

MCCC



News

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Members at the MCCC Delegate Assembly on April 30 voted by a 74 to 26 margin to change the MCCC Bylaws to make all member votes equal. (Photo by Don Williams)

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This year's MCCC Delegate Assembly on April 30 saw the resolution of a long simmering debate over the voting status of part-time and adjunct members in MCCC elections. The primary purpose of the Delegate Assembly is to approve the budget for the upcoming year and to amend the bylaws as necessary. This time the bylaw change was the central focus of attention.

The day started with the formalities of Call to Order, Approval of Minutes and Adopting the Order of Business where Andria Schwortz of Quinsigamond made a motion to change the proposed order and moved to take up the proposal to change voting status as the first New Business item and to have it come before lunch. The motion passed.



Wisconsin teacher Julie Toske was the Keynote speaker at the MCCC Delegate Assembly where she recounted the political events in her state and how the Union responded. (Photo by Don Williams)

President Joe LeBlanc opened with his report on the state of the Union. With slides titled "Neverending Struggle" he noted the extraordinary challenges that have come up both locally and nationally. He set out some objectives for adapting the union to face changes in the upcoming year.

Ann Clarke, Executive Director-Treasurer of the MTA gave her greetings and discussed the MTA's Strategic Action Plan. She explained that the objective of the plan is to encourage strategic action by the rank and file membership. She praised the organizing work of MCCC Vice President Donnie McGee and said

that the MCCC's activities were a model for the MTA Plan.

She also singled out MCCC members Rosemarie Freeland from Greenfield, Tiffany Magnolia from North Shore, and Liz Recko-Morrison from Berkshire for becoming LPAT (Legislative Political Action Team) leaders. There is one LPAT for each state senatorial district. These people will be coordinating teams that represent a cross section of MTA members to organize concerted actions in defense of union rights. She said volunteers are being sought at all levels.

*Continued on page 3*

## Labor Case Success

An unfair labor practices case that dates back to 2007 was finally settled by the Department of Labor Relations in the Union's favor.

The basis of the case was that a high ranking representative of management at Mass Bay Community College attempted to intimidate and restrain Union representatives who were engaged in exercising their rights.

The situation began when a nursing student who failed two courses made an appeal to the college Provost Steven Berrien claiming discrimination on the basis of disability. Berrien allowed the student to retake the exam for one course. He changed the grade in the other course to a "no credit" status that would have made the student eligible for readmission to the program.

The Union filed a grievance over the grade changes, and the college's viola-

tion of its own student appeal process. Discussion within the chapter as well as with the MCCC leadership ensued as the situation continued.

The issue came to the attention of the Board of Nursing who accredits the program. And after some investigation the Board of Nursing froze admissions to the program at Mass Bay in June 2007 until a number of issues were addressed and corrected.

The *Boston Globe* picked up on the issue and ran two articles on the situation in early July 2007. The articles contained quotes from Mass Bay Chapter President Joseph O'Neill and Chapter Vice President Brenda Carroll (who also taught in the allied health department). Their quotes were critical of the college but not extreme.

Carroll's most critical statement was, "The institution is very unstable right  
*Continued on page 2*

# Saving The Things We Love



Donnie McGee, SAC  
Chair and MCCC  
Vice President

By Donnie McGee

The morning mist – so thick and gray  
That marsh birds question: “where’s the dawn?”

The fog enshrouds the breaking day.  
The dove coos o’er the cocooned morn.  
Thoughts quickly turn to union things:  
Such challenges this new day brings.

The budget ax – a wound so deep  
Communities shall surely mourn.  
Towns and cities, you all shall weep  
To see essential services gone.  
Elders, the poor, and children – all  
Victims of this legislative gall.

The budget mandate from the state  
Means college students’ fees increase  
And adjunct hires accelerate  
While intervention programs cease.  
The end to college integrity –  
Such underfunding – sheer lunacy.

The ironies abound this season.  
Main Street dives as Wall Street thrives.  
Tax breaks to corporations – treason.  
How can this Commonwealth survive?  
Our colleges cannot serve the state –  
Their fate now sealed with this mandate.

Tea party voices seem to reign:  
Those public pensions have to go.  
Those unions, they must be restrained.  
Collective bargaining – Oh no!  
The brew infects many beside us.  
The rich do smile: Conflicts divide us.

Wisconsin’s voice from ‘cross the land  
Gives us pause for celebration.  
Workers united now do stand  
To demonstrate their indignation.  
Public workers shouldn’t be blamed  
For Wall Street schemes that leave us  
maimed

“We” have to stop this budget blight  
Speak truth to power in this state.  
We must act now, we must unite  
To tell our stories, shape our fate.  
The budget battles have begun.  
We can lead them if we are one.

The day’s not done. The fog has cleared.  
The songbird’s voice beyond the marsh  
Now quells the angst the morn hath reared.  
The climate doesn’t seem so harsh.  
Though we might hear the mourning dove,  
We will act to save the things we love. ■

## Labor Case . . .

*Continued from front page*

now... The college is in disarray, and the faculty are trying very hard to keep the academic programs together.”

O’Neill told the Globe that there was a pattern of administrators manipulating the grade appeals process to keep individual students in school. He was quoted as saying, “The provost has consistently maintained that it is one student... They are systematically getting involved in pressuring decisions. We think the process is broken.”

The situation at Mass Bay was already tense. But then on July 31, O’Neill, Carroll, and Michelle Colleran-Cook, who were chapter president, vice president and secretary respectively, received a letter from Provost Berrien’s personal attorney accusing them of defamation of character and slander. The letter went on to threaten a lawsuit for “defamation and perhaps violation of other statutes...[unless] you immediately cease your activities and cease making these statements.”

In August the Union requested that college president Carol Berotte Joseph address what they saw as an egregious violation of collective bargaining law by threatening personal legal action against its officers for legally protected actions.

President Berotte Joseph declined to take any action claiming that it was Berrien’s personal attorney who sent the letter. In an email she said, “The college is not a party to this matter and neither sanctions nor controls it.” College legal counsel suggested that the threatened lawsuit was baseless and therefore did not constitute a serious threat.

In a message to the entire college staff and faculty Berotte Joseph said, “Any legal action taken by staff in their capacity as private citizens is not within the purview of the college president or administration.” Provost Berrien did leave the college in September 2007

with no reason given. But the college continued to maintain that there was nothing wrong with the letter being sent.

The Labor Relations Commission hearing officer, Erica F. Crystal, Esq. disagreed. In her ruling she found that the Union representatives O’Neill, Carroll, and Colleran-Cook were engaged in protected union activities when they made statements to their members and the press. Further, she found that a reasonable employee would consider the July 2007 letter chilling. And finally, she found that given Berrien’s position at the college and the issues his letter addressed, he was, in fact, acting as an agent of the Employer.

### The Ruling

Hearing Officer Crystal, made the following finding:

“I conclude that the Employer violated Section 10(a)(1) in the manner alleged in the complaint.”

### The Order

The college was ordered to cease and desist from:

- Making statements that would tend to interfere with, restrain or coerce employees in the exercise of their rights under Section 2 of the law and,
- Threatening to sue employees for defamation in a manner that would tend to interfere with, restrain, or coerce employees in the exercise of their rights under Section 2 of the law.

Finally the college was required to post a notice where the college typically communicates with its employees, affirming that it will conform with the law.

Although the punishment may seem insignificant and long overdue to some MCCC members, the principle is an extremely important one to uphold. Union representatives need to be free from retribution for their legal union activities, and this decision, however narrow, reaffirms those rights. ■



Linda Grochowalski from Quinsigamond spoke to the Delegate Assembly after being presented the Palmer Award by President Joe LeBlanc. The award recognizes an adjunct MCCC member whose service, leadership, and dedication have contributed significantly to MCCC adjunct faculty, as exemplified by the life of John A. Palmer III.  
(Photo by Don Williams)

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.

# Pursuing Educational Mediocrity in Test Happy America

The latest assault on America's public schools and teachers reminds me of Oscar Wilde's definition of a cynic:



Joe LeBlanc,  
MCCC President

“He knows the price of everything but the value of nothing.” Our K-12 colleagues and their school districts are told they must measure everything. Everyone must be accountable, especially teachers.

My son teaches English at a vocational technical high school. He is a gifted teacher. He knows his subject matter. He is passionate. His students, who are indifferent or hostile to writing and literature when they enter his class, learn that a poem, short story, play or novel can be relevant and meaningful.

My son demands and gets excellence from his students. This isn't easy in a test-driven environment where everything is driven by the MCAS exams. Students review for the MCAS exams for weeks. They simply must do well. The MCAS

exams are a statewide graduation requirement. Fail the exams and you will be pulled out of regular classes. Forget about that literature unit. It's time for more drilling and more practice tests.

In America, we run our schools on an industrial model. Teachers are widgets in an assembly line of prefabricated learning with the end result being a high stakes test. Joy is often drained from learning and many new teachers leave the profession in the first five years.

Meanwhile, 4,000 miles away in Helsinki, the test averse Finns excel in reading, math and science working under a curriculum and in an environment where teachers are empowered and seen as the key to success. *Time* magazine's Joshua Levine (April 11, 2011) reports that many of Finland's best students aspire to become teachers. This is not because of money—salaries average between \$40,000 and \$60,000 for a 190-day work year. The field is competitive. In 2008, 9.8 percent of applicants were accepted into a 5-year program for elementary education at the University of Helsinki. Master's degrees are required for entry-level teachers.

New teachers enter the profession ready to excel with minimal intrusion from above. Levine cites Dan MacIsaac

from SUNY-Buffalo, a specialist in physics teacher education, who says, “Their teachers are much better prepared to teach physics than we are, and then the Finns get out of the way... In the U.S. they treat teachers like pizza delivery boys and then do efficiency studies on how well they deliver the pizza.”

In the Commonwealth, we talk about the need to address the achievement gap, the difference in standardized test results between affluent and poor communities. In Finland, a more equitable society and in most respects more of a true Commonwealth than Massachusetts, its worst students do much better. Their achievement gap is much narrower. “Raising the average for the bottom rungs has had a profound effect on the overall result,” MacIsaac says.

Finland's National Board of Education's National Core Curricula underscores the egalitarian values at the heart of its system. The document's underlying values are “human rights, equality and democracy.” It stresses the creation of an environment that promotes lifelong learning, independent and collective problem solving in an environment whose objective is “to increase a pupil's curiosity and motivation to learn.”

Students have considerable say in their education. They are encouraged to “set their own objectives... and participate in the creation of their own learning environment.” In a stark contrast to our test-driven culture, teachers and students work to “create an open, encouraging, unhurried, positive atmosphere, for whose maintenance the teacher and pupils share responsibility.”

Teachers everywhere share the goals embedded in Finland's curricula framework: the creation of schools where learning is exciting and relevant and students work with a purpose. Standardized testing is kept to a minimum. The Finnish National board of Education writes: “National testing, school ranking lists and inspection systems do not exist.”

Such an enlightened system is unlikely to appear anytime soon in the Commonwealth. Indeed, pressures to measure everything (while often missing the true value of public higher education) are building in our system. The Vision Project focuses more attention on learning outcomes and assessment. We are assured that standardized testing is off the table, but we must be vigilant. Otherwise, policy makers will move to force an MCAS-like exam upon us. ■

## “We Are One. . .” *Continued from front page*

The keynote speaker was Julie Toske, an elementary school teacher from Eau Claire, Wisconsin. Her presentation titled “The Good, The Bad, and the Ugly” recounted the events in Wisconsin where Gov. Walker pushed through legislation that cut benefits and stripped collective bargaining rights from most public employees. She said they never imagined that the state that had led the nation in granting public employees bargaining rights would then lead the nation in strip-

ping those rights. The “Good” part was the high rankings of Wisconsin students and teachers—she gave some deference to Massachusetts' comparable ratings—and how totally baseless most of Gov. Walker's criticisms were.

Another “Good” part was the way these actions mobilized the state workers. Individual unions organized their members and various unions got together to participate in the kind of mass protests shown on national television. Even police and fire unions that had endorsed Gov. Walker, and that he had exempted from the law to restrict collective bargaining rights, joined in the protests. Toske listed the kinds of things the unions did do like reaching out to members in person to get home phone and email addresses so that they could be contacted outside of school.

After the keynote, President LeBlanc presented this year's awards. Lois Martin from Massasoit, now retired, was presented with the Raymond C. Lemieux award for outstanding service to the MCCC. LeBlanc listed the many contributions of Martin over a long career. He thanked her for how, as a member of the Executive Committee, she would call him to task when she felt he was going in the wrong direction. Linda Grochowalski from Quinsigamond was presented with the John A. Palmer III Award for her many efforts to benefit adjunct faculty.

Treasurer Phil Mahler presented the budget for approval. He went over the

various line items and explained any changes. Given that the union is in sound financial circumstances, and that there was no increase for the MCCC portion of dues, the budget was approved handily.

Then it was time for New Business and the central item of attention: the Bylaws change to Voting Privileges. The proposal would change the vote of part-time members from 1/4 of a full-time member to an equal vote. It was the same proposal brought to the Assembly several times in the past—going down after vigorous debate. Last year a quorum failure ended debate and generated controversy. This year the change was recommended by both the Board of Directors and the Bylaws and Rules Committee.

Debate on the measure was more lopsided in favor than in previous years. The few opponents who spoke were concerned about the very different interests of adjunct versus full-time members. They also noted a lack of involvement by adjuncts as a group while recognizing the commitment of those adjuncts in attendance.

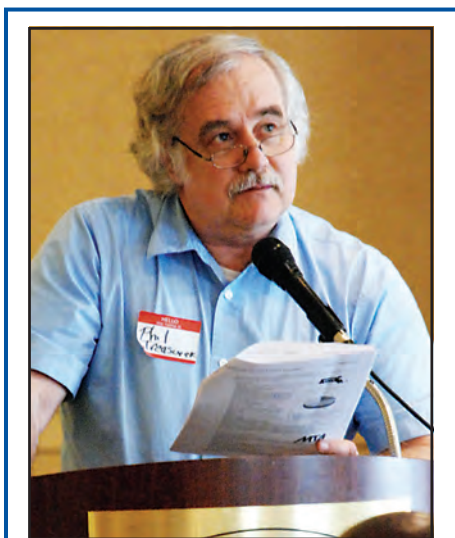
Many more members, both full-time and part-time, rose to speak in favor of the change. The idea of “one man, one vote” was a common thread. And the fact that the Union has been adopting Wisconsin's “We Are One” slogan, made the quarter vote for adjuncts look hypocritical. Proponents also felt that the change would make little of the change in union politics that critics feared.

Bylaws changes require a 2/3 vote to pass. When the hands were counted the Yeas were 74 and the Nays were 26—a solid margin of victory. A cheer went up in the room, and even opponents of the measure said they were glad it was settled and were ready to move on.

For some history, when the DCE Unit was organized in 1990, the composition of the MCCC was very different than it is today. At that time there was a small number of part-time faculty teaching before 4:00 p.m. and they were part of the MCCC (Day) contract. For courses after 4:00 p.m. there was no union representation. Most evening faculty taught one or, at the most, two courses. Full-time faculty were given priority for evening courses, but they were allowed to teach only one DCE course.

Situations have changed. The ratio of adjunct to full-time faculty is much higher today, and the DCE faculty were more likely to already have full-time employment outside of higher ed. than today's adjuncts. Adjuncts now represent 60 percent of the MCCC Union members (combination of both faculty and staff). Over 30 percent of the DCE Unit members do not belong to the Union.

Time will tell whether the voting change will result in more participation by part-time members and alter the direction of the Union. But its passage does end one issue that divided the membership. As President LeBlanc said, “This can only make the Union stronger.” ■



MCCC Treasurer Phil Mahler presented the budget for approval at the Delegate Assembly. With no dues increase proposed, the budget passed easily. (Photo by Don Williams)

# Know Your Day Contract

## June 2011

- June 1** Applications due for Sabbatical Leave beginning January 1 for professional staff or Spring semester for faculty. (p. 24)
- Note:** Professional staff work beyond the Academic Year. The dates below do not affect faculty.
- June 1** E8–Summary Evaluation by supervisor due (p.51).
- June 1** Letter stating preferred work assignment submitted each year to supervisor (p.46).
- June 1** Develop E–7 Form with supervisor. E–7 Form serves as basis of evaluation for the year. E–7 includes job description items (goals), objectives (if mutually agreed), and activities/methods (p.107).

## June 2011

- July 1** Notification of work assignment due from supervisor (p.51)
- July 1** Off-Campus Days–3 days off campus for activities outside of those assigned (conferences, catching up on literature in the field, etc.). They may be taken in increments of a half-day or more. The 3 off campus days begin with fiscal year (p.46).
- Note:** 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. ■



Lois Martin from Massasoit was presented the Lemieux Award by President LeBlanc. The purpose of the award is to recognize an individual whose service, leadership, and dedication have contributed significantly to the MCCC.

(Photo by Don Williams)



## MCCC News

<http://mccc-union.org>

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# Adjunct Unemployment Benefits and OBRA Pension Withdrawals

## Unemployment

Adjunct faculty may be entitled to unemployment compensation during semester breaks if part-time teaching at the community colleges is your primary income. Even if you are scheduled to teach a course for the fall semester, you may still be eligible for unemployment benefits during your break in teaching because the fall assignment is only an offer of employment.

Overall, given the nature of community college courses, there is no guarantee that a course you have been offered will run. Therefore adjunct faculty in our system are eligible for unemployment benefits unless other ongoing employment makes them ineligible. There are additional eligibility requirements such

as income, so it is best to contact the Mass. Department of Unemployment Assistance for further information. ([www.mass.gov/dua](http://www.mass.gov/dua).)

Occasionally members run into problems with claims being denied. If your claim for unemployment compensation is denied, contact Joe Rizzo, MCCC DCE Grievance Coordinator by email at [Grievance-DCE@mccc-union.org](mailto:Grievance-DCE@mccc-union.org) or by phone at (603) 898-6309. MTA will provide an attorney to represent union members at the Department of Unemployment Assistance appeal hearing.

## OBRA Pension Withdrawals

Adjunct faculty who are required to participate in the state's OBRA Pension may consider withdrawing their money at

the end of each semester and putting the money into private pension plans.

OBRA is a legally required 'retirement' benefit in lieu of Social Security that provides little benefit (and with a shift of administrative fees onto participants it has become even less attractive). Normally, part-time Mass. state employees cannot withdraw these funds until retirement or until one leaves state service. However, adjunct faculty members are contracted each and every semester. As a result 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 usually 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.)

The recent conversion of the DCE payroll to the state HRCMS payroll system has impacted the withdrawal procedure, but the right to access these funds is unchanged. 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. ■



Pat LaRoche of Quinsigamond spoke at the MCCC Delegate Assembly in favor of the Bylaws proposal to make votes of full- and part-time members equal. Beth Erviti from Greenfield waited to speak next in favor of the proposal.

(Photo by Don Williams)