the flawed Optional Retirement Plan (ORP) will have to be re-filed. The case for this important change will have to be made even stronger.

Besides the new Republicans there are new Democrats, as well. So when bills the MCCC supports are re-filed, there will be a lot of lobbying to do in order to educate these new members about the situations the bills address. Plus new bills will be new even to veteran legislators, and they will need to hear from MCCC members also.

Ballot Question 3 was soundly defeated, by 57 to 43 percent spread, but in earlier polls the margins were much closer. In a tight economy people are attracted to

the prospect of a tax cut—especially a tax that had only recently been increased.

In Massachusetts 77,642 signatures are needed to put a question on the ballot—a relatively low number for a state our size. Carla Howell and her Center for Small Government have been behind the various tax-cutting initiatives in recent years. According to campaign reports, proponents of the Question 3 spent between \$200,000 and \$300,000 to get it on the ballot and to do a very small campaign. Most of their publicity was free.

Meanwhile opponents to Question 3, including MTA, spent around \$5 million collectively to insure its defeat. This does not count the human-hours of time devoted to the campaign against the question. Initiative petitions like this are often poorly thought out as policy. These anti-tax questions always have populist appeal, and are usually able to gather the requisite signatures—even from people who will probably vote against it. Even without solid public support, these petitions can be a tremendous nuisance.

This situation is analogous to how terrorism works. Someone puts a cheap bomb in his underwear, and now we all have to go through expensive body scanners and invasive pat-downs. So for a few thousand dollars these election terrorists cost opponents millions and caused the Union to redirect its activities from other objectives.

With so many new faces on Beacon Hill, it will take a little time to see how the changes affect the way things work. Campaigns are not governing, and time will tell how the new legislators will be at lawmaking. It will be important for MCCC members to get to know their new representatives and demonstrate to them the important contribution community colleges and their faculty and staff make to the Commonwealth. ■

## Where Do We Go from Here?



*Don Williams, MCCC  
Communications  
Coordinator*

The election is over, and we have a governor and other state constitutional officers who are favorable towards public higher education and its employees. We have Day and DCE contracts settled and in effect for 3 years ahead. So we don't need to be engaged in collective Union actions, right?

Wrong. While we won't be facing any big issues for the next few years, we face some important internal issues. And the relative quietude in the external environment gives us an opportunity to address these. It is not crisis mode, but rather a smoldering problem of limited member involvement.

In some ways it is a generational problem. As private-sector union membership has declined over the past 30 years to around 12 percent, fewer of our new members have any prior experience with union involvement. And with the disparagement of unions in the press and political discourse, a pervasive negative attitude towards unions now exists.

The stories of union excesses get widely played, while the valuable contributions unions make to society go unnoticed.

Notice how much criticism is leveled at teachers' unions for obstructing innovation by even relatively sympathetic news outlets like the Boston Globe. Yet as Randi Weingarten, President of the American Federation of Teachers, points out, the states with the highest K-12 student performance on standardized tests are from states with the highest levels of union membership.

In fact, Massachusetts students regularly are at the top of national tests, and we have the highest percentage of unionized teachers in the nation. The MCCC naturally focuses on salaries, benefits and work rules for its members, but we also advocate for our institutions and students.

Who else is able to marshal numbers of calls to legislators and organize political actions to back up that advocacy? College presidents may have an inside track, but they don't have the numbers, and they are constrained in the political arena. Our students are not organized nor do they have the time or expertise to make their voices heard on a consistent basis.

I recently saw a PBS documentary on the BP oil spill and the pattern of cost cutting over the past 20

years at other sites. The only people who would speak to them about unsafe practices were unionized employees who had job protection. Those job protections benefitted all of us.

This is the right time to develop our internal organizing. Although outside threats often focus our activities, they also distract us from the longer term development of the Union. While it would be nice for us all to take a rest, this is the time to keep working on developing a more member-centered union.

### Newsletter Changes

You may have noticed some changes in the recent issues of the MCCC News. Saltus Press, the union shop in Worcester that we had used to print the newsletter for many years, unexpectedly closed in August. There was no other unionized web-press printer in the state that could do our work. So we switched to a Long Island printer to do the September and October issues.

We are switching printers again, this time back to Worcester where the Globe's pressmen's union has reopened the closed Worcester Telegram and Gazette plant for doing circulars and inserts. AFT Massachusetts has started using this printer, and the results have been satisfactory. ■

## CAMPUSES IN THE NEWS

### Industry Endorses Biotech Programs

The Massachusetts Life Science Education Consortium (MLSEC) announced a list of eight community colleges endorsed by the commonwealth's biotech industry. The endorsements include a ratings system, with gold or silver ratings, that enable biotech companies to understand the course criteria students complete and can apply to the work force.

The endorsement system was rolled out at a ceremony in Cambridge on Dec. 8. Speakers included Richard Freeland, Commissioner of Higher Education, Paul Reville, Secretary of Education, and Joanne Goldstein, Secretary of Labor and Workforce Development.

Robert K. Coughlin, MassBio President & CEO, told the audience that biotech companies choose to grow in Massachusetts because of the talented workforce. He called the programmatic work between MLSEC and the community colleges "a huge step in the right direction to building the biotechnology workforce of the future."

The eight community colleges endorsed by the biotech industry are:

#### Berkshire Community College

Associate in Arts –  
Biotechnology Concentration Silver

#### Bunker Hill Community College

Associate in Science –  
Biotechnology Option Silver

#### Middlesex Community College

Associate in Science –  
Biotechnology Technician Gold  
Biotechnology Technician Certificate Gold

#### Mount Wachusett Community College

Associate of Science – Certificate  
Biotechnology/Biomufacturing Silver

#### Northern Essex Community College

Associate in Applied Science –  
Laboratory Science Gold

#### Quinsigamond Community College

Biotechnology Certificate Gold

#### Roxbury Community College

Associate of Science –  
Biotechnology Gold  
Certificate –  
Biotechnology/Biomufacturing Gold

#### Springfield Technical Community College

Associate of Science – Biotechnology Silver

### NSCC Economics Students Win Fed Challenge

A team of North Shore Community College economics students took the top spot, the New England Championship title (community college category), at the 2010 Federal Reserve Challenge competition held recently in Boston. The competition is sponsored by The Federal Reserve Bank of Boston to encourage economics students to learn about the Federal Reserve's role in setting U.S. monetary policy.

This was the second time in the last four years that a team of NSCC students from Professor Moonsu Han's Honors Economics Seminar class and the Economics and Finance Club brought home the championship title. This year NSCC competed for the New England Championship against two other Massachusetts Community Colleges, Roxbury and Middlesex, as well as Gateway Community College from New Haven, Connecticut.

Professor Han, of Newton, credits his students, "I simply orchestrated the team. Beyond their in-depth knowledge of economics, they developed their presentation with the help of several other disciplines, such as speech, business, mathematics, philosophy, English etc... This isn't just a win for us; it's a win for NSCC."

According to Professor Han, this year's team, Anthony Martin of Lynnfield, Brendan Lynch of North Reading, Anthony Forlizzi of Peabody, Krystina Analetto of Everett, Jordan Wheeler of Saugus, Shelby Cole of Ipswich, Akeem Olatidoye from Salem and Peter Archer from Gloucester, worked tirelessly to prepare for the competition. The team met several times a week over the course of the semester, often working for eight hours a day. The students focused

### Your PAC Needs Your Help

The MCCC Political Action Committee – MCCC PAC – has been very effective over the past few years in advancing the issues of community college faculty and staff on Beacon Hill.

But political stature does not come without cost. Your PAC has made many contributions in the last election cycle, and it is important for all members to give their financial support, so that the PAC can continue to support you.

The PAC has been very active in this contentious election year. It is important that the MCCC PAC resources are kept at a level sufficient to fulfill its mission. Please contribute to keep us strong.

Individual members and MCCC chapters can contribute up to \$500 annually.

Thank You,  
PAC Co-chairs  
Thelma Halberstadt and Frank Leary.

Send your checks payable to the "MCCC PAC"  
to MCCC Political Action Committee,  
27 Mechanic Street, Suite 104,  
Worcester, MA 01608

on collecting data, learning economic theories and analyzing the current U.S. economy.

There were two segments of the competition. The first segment was a mock Federal Open Market Committee (FOMC) meeting which showcased a 20-minute presentation created by the team. In the second segment, the team participated in a 10-minute question and answer session. The session was led by a panel of judges, including a senior economic analyst from the Federal Reserve Bank of Boston, and an economics professor from a four-year university.

Teams were judged on the following components: knowledge of the Federal Reserve System and monetary policy, the quality of their research and analysis on the current state of the economy, the outlook and forecasting of the U.S. economy, recommendations for the FOMC, and the evidence of their teamwork and cooperation. ■



