

MCCC NEWS

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Tsaffaras at October BOD Meeting

Excerpted from the Secretary's report by Phyllis Barrett

Mr. Peter Tsaffaras appeared at the October 18th MCCC Board of Directors meeting at the invitation of the MCCC Executive Committee.

Recently promoted to Associate Vice Chancellor for Human Resources at the Board of Higher Education, he noted in opening that his office deals with numerous issues: affirmative action, benefit administration, compensation management, regular human resource responsibilities, labor relations, and staff functions for the chancellor and the BHE. While the office has responsibilities related to all of the state colleges and community colleges, in recent years, much of his time has been dedicated to dealing with various aspects of the MCCC Classification Study.

Members of the Board praised Mr. Tsaffaras for his help in securing funding for the contract and the classification study

and for his efforts on behalf of retirees. However, he was apprised of tremendous frustration on the part of members as the appeal process and other issues drag on.

Mr. Tsaffaras acknowledged that his office does not have the capacity to devote sufficient hours to these issues. The office prioritized resolving payroll problems at Roxbury and implementing the new student evaluation forms.

The Committee on Certifications and Licensures has also completed its work. Its recommendations will lead to impact bargaining. DMG has promised to complete their review of the Professional Staff Appeals from six campuses by the end of this month, and the BHE hopes that all of these appeals will have been reviewed by the end of January.

Mr. Tsaffaras anticipates that the Faculty Appeals process will begin soon and

will be less time consuming. In response to several Board members' concerns, he agreed to look into the cases of new hires and others who have still not been classified. Finally, he reported that DMG is working on a market update of the classification salary structure.

Mr. Tsaffaras commented on the Contract Extension, reporting that the cost item should go to the governor within three weeks. He anticipates that it will be funded. He expects to go to the table to discuss the next MCCC Day Contract this spring.

He commented on the unfunded higher ed contracts, noting that both Chancellor Gill and Chair Tocco are adamant in support of funding them.

Finally, he noted that the BHE is facing more budget cuts, bad news for all of higher education's constituents. ■

Upcoming MCCC Elections

Elections for delegates to the Annual MTA Meeting and National Education Association Representative Assembly ("the RA") will be held by mail-in ballot in the spring. A nomination form is included in this issue and will run in the next two issues. Nominations may be submitted in written form or by our on-line form, and are due February 6th by 4 p.m.

The online nomination form is available on the MCCC website: <http://www.mccc-union.org/>

The MTA annual meeting will be held in Boston Friday afternoon and Saturday, May 30 and 31st. Elected delegates who attend the annual meeting and live more than 25 miles from Boston are entitled to a hotel room for Friday evening. Delegates also receive a \$50 per day stipend from the MCCC to offset expenses.

The NEA Delegate Assembly will be in New Orleans July 1 - 6, 2003. Traditionally ten MCCC elected delegates will receive reimbursement for up to \$800 in expenses from the MCCC, if approved by the MCCC Delegate Assembly on May 10. The MTA traditionally provides an additional \$200 stipend. Members can also run as MTA minority and Region H delegates - watch the *MTA Today* for details. ■



October 18, 2002 BOD Meeting. seated left to right; MCCC VP Joseph LeBlanc, BHE Associate Vice Chancellor Peter Tsffaras, MCCC Secretary Phyllis Barrett, MCCC Treasurer Phil Mahler, standing MCCC President Rick Doud

GPO/WEP Meeting at Springfield Tech CC

Contributed by Carole Dupont

As a public employee, do you think you're eligible for your spouse's full social security survivor benefits because you have contributed to the system?

Springfield Technical Community College is taking a lead role in organizing campuses across the state to focus attention on the inequity of the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP) for state workers. Our goal is to force repeal of the legislation that prohibits state workers from collecting their full social security and also their spouse's full benefits if their spouse predeceases them.

In a nutshell, the GPO applies to married couples and reduces an individual's social security survivor benefits by an amount equal to 2/3 of his/her public pension. The WEP applies to every public employee and changes the formula used to figure benefit amounts causing public em-

ployees to lose up to 60 % of their social security benefits. There are 15 states that fall victim to this discrimination against public employees and Massachusetts is one of them.

These laws take away social security benefits that you and your spouse have earned.

There are currently several bills before the 107th Congress, in both the House and Senate, to repeal part or all of the GPO and WEP. Senators Kennedy and Kerry and the ten Congressmen and Congresswomen from Massachusetts are in support of all or some repeal of this legislation.

We want these laws completely repealed. We are asking that all higher education institutions begin to organize and work to change these discriminatory laws. We are requesting that each campus form a committee, select a chair and come together to build a strong coalition to work on

the repeal of these unfair laws.

As a major step in this process, STCC is hosting an informational meeting on our campus on Wednesday, November 20, 2002, at 1:15 PM, Building 17, Room 102 and representatives from your campus are invited to attend to hear Congressman Richard Neal discuss this issue.

Please email or phone me to reserve your place at this critical meeting. Unite to speak together in solidarity and strength concerning this penalty to people who have dedicated their lives to public service.

On behalf of the STCC Committee to repeal the GPO and WEP, I look forward to hearing from you soon.

Professor Carole Dupont
STCC Professional Association
413-755-4609

Cdupont@stcc.edu

For further information visit the NEA website: www.nea.org/lac/socsec. ■

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Board Supports Creation of a "Social Investment" TIAA-CREF Fund

by Wayne Klug, Berkshire CC

A new investment fund being proposed by a nationwide group of CREF shareholders found strong support last month from MCCC board members, who passed a resolution in time for TIAA-CREF's (TC) Annual Meeting November 7. Going beyond the screening provided by CREF's current "Social Choice" account, the new fund would invest in uniquely responsible companies that address environmental and community development needs.

In a letter to TC's new CEO Herbert Allison, MCCC President Rick Doud described the fund as one "that would invest in emerging companies producing environmentally-related products, creating low-income housing, providing social venture capital, encouraging shareholder activism, and the like".

Former TIAA-CREF CEO John Biggs was recently quoted in The New York Times as requiring that current participants pledge the transfer of \$25 million of their stocks to the new fund before TC would actually create it. As of October 24, more than \$15 million of this amount had been pledged.

MCCC members are encouraged to join this campaign by pledging a portion of their investments, and may do so by going to www.manchester.edu/academic/programs/departments/peace_studies/fund/pledge.html. Pledges would be most helpful if recorded before November 7. ■

7th Annual Massachusetts Community College Conference on Teaching & Learning

Collaborative Strategies in the Digital Age

Friday, April 11, 2003
8:00 a.m. - 3:45 p.m.

Cape Cod Community College
West Barnstable Massachusetts

Keynote Speaker:

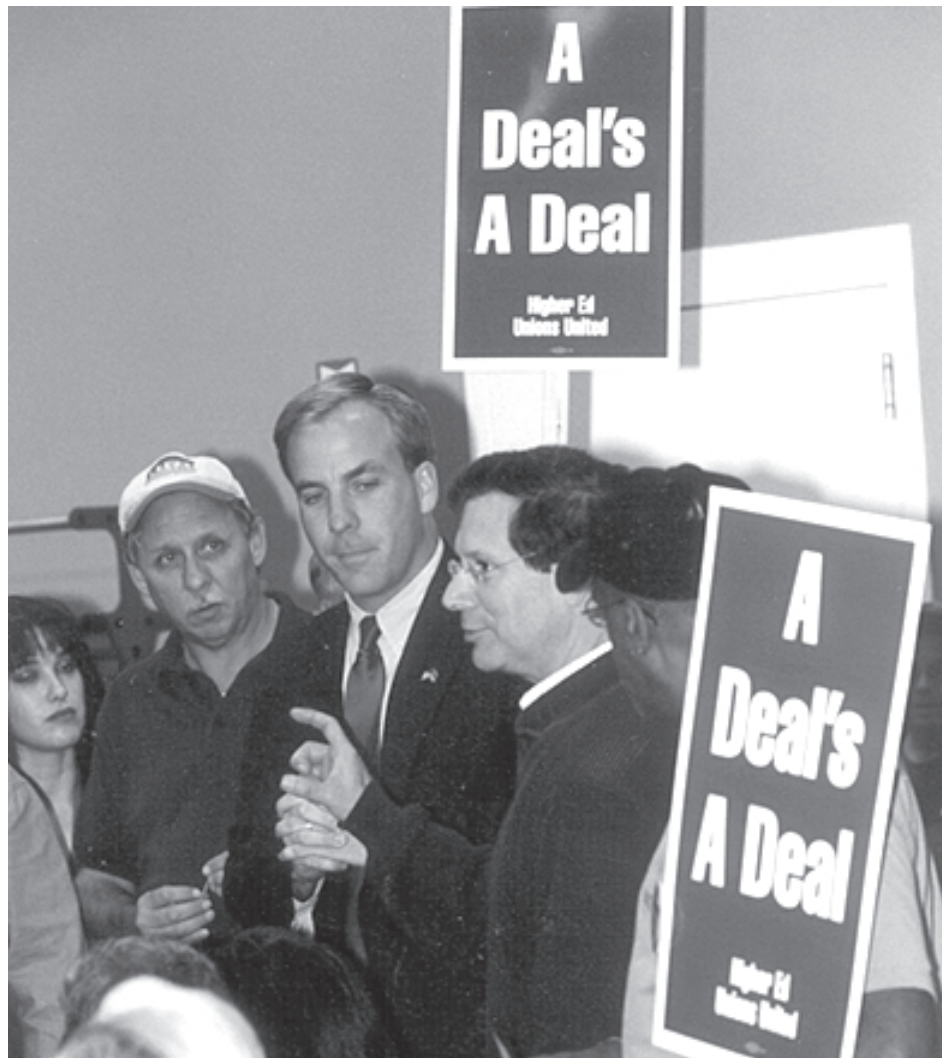
Dr. Mark Milliron
President and CEO of the League for Innovation in the Community College, Phoenix, Arizona

Sponsors:

The Community College Executive Office
The Massachusetts Community College Council
The Council of Senior Student Affairs Officers



MCCC Vice President, Joseph LeBlanc at the NECC Chapter meeting October 28th



"Lunch Hour" Protest at Middlesex CC September 25th Al Roscoe MCC AFSCME Steward, Representative Charles Murphy, Representative Jay Kaufman Both representatives signed letters of support.

Know Your Day Contract

November 2002

- Nov 11 Veteran's Day Holiday observed
- Nov. 21 Unit Personnel Practices Committee established p. 18
- Nov. 28 Thanksgiving Holiday
- Nov. 30 Tentative Spring assignments to faculty (p.32)
- Dec. 1 Applications for sabbaticals for Fall 2003 due (p.17)

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. ■

Editorial Comment

Thanksgiving Meditation by Peter Flynn

As we prepare for the holidays a recounting of our blessings seems apropos...

We have contracts that provide a basis for stability and some clarity in our role and rights.

We live in an era of prosperity, abundance and opportunity. We have fresh fruit and vegetables all year 'round.

We live in an era of technological marvels facilitating learning and communication. We have cable television and computers.

We have a system of public education

and advocates for the values pertaining to public education we hold dear.

We live in a democratic country that insures rights and freedoms, and promotes individualism and self fulfillment.

We have a stimulating workplace surrounded by resources for learning and creating. Our workmates are of an intellectual disposition, some challenging us and some providing mutual support.

We have meaningful work that for most of us is fulfillment of our lives' ambition. ■



MCCC President Rick Doud, October 28th chapter visit at NECC, Chapter President Mike Nutter on right

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. ■

Proposed Bylaw Changes

The deadline for submission of proposed changes in the Bylaws and Standing Rules of the MCCC must be received no later than February 1, 2003.

Proposals should be in printed format, double spaced, not handwritten. They should include:

- (1) a rationale for the proposed change
- (2) the name of the maker of the proposal
- (3) the campus (or MCCC committee/group) of the member making the proposal
- (4) Proposed changes should be sent to:

Robert B. Gillies
6 Wheelock Street
Oxford MA 01540-2110

President's Message

November 2002



Rick Doud,
MCCC President

On October 16, I attended the Board of Higher Education meeting at Roxbury Community College. The location was the Reggie Lewis Track and Athletic center on the Roxbury campus. If you have not seen

this facility, I urge you to get to Roxbury and check it out! It is an amazing facility—one of which both the Commonwealth and the Roxbury community are rightly proud.

The main topic of discussion at the BHE meeting centered on the approximately 12,000 high school seniors who would not be allowed to graduate this year because they did not pass both parts of the MCAS. That number will diminish as more students pass the MCAS this spring. As expected, the community colleges will be asked to play a major role in resolving the dilemma caused by the use of MCAS as a graduation requirement.

At its November meeting, the BHE is likely to adopt a policy based on a report and recommendations that were made at the October meeting. What is being considered is a three-track approach for individuals who fail the MCAS exam. Track A would allow students without a high school diploma to take a federally approved ability-to-benefit test, similar to one currently used at many community colleges to determine class placement. If a potential student passes the exam, he or she would be eligible for federal financial aid and to enroll at a community college. This approach basically negates the effect of not passing the MCAS, as a student will be allowed to enroll at a community college without first receiving a high diploma.

Track B would allow students to be referred to an Adult Basic Education Center in order to prepare for the GED exam. Upon passing the GED, students would be eligible for federal financial aid and to enroll in a community college. This track is currently available and has been used previously by students who do not have a high school diploma.

Track C is the Remediation Transition Program, which, depending on the number of students opting for this track, may have the largest short-term impact on the community colleges. In this track community colleges, in partnership with local school districts, can apply for an MCAS remediation grant from the Department of Education. The purpose of this track is to offer remediation skills training at a transition center on the community college campus. This track will prepare students to pass

the MCAS, allowing them to obtain their high school diploma and then be eligible to enroll in a community college.

If you were a student wanting to enroll in a community college, and had failed the MCAS, what path would you choose? I expect that many, if not most, would opt for Track A or B. It seems likely that only those students who feel they must have a high school diploma in hand would select Track C. How many of the 12,000 potential students both wish to attend a community college and also opt for Track C will determine how much MCAS remediation takes place at the community colleges. How different that population of students is to our current population is debatable. What is not debatable is that, again, community colleges are asked to come to the rescue and to take on an increased share of the educational burden of the Commonwealth. We must insure that the Commonwealth provides the necessary financial resources so that we may continue to open the doors of opportunity for our citizens while maintaining our standards of academic excellence.

In solidarity, Rick

SAC REPORT

Let's Have Breakfast!

Sandy Cutler, SAC Co-chair

Who can refuse an offer to have breakfast with a group of interesting knowledgeable, affable folks? That is the question Roberta Albano and I asked each other several years ago when MCCC members took the giant leap into the world of politics. Thus, the first Legislator Breakfast was created and implemented. The breakfast, which began as an idea, took its first steps in shaping and developing an on-going relationship between legislators, faculty and professional staff at our college. Through its humble beginnings the Annual Legislator Breakfast has quickly gained in popularity and notoriety by both legislators and members of the professional association.

Abraham Lincoln said "Determine that the thing can and shall be done, and then we shall find the way". At our college "the way" began with offering breakfast. We all know that "the way" to stimulate active, free flowing conversation is to arrange the affair around food.

This informal setting has created a vehicle that has produced a myriad of benefits for both legislators and us. One of the major

benefits has been access to legislators who now know who we are and who we represent. The interesting dialog that has taken place has proved fruitful and has many times given us a "heads up" on issues that directly impact us. More than once the legislators have been our mentors, helping us to understand the political arena and how to function in it. During our most recent breakfast, Senator Lees reminded us of how important phone calls are from constituents. As an example he told us that when legislators are working on a particular issue or bill, they go around the room and ask how many phone calls were received on the issue or bill. Many times this determines how the vote is moved. Both Lees and the representatives remarked on how our breakfasts have provided an important link between ourselves and our legislators. All of our legislators are very impressed with how our professional association and the MCCC have grown in our political presence and savvy.

So the old adage...offer them food and they will come...holds true. And better still...just do it! ■

Massachusetts Community College Council Nomination Form - 2003

Nominate online at <http://www.mccc-union.org/Nominations>

A candidate must file this form or a copy or online to be in the hands of the MCCC Elections Committee by Thursday, February 6, 2003, 4 p.m. **Nomination papers that arrive late will not be accepted.**

Check either or both categories as appropriate

MCCC DELEGATE

MTA Annual Meeting Delegate
(May 30 and May 31, 2003 - Boston)

NEA Representative Assembly Delegate*
(July 1 - July 6, 2003 -New Orleans)

Name _____

Full Home Address _____ Tel # _____

Chapter _____ Tel # _____

Unit membership: Full Time MCCC Part Time Day DCE
For ALL Candidates: Black Asian Pacific Islander Caucasian
 Hispanic - Chicano Native American

Mail a completed document to OR **Visit the MCCC Web Site to nominate online**
MCCC Elections Committee <http://www.mccc-union.org>
MCCC
27 Mechanic Street, Suite 104
Worcester, MA 01608-2402

Deadline: MUST BE RECEIVED by Thursday, February 6, 2003, 4 p.m.

Signature _____ Date _____

*Optional Bio or Statement for NEA Representative Assembly Candidates only - This is not distributed for MTA candidates. 50 word limit (1 word per box)

Instructions

1. Type or print clearly using both upper and lower case letters as you expect the final statement to appear.
2. Insert no more than one word per box except when combining letters (ex. MCCC) or hyphenated words.
3. Insert punctuation in the same box immediately after the word you want it to follow.



MCCC Research Coordinator, Hilaire
Jean Gilles presents at October BOD

Recruitment for DCE Bargaining Team

The current DCE contract expires December 31, 2003. Applications are now being accepted for the MCCC Negotiating Team for the 2003-2006 DCE contract.

Team Composition and Responsibilities

The team is composed of the President and Vice-President of the Council and a minimum of five members of the DCE unit, appointed by the Board of Directors. The team has the responsibility to negotiate with the employer on behalf of the Council and the unit on all matters relating to hours, wages, and conditions of work. The team's term of office ends upon the expiration date of an agreement or the formation of a new team.

Commitment

Applicants should understand that membership on a team constitutes a large time and energy commitment, a commitment to training, a commitment to serving the team as required as spokesperson, chair, vice chair, secretary or member at large, and in any other related way as required to serve MCCC members. Attendance at the Negotiations Track at the MTA Summer Leadership Conference at Williams College, August 2003 and/or other training may be required of team members.

To Apply

DCE unit members interested in applying should submit a cover letter and résumé to the MCCC office. The following information should be addressed in these materials.

1. Union experience at chapter level, statewide level, or in other systems
2. Academic background
3. Bargaining experience
4. Knowledge and understanding of labor relations
5. Reasons for wishing to serve

Applications must be postmarked no later than March 1, 2003, and mailed to DCE Negotiating Team Application MCCC

27 Mechanic Street Suite 104
Worcester, MA 01608

Interviews and selection will be conducted in March and April, and the team will be appointed by the June, 2003 Board of Directors meeting. ■

MCCC News

<http://www.mccc-union.org>

Editor:
Peter Flynn

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Rick Doud

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Joseph LeBlanc

Secretary:
Phyllis Barrett

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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. The material in this publication may be reprinted with the acknowledgment of its source. For further information on issues discussed in this publication, contact Peter Flynn, Northern Essex Community College, Haverhill, MA 01830, e-mail Communications@mccc-union.org

A Brief History of The DCE Unit

Adapted from material provided by Joe Rizzo, DCE Grievance Coordinator

The MCCC DCE unit has been operating under a collective bargaining agreement for the past 12 years, since September 1990. DCE faculty are now near the end of the third contract so negotiation team selection and contract negotiations for a successor agreement will be underway in coming months. As this time is approaching, it may be helpful to report on the history of the Division of Continuing Education Unit so to help illuminate the issues that lie ahead.

In the early 1960's, the state instituted a statutory requirement that state colleges could not offer courses in the evening and summer at any expense to the Commonwealth. This became the basis of the Division of Continuing Education programming. The evening and summer offerings were financed by tuition paid by students in those courses. This trust fund would stay at the college and pay for the instructor salaries and other associated expenses. As time passed, DCE became a major source of secondary funding for the community colleges for a myriad of activities. This practice also served as a form of tuition retention since the college keeps the monies raised by DCE tuition whereas the tuition paid by students to enroll in other course sections must be returned to the state coffers. During that period, day part instructors remained on the state payroll. However, many day faculty taught in DCE and have increasingly done so over the years.

The college presidents rarely adjusted DCE faculty salary during the 1980's and treated DCE instructors as at will employees or even as work-for-hire independent contractors. DCE salaries were stagnant in spite of regular increases in DCE tuition. Considering inflation, the salary of instructors was actually declining. In part, this was probably due to legislative under-funding of college budgets. DCE was already a tremendous source of soft money and became ripe for carrying many institutional operating expenses and priorities. DCE salary only rose 8% over that decade while the cost of living, as measured by the Consumer Price Index (CPI) grew by 63.4%.

The MCCC organized the DCE faculty and began to represent them in 1987. The community college presidents vehemently fought the unionization effort claiming that DCE faculty were "consultants" and that they did not share a community of interest with day faculty. The Massachusetts State Labor Relations Commission determined that the DCE instructors teaching credit courses had the right to unionize but as a separate unit from the day faculty. In part, this decision was influenced by the different funding scheme in the DCE enterprise. After protracted negotiations, the process entered fact finding, and a fact finder's report and recommendations was issued in the spring of 1990. The college presidents rejected that report. A strike ensued in May of 1990 where the full time faculty played a pivotal role.

A contract was negotiated and was implemented in the fall semester 1990. The first collective bargaining agreement increased salaries with percentage increases within a minimum and maximum range. This drastically raised salaries and diminished somewhat the disparities between colleges in the system. Still remaining, however, were a variety of pay scale systems and a range in salary from one college to another that was as high as 20% per course. In addition, unit members who met the contractual reappointment threshold had the right to one course per semester and now had basic faculty rights concerning academic freedom and grievance.

By 1992, thirteen of the fifteen colleges converted to DCE most of the courses taught by part time faculty during the daytime. The other two colleges followed suit in 1995. By so doing, the colleges could now

profit from the day courses taught by part time faculty, as was already the case in the summer and evening classes. The effect of this action was to greatly increase the size of the DCE unit and raise the salary of impacted day part time faculty by 50% or more. The day part timers had only received nominal percentage increase on the salaries that were still at pre-DCE contract levels. Although at first glance, this appears to be a win-win situation, it proved disruptive. It created confusion over reappointment priority and other contractual rights, as well as over unit identity. In addition, full time unit members with DCE reappointment rights now had access to a larger pool of available work. The repercussions of this action are still felt today. The net effect is that our employer has manipulated a membership of full and part time teachers, and created multiple identities and working conditions through a system of accounting classifications. It is common for the colleges to argue that full and part time faculty are essentially the same or intrinsically different as it suits their needs. The total number of part time faculty increased and doubled through the 1990's. Ascertaining exact numbers is a difficult task because of the dual classifications of many individuals.

Currently, over half of the full time MCCC unit members are also DCE unit members comprising about 30% of the DCE unit. Over half of the DCE unit has a full time job in addition to teaching in DCE. A sizable minority of DCE unit members only work part time. For many of these individuals, this means that they lack health insurance and meaningful retirement benefits.

The first contract expired in 1993. It took almost three years to negotiate a

successor agreement. The second contract was in place in the spring semester 1996. It provided for substantial salary increases and a state-wide salary schedule. As a result, most inequities between colleges were eliminated. Concerned that bargaining delays meant lost income for unit members, the second contract and the current agreement provides for a salary increase in the event that a new contract is not yet in place when the contract expires. The current contract, in effect since fall 2000, brought a 15% salary increase and a forth pay step based on eight years of seniority. DCE salary today is approximately 160% higher than it was in August 1990. This contract also provides rights relative to progressive discipline.

Although these accomplishments are laudable, there are twenty years of pre-bargaining stagnated salaries, and continued mistreatment, and inequity in DCE still to overcome. The college presidents have steadfastly refused to provide health insurance coverage, meaningful retirement, or any other economic benefits that are a necessary part of life to DCE unit members. Many DCE members receive such benefits through other employment or from family plans. A great number, however, have no benefits at all. The MTA and The MCCC have pursued remedying this situation by legislative and other political action.

The future of DCE will certainly be challenging as the size of DCE continues to grow and the colleges face uncertain economic times. Moreover, the viability of tuition based revenue is questionable since DCE tuitions have not changed much over the years but DCE salaries have grown substantially. ■

