

MCCC News

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150 MCCC members showed solidarity for the DCE contract at the Delegate Assembly

DCE Contract at Mediation

After a year and a half of bargaining with no agreement being reached, the Union and Management have agreed to go to mediation. Attorney Joe Sandulli, who is representing the MCCC in bargaining, came to the April 6 Executive Committee to explain the process of mediation and discuss strategies to bring the contract to a satisfactory resolution.

He was joined by Suzanne Wall, MTA Director of Higher Education, who is also participating as a consultant with the DCE Negotiation team.

After a Feb. 28 initial meeting, the mediator gave the management team an assignment to prepare a financial package for the next meeting which was scheduled for April 18. [See related breaking news article at right for what happened at that meeting.]

As a labor attorney with many years of experience, Sandulli called the management team, "A most unusual employer," and negotiating with them was a "jiggly mess" where it is difficult to determine who we are negotiating with.

Ostensibly, the DCE contract is negotiated with the college presidents because the money to pay adjuncts comes out of college, not state, funds. Specifically the "Labor Committee," made up

of three college presidents, is in charge. Currently they are Lane Glenn, NECC; Patricia Gentile, NSCC; and James Vander Hooven, MWCC.

In the past the lead management negotiator was an attorney for the college presidents, with no representative of the Department of Higher Education. But these negotiations are being led by Michael Murray, Director of Employee Relations for the DHE. Carol Wolfe-Fallon, labor attorney for the college presidents, always attends, but Sandulli said other management team members are often absent.

Mediation is non-binding, but it is an opportunity for a disinterested third-party to try to bridge the differences between the parties and to see if a settlement can be reached. But the mediator has no power and does not issue any reports.

If mediation is not successful, Sandulli explained, the parties have the option of going to Fact Finding. In that process, an expert(s) are chosen to investigate the issues that separate the parties and make recommendations as to a reasonable resolution, but again, those recommendations are not binding. Fact Finding recommendations may give a party (like the union) some leverage in

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Breaking News

Management Insults Union; Unprepared for April 18 Mediation Meeting

As this issue of the MCCC News was being finalized the news broke on April 20, that after a six-week break from the first mediation meeting to prepare a financial offer the management team showed up with nothing.

Mediator Heather Bevilacqua had given the management team the homework assignment on February 28, to come up with an economic proposal that included movement towards wage progression.

"It was disrespectful, exhausting unconscionable and a colossal waste of time," said MCCC Bargaining Chair John McColgan. "It is clear," he added, "the BHE does not care about adjunct faculty."

VP-elect Rosemarie Freeland said, "The management team is completely derelict in their obligation to bargain in good faith."

Margaret Wong, MCCC President-elect said, "We are calling on all our members to fight for a fair DCE contract. We need to hold management

accountable." And "We need to be visible, and take our cause public."

Action has been planned for the May 1 BHE meeting at Middlesex Community College, and the May 18 Quinsigamond Commencement where Sen. Elizabeth Warren will be speaker. Other events are being considered. ■



Bargaining Chair John McColgan
(Photo by Don Williams)

MTA to Launch Summer Membership Drive



MTA Director Joe Nardoni presented a summer organizing plan to the MCCC Executive Committee at its April meeting.
(Photo by Don Williams)

DCE Contract...

Continued from front page

the public sphere. However, in the end, an agreement must still be worked out between the parties.

Sandulli said, "We were very lucky to be assigned the best, most qualified, mediator in Heather Bevilacqua." She has experience with adjunct faculty issues having mediated the contract between UMass Lowell and its adjunct faculty. That contract did end up in Fact Finding

over issues of pay and job security.

Members' demonstrations of support do have an impact, Sandulli said. And he encouraged members to participate in the contract action events the union organizes. He and Wall described a number of strategies the union is pursuing that included a rally at the May 1 meeting of the Board of Higher Ed. at Middlesex Community College and graduation actions. ■



Attorney Joe Sandulli, who is representing the MCCC in DCE negotiations and Suzanne Wall MTA Director of Higher Education gave a presentation to the MCCC Executive Committee on April 6, explaining the progress on the contract and what to expect from mediation. At that time Sandulli said he was "optimistic," but the events of April 18 may have changed that.
(Photo by Don Williams)

As part of its All-In drive to increase membership and member involvement, MTA is planning to roll out a summer organizing project. The plans for K-12 activities may not be effective for higher ed., so locals have been encouraged to develop their own.

Joe Nardoni from Middlesex Community College, one of three MTA Directors representing the MCCC, presented an initial plan at the April Executive Committee meeting for summer outreach to our members. The plan was developed with members of the MCCC Strategic Action Committee Margaret Crowe and Rosemarie Freeland.

While the MTA effort is a direct reaction to the potential loss of agency fee membership due to the Janus case pending at the U.S. Supreme Court, MCCC has engaged in efforts in the past to recruit agency fee payers to become Union members.

The MCCC DCE Unit has the largest percentage of agency fee payers of all the MTA local associations. Nationally, adjunct faculty are more likely to choose to pay the fee rather than join the unions representing them. With very high numbers of adjuncts, the MCCC organizing has a special focus on them. But, depending on the specifics of the court decision, Nardoni said we may also need to work on maintaining our existing Union members.

The proposed plan would have a budget of about \$30,000 for an 8-week project. Five members would be hired at \$750/week for eight weeks over the summer. These people would be chapter-based to initiate various activities to spur one-on-one conversations with members and non-members alike.

Members of the Executive Committee supported the idea and offered a number of ideas. Carlos Brocatto, Director and Chapter President at Middlesex, shared similar experience he had in California with some specific suggestions.

Finding friendly "greeters" was a key part of Brocatto's approach. He said, "We all know those kind of people who are outgoing and approachable." The organizers would ideally be those type of people.

Other suggestions included streamlining the membership process (so it could be done on the spot with an iPad) and preparing data packages for the organizers with target member class schedules and office locations. Suzanne Wall, MTA Higher Ed. Director, added that there is software available for coordinating these kind of activities.

More information will be coming out as the Union develops more specific plans. With a Janus decision still pending, many issues are up in the air, but regardless of the decision organizing MCCC's agency fee payers is imperative. ■



Quinsigamond Community College members stood out in solidarity to demand a fair DCE contract settlement on Wednesday April 11.
(courtesy photo)

Visit The MCCC Online! www.mccc-union.org

The MCCC website is the best and most up-to-date source for late breaking developments important to Day and DCE Unit members in addition to being a valuable resource for MCCC contact information, bargaining and legislative updates, contracts, committee assignments, bylaws, local chapter leadership, calendar of meetings and events, and the MCCC News newsletters (current and past).

Find links to NEA, MTA and MCCC on Twitter and Facebook.

Bookmark the site for frequent referral.

NOTE: A new format for the MCCC webpage is currently under construction and should be launched soon.

“When We Fight, We Win” – A Lesson from West Virginia

by MCCC President Diana Yohe

It's no secret that our union has not been functioning effectively. It's no secret that we will be hit hard by the Supreme Court's Janus decision, which will rule that people no longer need to pay an agency fee but may nonetheless get most of the benefits of the union. It would be easy to predict disaster for our members and our union; West Virginia shows it may not work out that way.

A word on our own situation before considering the lessons of West Virginia. The MCCC will be hit harder by the Janus decision than any other part of the Massachusetts Teachers Association (MTA). Across the state there are more than 80,000 teachers and educators working in classrooms from kindergarten through high school—less than 500 of those people are paying agency fee, all the rest are members of the MTA and some local association. In the MCCC we represent less than ten percent as many people, but we have more than three times as many agency fee payers.

Among our full time employees, agency fee payers are rare—less than five percent of the total. We don't show quite the level of solidarity found in K-12, but the great majority of people choose to join the union and become members. In our DCE unit it's a very different story. There are lots and lots of agency fee

payers. Many people do not choose to join the union.

There are many reasons that could be so: lower incomes, not sure they will be around for the long term, never been asked to join, and/or not so sure the union is committed to fighting for adjunct members, a reservation born out of our past history, including the history of the negotiations for our still-open DCE contract, now **690 Days (23 months)**

The MCCC will be hit harder by the Janus decision than any other part of the Massachusetts Teachers Association (MTA).

past its initial expiration date on May 31, 2016. That combination—lots of agency fee payers, a hostile Supreme Court decision, and employees uncertain about the union's effectiveness and commitment—could end up as a recipe for disaster.

Or then again, maybe not. West Virginia is a *right-to-freeload* state; often misleadingly called “*right to work*.” It's what will apply to public sector employees across the nation if the Supreme Court rules as expected in the Janus decision, coming in May or June. It means that by law, an employee can pay nothing to the

union, but the person still gets the wages and benefits negotiated in the contract and the union has to represent the person if they have a grievance. Bizarre, right? It's illegal to strike in West Virginia. They have a Republican governor (elected as a Democrat, then changed his party) and Republicans control both houses of the legislature. Teacher pay is 48th in the nation, and they haven't had a raise in ten years. All of which, it's pretty obvious,

makes it “impossible” to go on strike.

Except that West Virginia teachers, and support personnel, did go on strike. Statewide. Every single one of the 55 counties across the state. The people who organized and led that strike were mostly building reps and respected workers; very few of them were local leaders or statewide board members. They organized through Facebook. They took a series of escalating actions, beginning by wearing red on Fridays and, in a handful of counties, moving to one-day “Fed Up Friday” work actions. They began



Diana Yohe,
MCCC President

to talk about a statewide strike. Their union leadership urged them to have a rolling strike, five counties at a time. The members said “No,” that was too mild; they were all going out together, teachers and support workers. And they did.

A few days into the strike, the governor, the legislature, and union leaders cut a deal: a 5% pay increase for teachers, no raises for anyone else, no remedy for the health insurance issues (which outraged educators). The rank-and-file members were gathered on the steps of the state capitol as these negotiations went on. They received 15 minutes advance warning before the leaders and legislators came out to announce the deal, which enabled them to have a hurried discussion and prepare their response. When the leaders came out and proclaimed a deal, rank-and-file members burst into chants of “TURN IT DOWN.” Amazingly, across the state educators held meetings in any space they could find and, county by county, voted to turn down the deal and keep the strike going, insisting on a raise for all state employees, including the most vulnerable, not just for the full-time teachers. The strike went on for days, the health insurance issue was at least quasi-addressed, and all workers got the raise. No one talked of any punishments for strikers. Everyone—teachers, support workers, legislators, the governor, the media—understood this as near total victory for the strikers.

The lessons for us? Even when things look bleak—and conditions there were a lot more hostile than they are here—action is possible. Even when the statewide leadership is willing to cut an unfavorable deal, worker action can override that and say “hell no.” Even when an offer is made to buy out the most privileged workers, people can stand in solidarity and say “an injury to one is an injury to all,” with full-time teachers continuing the strike to support other state workers. Even when it's illegal, you can mount a successful statewide strike. Even if the official union machinery won't lead the action, rank-and-file leaders will do so.

If we want our agency fee paying adjuncts to join the union, the best way to get them to do so is to show them union strength and solidarity. If we—all of us—are fighting for equal pay for equal work, if we lead the battle for health insurance for adjunct faculty, if we show the strength to make real gains—if we do all that, we will be in position to persuade agency fee payers to become union members. ■

MCCC Endorses Eric Champy for MTA President



Both candidates for MTA President, Eric Champy and Merrie Najimi, came to the MCCC Board of Directors to ask for the union's support in this year's election.

Each candidate was given 15 minutes to present their positions on issues, and then members were able to ask questions.

After deliberation, the Board voted overwhelmingly to endorse Eric Champy for MTA President. The union has made no endorsement for Vice President.

The election takes place at the MTA Annual Meeting on May 5. Only elected delegates are eligible to vote. ■

ACADEMIC WARNING REPORT

STUDENT I.D. #:

STUDENT FIRST NAME: Michael

STUDENT LAST NAME: Murray

COURSE NUMBER: SECTION:

TERM: FALL SPRING SUMMER I SUMMER II (Circle One) YEAR: 2018

COURSE TITLE: DCE Contract Negotiations

FACULTY NAME: MCCC DCE Bargaining Team

FACULTY DEPARTMENT: Labor Relations

PLEASE EXPLAIN THE REASON FOR ACADEMIC WARNING:

The Board of Higher Education Team has failed to bargain in good faith.

PLEASE EXPLAIN HOW THE STUDENT CAN IMPROVE:

Complete assignments from Mediator in a timely fashion.

MCCC Policy: It is our policy to reach a fair contract for DCE Faculty, which includes equal pay for equal work.

The MCCC issued an Academic Warning to Michael Murray of the Board of Higher Ed., using the RCC form, for failure to complete assignments after the management team came to negotiations completely unprepared.

Bristol Community College members stood out on Wednesday April 11 to support DCE negotiations.



(Courtesy photo)



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. Members' letters up to 200 words and guest columns up to 400 words will be accepted and published on a space-available basis. The material in this publication may be reprinted with the acknowledgment of its source. For further information on issues discussed in this publication, contact Donald Williams, North Shore Community College, One Ferncroft Road, Danvers, MA 01923. email: Communications@mccc-union.org



Write Us

Letters to the Editor

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

Guest Columns

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

Mail to:

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North Shore Community College
1 Ferncroft Road
Danvers, MA 01923

Or email:

Communications@mccc-union.org

Know Your Day Contract

May 2018

- May 1** President's tenure recommendations and sabbatical notification due (pp. 44 & 27).
- May** **Last Day of classes.** Faculty submit college service and student advisement form (p. 57).
- May 21** Tenure decisions due (p. 45).
- May 28** Memorial Day observed.
- May 30** Professional staff College service and student advisement forms (p. 59).

June 2018

- June 1** Applications due for Sabbatical Leave beginning January 1 for professional staff or Spring semester for faculty (p. 27).
- June 1** E8-Summary Evaluation by supervisor due (p. 58).
- June 1** Letter stating preferred work assignment submitted each year to supervisor (p. 50).
- 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 (Appendix).

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.



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mccc.union