

Massachusetts Community College Council

Margaret Wong, President
Rosemarie Freeland, Vice President
Gail Guarino, Treasurer
DeAnna Putnam, Secretary



Don Williams, Communications
Dennis Fitzgerald, Grievance
Joseph Rizzo, Grievance
Hilaire Jean-Gilles, Research
Tom Powers, Webmaster

Minutes of the MCCC Executive Committee Meeting
27 Mechanic St, Worcester, MA
Friday, March 1, 2019

Approved on April 5, 2019

Present: President Margaret Wong, Secretary DeAnna Putnam, Treasurer Gail Guarino, VP Rosemarie Freeland, Executive Committee Members-At-Large Ellen Pratt and Linda Grochowalski, and MCCC Communications Coordinator Don Williams

Guest: BHCC DCE Grievance Representative Jefferson Fernandes, Day Grievance Coordinator Dennis Fitzgerald, BHCC Day Faculty member Paul Kasili, MTA Field Rep Catherine Santiago, MTA General Counsel Ira Fader

President Wong called the meeting to order just after 10:30 a.m. XCom adopted the order of business and approved minutes from its February meeting.

BHCC Day faculty member Paul Kasili presented his appeal regarding the Day Grievance Committee's decision not to certify his case for arbitration.

XCom entered into executive session at 11 a.m. to consult with Ira Fader with regard to issues pertaining to BrCC and to discuss the Day Grievance Committee's decision not to certify two cases, including Kasili's, for arbitration.

XCom exited executive session at 12:53 p.m. and reported out the following motions:

MOTION: To uphold the decision of the Day Grievance Committee to not certify the Kasili for arbitration (Freeland) **PASSED Unanimous**

MOTION: Uphold the decision of the Day Grievance Committee with regard to Panse (Barnes) **PASSED Unanimous**

XCom discussed updating the Chapter Presidents' manual, and also setting up a conference call for leadership at HCC and STCC regarding an overview of Weingarten Rights, as a misunderstanding had arisen regarding union representation during Title IX/Affirmative Action investigations.

Day Grievance Coordinator Dennis Fitzgerald stated that he had not advised members at HCC to refuse to represent members during Title IX/Affirmation Action investigatory meetings as HCC leadership had communicated to President Wong, and that he would contact HCC chapter leadership to clear up any such misunderstanding.

XCom discussed possible ramifications and challenges to academic freedom that might arise with the drafting of General Education Foundation learning outcomes related to MassTransfer.

Treasurer Guarino presented recommended policy changes that she plans to present at the next Board of Directors meeting for a first reading.

MOTION: To recommend proposed policy on presidents meeting (cut and paste from document) Barnes **PASSED** *See proposed policy below:*

Chapter Presidents' Meetings

Chapter Presidents will receive reimbursement for food and mileage for one meeting during the Fall semester and one meeting during the Spring semester.

MOTION: To recommend membership policy as amended (Freeland) **PASSED**
Unanimous Note: See the proposed policy as amended below:

Membership

In accordance with the MCCC Bylaws, which say a member must pay dues, the MCCC will drop from membership any person who has not paid dues within 90 days of receiving the initial bill. The following policies apply:

1. ~~Only cash payers are impacted by this policy.~~ Does not apply to payroll deduction
2. Members who have not paid will receive a 30-day and a 60-day notice.
3. All members will be given 30 days' notice before being dropped from membership.

MOTION: To recommend reassigned purpose as amended all stipends in lieu of reassigned time will be set at the same rate (Pratt) **PASSED** *See proposed policy below:*

Financial Policies: Reassigned Time Purpose

Current

In general, the purpose of reassigned time is to provide availability for an MCCC member to perform their duties. It is recognized that individuals may

not be able to actually get reassigned time because they are in a small program, are a DCE or day part-time member, or for other legitimate reasons. In these cases, the Board of Directors may authorize stipends in lieu of reassigned time at the DCE Step 2 level. *Approved by the Board of Directors March 25, 2016*

Proposed

In general, the purpose of reassigned time is to provide availability for an MCCC member to perform their duties. It is recognized that individuals may not be able to actually get reassigned time because they are in a small program, are a DCE or day part-time member, or for other legitimate reasons. In these cases, stipends in lieu of reassigned time will be determined in the approved Annual Budget.

MOTION: To recommend the policy regarding the Conduct of Elections as amended (Pratt) *PASSED Note: Treasurer Guarino does not plan to bring this to the Board without first having it reviewed by the Chair of the Nominations and Elections Committee. See the proposed policy as amended below:*

General Policies

Current

II. Conduct of Elections

In MCCC elections, the main principle to be observed is that every member eligible to vote shall have a reasonable opportunity to make nominations, to run for office, and to vote.

A. Nominations and Elections: Statewide Elections

1. A Nominations and Elections Committee is mandated by the MCCC Bylaws (Art. VII, sec. 3) for statewide elections.
2. Statewide nominations are placed by mail or electronically.
3. Statewide elections are conducted by mail or electronically. Ballots and/or election materials are delivered to member home addresses or by email; votes are cast by mail or electronically or hand-delivered to the designated location.
4. The Committee will certify and place in nomination in accordance with the Board approved MCCC Nominations and Elections Timeline outlined in the election year and the submission of the MCCC Nomination Form: (1) the names of all officer candidates who have secured at least fifty signatures of active members in support of their candidacy, (2) and the names of all candidates for Adjunct/Part-time Board member who have secured at least ten signatures of active members in support of their candidacy, (3) the names of candidates for the MTA Annual Meeting, and (4) the names of candidates for the NEA-RA Delegate Assembly.
5. If the number of certified candidates for the MTA Annual Meeting is less than or equal to the number of delegates permitted, then those candidates

are deemed elected. A ballot process will be conducted to permit write-in candidates for unfilled slots or to be names as successor delegates.

6. All communications with candidates on the statewide ballot may be by email.

7. Write-in candidates for delegate to the NEA-RA and the MTA Annual Meeting must submit a write-in candidate nomination form within five business days of the announcement of voting results. This form is to solicit the same information as a preelection nomination form. Names written in but who do not fill in the write-in candidate nomination form within the time specified are ineligible for election. This policy will appear in the ballot materials and be referenced on the ballot. *Approved by the MCCC Board of Directors August 17, 2016*

Proposed

II. Conduct of Elections

In MCCC elections, the main principle to be observed is that every member eligible to vote shall have a reasonable opportunity to make nominations, to run for office, and to vote.

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4. The Committee will certify and place in nomination in accordance with the Board approved MCCC Nominations and Elections Timeline outlined in the election year and the submission of the MCCC Nomination Form: (1) the names of all officer candidates who have secured at least fifty signatures of active members in support of their candidacy, (2) and the names of all candidates for Adjunct/Part-time Board member who have secured at least ten signatures of active members in support of their candidacy, (3) the names of candidates for the MTA Annual Meeting, and (4) the names of candidates for the NEA-RA Delegate Assembly.

5. If the officer and Adjunct/Part-time Board member positions are uncontested, the nominees for those positions are deemed elected.

5. 6. If the number of certified candidates for the MTA Annual Meeting and/or the NEA Representative Assembly is less than or equal to the number of delegates permitted, then those candidates are deemed elected. A ballot process will be conducted to permit write-in candidates for unfilled slots or to be names as successor delegates.

7. If an election has no contested positions position(s), the MCCC does not need to will not conduct the elections election but must declare the nominees nominee(s) elected and post the newly elected officers, Adjunct/Part-time Board member positions, and delegates to the MTA Annual Meeting and the

NEA Representative Assembly within ten (10) days of the close of nominations.

6. **8.** All communications with candidates on the statewide ballot may be by email.

~~7. Write-in candidates for delegate to the NEA-RA and the MTA Annual Meeting must submit a write-in candidate nomination form within five business days of the announcement of voting results. This form is to solicit the same information as a preelection nomination form. Names written in but who do not fill in the write-in candidate nomination form within the time specified are ineligible for election. This policy will appear in the ballot materials and be referenced on the ballot.~~

XCom Member-At-Large and Bylaws and Rules Committee member Linda Grochowolski presented that committee's recommendations regarding proposed changes to the MCCC Bylaws. *Note: The complete language of the bylaw proposals and the Bylaws and Rules Committee's recommendations can be found in the appendices.*

***Also note:** During the course of passing the following motions, XCom and President Wong agreed that Wong would seek parliamentary opinion regarding all of the proposals, in particular seeking clarifications regarding proposals that might be out of order or not recommended because they might/would 1) contradict or violate other sections of the bylaws, 2) violate the legal obligations of MCCC as a union, 3) restrict the self governance individual Chapters, and/or 4) more properly be enacted as a policy change instead of a bylaw change.*

MOTION: Recommend to rule Proposal #1 (Suspension) out of order (Guarino)
PASSED

President Wong reported that she would rule Proposal #1 out of order

MOTION: To not recommend Proposal #2 (Powers and Duties) (Barnes) **PASSED**

MOTION: To not recommend Proposal #3 (also Powers and Duties) (Guarino)
PASSED

MOTION: Recommend that Proposal #4 (Active Membership) be ruled out of order (Pratt) **PASSED**

MOTION: Recommend that Proposal #5 (Chapter President) be ruled out of order (Guarino) **PASSED**

MOTION: To not recommend Proposal #6 (Professional Staff Committee) (Guarino)
PASSED

MOTION: Recommend to rule Proposal #7 (Electronic Meetings) out of order (Barnes) **PASSED**

MOTION: Not to recommend Proposal #8 (Membership) (Pratt) **PASSED**

MOTION: Not to recommend Proposal #9 (Membership) (Guarino) **PASSED**

MOTION: Not recommend #10 (Adjuncts Committee) (Guarino) **PASSED 4-1**

MOTION: Not to recommend Proposal #11 (Membership) pending a decision from the parliamentarian as to whether or not it is out of order (Guarino) **PASSED 4-1**

MOTION: To thank the Bylaws and Rules Committee for their work (Putnam) **PASSED**

XCom entered into executive session at 3:11 p.m. to discuss the apparent violation of executive session during the most recent Board of Directors meeting and to approve executive session minutes from XCom's February meeting.

Exited executive session at 3:25 p.m. and adjourned at 3:30 p.m.

The next meeting will be held on Friday, April 5, 2019.

Submitted by DeAnna Putnam, *Secretary*

Appendix A

**Recommendations from the MCCC Bylaws and Rules Committee
March 1, 2019**

PROPOSAL #1

Article III Section 4 Suspension

Committee does not recommend (5-0)

Our existing bylaws already cover the suspension from the MCCC of any member found in violation of the Code of Ethics.

A Title IX process is run by management. While we agree that discrimination is an egregious violation, Title IX findings do not come about with investigation or trial, therefore giving power of suspension from the union to management.

PROPOSAL #2

Article VIII Section 2 Powers and Duties

2E additional language

Committee does not recommend (5-0)

The language is overly broad and thus unenforceable. We have concerns around liability for chapters.

We agree that such inappropriate behavior must be addressed, but not through bylaws.

PROPOSAL #3

Article VIII Section 2 Powers and Duties

2F additional language

Committee does not recommend (5-0)

We acknowledge the serious nature of the problem of incivility, both in workplaces and our culture at large. We question whether this proposal should be in the bylaws or the chapters' and MCCC policy manual. We note that the MCCC has strong language on p. 26, #20 that addresses these behavioral concerns; they could be adopted by chapters as well.

Roberts Rules can work for meetings, but not for electronic communication.

We also question whether all chapters would have to create standards of civility and/or standing rules as a result of this amendment.

PROPOSAL #4

Article III SECTION 2 ACTIVE MEMBERSHIP

Committee does not recommend (5-0)

When a member is suspended from the college, due process must be completed.

There can be no presumption of guilt at the start of the process.

This proposal would give management ability to cause the suspension of a member from their union and to remove their rights to representation during the investigation. The impact on a member would be extremely serious.

PROPOSAL #5

ARTICLE VIII SECTION 4 CHAPTER PRESIDENT

Committee does not take a position

We acknowledge this is a troubling situation; there are currently two chapter presidents who are adjunct/part-time, and are ineligible for course reassigned time. They are therefore completing their duties without any stipend equivalent to the reassigned time.

This proposal however, sets up a double standard of payment of an expense that Management has agreed to pay. Management is not assuming their responsibility for a stipend equivalent to a reassigned course within the DCE contract; the MCCC should not set a precedent in this regard. This must be negotiated as part of the contract; in order to treat both situations in both contracts equitably, this must be high priority for subsequent DCE negotiations and therefore, the MCCC should apply pressure to management.

We are aware, too, that the Janus decision has made for an extremely tight MCCC budget.

PROPOSAL #6

ARTICLE VII Section 12 PROFESSIONAL STAFF COMMITTEE

Committee does not recommend (5-0)

The proposal takes away autonomy of the individual chapter. Chapters should feel free to set their bylaws and policies.

PROPOSAL #7

ARTICLE VII Section 16 Electronic meetings,

to add Section 17 Electronic voting

Committee does not recommend (5-0)

The committee supports the spirit of the motion, to “allow greater participation in elections,” however as written, it restricts options for chapters to address the underlying concern. There are cost concerns in having 15 individual chapters purchase software, and while it would make more sense for the MCCC to purchase a package for all to use, we have concerns about the budget constraints under the Janus decision. Additionally, initial experiments at the chapter have had widely varying results, including some grave difficulties that required a rerun election. We could support a proposal that allows, but does require, chapters to use electronic voting as well as absentee voting measures.

PROPOSAL #8

ARTICLE IV Section 1 Definitions and terms & ARTICLE V Section 1 Membership

Committee does not recommend (3-2)

The committee acknowledges the logic of aligning with the MTA policy, and the advantage of encouraging new people to seek leadership positions, but the committee notes that there is a significant learning curve for a new board member, with considerable time needed to get up to speed. We are also concerned about the loss of experience and expertise on the board.

PROPOSAL #9

ARTICLE V Section 1 Membership

Committee does not recommend (5-0)

The proposal does not specify in any way how “another part-time/adjunct faculty member” (the substitute for the substitute) would be chosen, nor does it address whether this person would have voting rights.

PROPOSAL #10

ARTICLE VII Section 13 Adjuncts Committee

Committee does not take a position

Alignment with other two-year terms is logical, but some feel that the commitment of a two-year term can be problematic for adjunct faculty.

As with previous amendments, we are concerned that this amendment could impact the autonomy of the individual chapter: here, in requiring that the representative cannot be a full-time benefitted employee (as opposed to recommending that it not be). Some chapters report that they cannot recruit an adjunct faculty member to run, and so would have no representation on the statewide committee, unless they send a full-time faculty member who also teaches in the DCE contract.

PROPOSAL #11

ARTICLE III Section 1

ARTICLE V Section 1

Committee does not take a position

The amendments do offer better definitions of part-time professional staff and adjunct faculty positions. We question whether a person with reappointment rights should have the same active membership status as a current employee. We again acknowledge the logic of the goal of aligning two-year terms for part-time professional staff with other state-wide positions, but see our concern noted in proposal #10.

While some members agree on the content of the proposals, we are concerned that the two sections are sufficiently dissimilar that they should be considered separately. We would recommend splitting the proposals.

Respectfully submitted for the committee,

Charlotte Gifford

*Appendix B***PROPOSAL #1**

Date: January 29, 2019

Maker's Name and Second: Sandra Lygren, Susan McCourt, Martha Ucci, Catherine Adamowicz

College(s): Bristol CC

Address(es): 777 Elsbree Street Fall Rive MA 02720

Phone Number(s): 508-678-2811 x-2748

Email Address(s): sandy.lygren@bristolcc.edu

Current Bylaw:

Article III SECTION 4. SUSPENSION

Adherence to the Delegate Assembly's applicable Code of Ethics shall be a condition of continuing membership. According to procedures adopted by the Delegate Assembly, the Board of Directors may suspend from membership or expel any member who has been found in violation of the Code of Ethics of the education profession. Subsequent to the formal filing of charges with the Board of Directors, and subsequent to the confidential investigation of the charges and evidence by a special committee of five (5) members chosen by the Board of Directors and to their review of the charges and evidence, the Board of Directors may vote: (1) to undertake further investigation before determining further action; (2) to undertake further investigation and to also establish a timeline for a formal trial to be scheduled for a date no sooner than one week and no later than two weeks; (3) that there is sufficient evidence and to establish plans for a formal trial to be scheduled for a date no sooner than one week and no later than two weeks; (4) to censure the member without additional investigation or trial; or, (5) to dismiss the charges with no further action.

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw):

(add to the end of above existing bylaw)

In instances where a member has Title IX finding at any of the 15 Community Colleges, investigation and trial is waived; the member is automatically suspended for a minimum of one year for code of conduct violation. In addition, they are permanently banned from election or appointment to any officer, director or committee position locally or statewide that exists in bylaws.

Rationale for the Proposed Bylaw Change:

Discrimination based on race, color, sex, gender, age, or sexual orientation is the most egregious violation of a professional code of conduct. The Title IX process is rigorous, thorough and the accused, if a union member, (including MTA legal) is afforded union representation during investigation and all appeals. A finding must meet several legal standards and doesn't apply to one incident in most cases. Colleges are afforded discretion under the federal law to sanction such behavior with a range of disciplinary actions that range from letter in file to termination. To arrive at a finding is irrefutable. However, the member's (reporter) college(s) cannot intervene in any union business under Chapter 150(E). Clear cut language is needed in our bylaws to ensure reporters and witnesses are protected by their union from any member who violates professionalism at this most vile level.

In the case of an adjunct reporter, the local authority of one chapter is not binding to other chapters. Thus, even if the local chapter this occurred at has bylaws and means to suspend someone locally, this person could also be a colleague at a sister institution where they are forced to endure further harassment within our union sanctuary under 150(E).

This needs to be rectified. The union should not be a safe space for member v member harassment – especially federally defined, illegal harassment.

PROPOSAL #2

Date: January 29, 2019

Maker's Name and Second: Sandra Lygren, Susan McCourt, Martha Ucci, Catherine Adamowicz

College(s): Bristol CC

Address(es): 777 Elsbree Street Fall River MA 02720

Phone Number(s): 508-678-2811 x-2748

Email Address(s): sandy.lygren@bristolcc.edu

Current Bylaw:

ARTICLE VIII – CHAPTERS SECTION

1. MEMBERSHIP The Council members at a Massachusetts community college will comprise a chapter of the Massachusetts Community College Council.
2. SECTION 2. POWERS AND DUTIES

Chapters shall have the authority and responsibility to:

 - A. Assist the Council in the administration of the collective bargaining agreement on their campuses.
 - B. Secure the advice and recommendations of their members when such is sought by the Council, the Board of Directors, or committees of the Council.
 - C. Conduct all other business related to on-campus concerns.
 - D. Insure that their activities do not conflict with the Bylaws and Policies of the Council or with the Bylaws and Rules of the MTA and NEA.

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw):

2E. Ensure their members safety and well-being within all chapter activities and communications.

Rationale for the Proposed Bylaw Change:

There is NOT a fine line between disagreement, debate, passion and so on (which we expect and participate in within the spirit of union work) and bullying, harassment or incivility. We know it when we see it. It impacts attendance at meetings. It sends the wrong message to administrations and weakens our authority and strength.

Local chapters and statewide bylaws have no language holding us accountable to our members' RIGHT to a safe, harassment free union environment in which they feel they can freely participate.

Post Janus, it is now more important than ever to be empowered to deal with the very few hostile, unprofessional members to support and encourage the majority to

participate in their union and feel safe from attack and harassment. It seems every chapter has “that” person who is infamous; they don’t feel empowered to deal with the obviously uncivil behavior.

This needs to be rectified. It starts by charging the chapters to ensure safety and well-being of their members. A collective puts the needs of the group above an individual.

PROPOSAL #3

Date: January 29, 2019

Maker's Name and Second: Sandra Lygren, Susan McCourt, Martha Ucci, Catherine Adamowicz

College(s): Bristol CC

Address(es): 777 Elsbree Street Fall River MA 02720

Phone Number(s): 508-678-2811 x-2748

Email Address(s): sandy.lygren@bristolcc.edu

Current Bylaw:

ARTICLE VIII – CHAPTERS SECTION

1. MEMBERSHIP The Council members at a Massachusetts community college will comprise a chapter of the Massachusetts Community College Council.
2. SECTION 2. POWERS AND DUTIES
Chapters shall have the authority and responsibility to:
 - A. Assist the Council in the administration of the collective bargaining agreement on their campuses.
 - B. Secure the advice and recommendations of their members when such is sought by the Council, the Board of Directors, or committees of the Council.
 - C. Conduct all other business related to on-campus concerns.
 - D. Insure that their activities do not conflict with the Bylaws and Policies of the Council or with the Bylaws and Rules of the MTA and NEA.

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw):

2F. Enforce local standards of civility within all chapter activities and communications.

Rationale for the Proposed Bylaw Change:

There is NOT a fine line between disagreement, debate, passion and so on (which we expect and participate in within the spirit of union work) and bullying, harassment or incivility. We know it when we see it. It impacts attendance at meetings. It sends the wrong message to administrations and weakens our authority and strength.

Local chapters and statewide bylaws have no language holding us accountable to our members' RIGHT to a safe, harassment free union environment in which they feel they can freely participate and share ideas. - in person or electronically.

Post Janus, it is now more important than ever to be empowered to deal with the very few hostile, unprofessional members to support and encourage the majority to

participate in their union and feel safe from attack and harassment. It seems every chapter has “that” person who is infamous; often chapters do not feel empowered to deal with the behavior locally and internally.

This needs to be rectified. It starts by first charging the chapters to enforce standards of civility in all union activities. It must empower individual chapters to do so within the scope of their own unique, union culture. In doing so, the state support local authority to self-govern within the mission of MCCC.

PROPOSAL #4

Date: January 29, 2019

Maker's Name and Second: Sandra Lygren, Susan McCourt, Martha Ucci, Catherine Adamowicz

College(s): Bristol CC

Address(es): 777 Elsbree Street Fall River MA 02720

Phone Number(s): 508-678-2811

Email Address(s): sandy.lygren@bristolcc.edu

Current Bylaw:**ARTICLE III SECTION 2. ACTIVE MEMBERSHIP**

Active membership shall be continuous until the member leaves the Massachusetts Community College System, resigns from the Council, or fails to pay membership dues.

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw):

(addition is bolded and underlined)

Active membership shall be continuous until the member leaves the Massachusetts Community College System, resigns from the Council, fails to pay membership dues. or **while suspended (with or without pay) for disciplinary action.**

Rationale for the Proposed Bylaw Change:

Someone who has been suspended from their college has had union representation open to them throughout any progressive disciplinary procedures. We have no specific language about suspensions in our bylaws.

Suspensions are rare as the behavior needed to warrant this sanction suggests a serious set of contract violations at best or atrocious behavior at worst. We should make clear that suspensions for disciplinary reasons are among the reasons listed above that active membership ceases - until and unless that person is re-appointed or put back into their position.

Our union is made stronger by supporting employees who comply with our contract and meet national mandates and standards of conduct.

PROPOSAL #5

Date:1/31/19

Maker's Name and Second: Trudy Tynan; second: Nathan Mercer

College(s): Holyoke Community College

Address(es): 303 Homestead Ave, Holyoke, MA 01040

Phone Number(s): 413-534-4770; 413-552-2434

Email Address(s):ttynan@sprynet.com; nmercerc@hcc.edu

Current Bylaw: None

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw): New Section in **Bold**

ARTICLE VIII CHAPTERS

Section 4 Chapter President

The MCCC shall pay chapter presidents a release time equivalent of one (1) course per semester at DCE Step 2 in the event there are no contract provision for the employer to provide a workload reduction of one (1) course per semester or the release time equivalent.

Rationale for the Proposed Bylaw Change:

Chapter president is a time consuming job and the good work chapter presidents do for members and the MCCC should be recognized and rewarded. Currently, under a proposed day contract agreement, full time faculty and staff and part-time staff are eligible for a college financed workload reduction of one course or a course release equivalent. This leaves adjunct faculty, who comprise the bulk of our unit membership, as the only part time or full time group expected to serve as chapter president without compensation. This is neither fair nor wise. Greater involvement by adjunct faculty in union work needs to be encouraged by union support.

PROPOSAL #6

Date: 1/30/19

Maker's Name and Second: Deborah Palumbo/ Trudy Tynan

College(s): Bristol / Holyoke

Address(es): 26 NH Bristol CC/ Donahue 238 Holyoke CC

Phone Number(s): 774-357-2758 / 413-552-2599

Email Address(s): Deborah.Palumbo@bristolcc.edu / <ttynan@sprynet.com>

Current Bylaw:

ARTICLE VII SECTION 12. PROFESSIONAL STAFF COMMITTEE

The Professional Staff Committee shall consist of full or part-time professional staff. Each chapter shall select one member and one alternate, each serving a two-year term. Chapter bylaws determine how the member and alternate are selected and how a vacancy will be filled.

The committee shall be chaired by one or more committee members to serve a two-year term.

It shall be the responsibility of the Committee to:

- A. Research issues and advocate for concerns of professional staff.
- B. With the approval of the President, consult as necessary with the MCCC Negotiations Committee and any other committee deemed appropriate.
- C. Provide an annual report to the MCCC Board of Directors including any findings and recommendations of the committee.

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw):

In SECTION 12. PROFESSIONAL STAFF COMMITTEE, we would like to change the word "select" to "elect" and remove the crossed out sentence:

The Professional Staff Committee shall consist of full or part-time professional staff. Each chapter shall **elect** one member and one alternate, each serving a two-year term. Chapter bylaws determine ~~how the member and alternate are selected and~~ how a vacancy will be filled.

The committee shall be chaired by one or more committee members to serve a two-year term.

Rationale for the Proposed Bylaw Change:

The Unit Professional Representative's role is to advocate for the concerns of Professional Staff at the Chapter level as well as at the MCCC. The person representing the Unit Professionals at each Chapter should be chosen by the constituents whom that person represents, and as such held accountable to them via elections.

PROPOSAL #7

Date: Feb. 1, 2019

Maker's Name and Second: Carol Gray and Sandra Howland

College(s): GCC / HCC and North Shore Community College

Address(es): 815 South East Street, Amherst, MA 01002

Phone Number(s): 413-297-1075

Email Address(s): carolgray_2000@yahoo.com and sjhowland@comcast.net

Current Bylaw:

SECTION 16 ELECTRONIC MEETINGS All standing committees except the MCCC Executive Committee may meet electronically, as circumstances dictate, by either video or teleconference (see MCCC Policies regarding electronic meetings).

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw):

SECTION 16 ELECTRONIC MEETINGS All standing committees except the MCCC Executive Committee may meet electronically, as circumstances dictate, by either video or teleconference (see MCCC Policies regarding electronic meetings).

(ADD: SECTION 17 ELECTRONIC VOTING All Chapters shall permit electronic voting in all chapter elections.)

Rationale for the Proposed Bylaw Change:

This bylaw amendment will allow greater participation in elections.

PROPOSAL #8

Date: Feb. 1, 2019

Maker's Name and Second: Carol Gray and Sandra Howland

College(s): GCC / HCC and North Shore Community College

Address(es): 815 South East Street, Amherst, MA 01002

Phone Number(s): 413-297-1075

Email Address(s): carolgray_2000@yahoo.com and sjhowland@comcast.net

Current Bylaw:

ARTICLE IV — OFFICERS SECTION 1. DEFINITIONS AND TERMS The officers of the Council shall be a President, a Vice President, a Secretary, and a Treasurer. Each shall take office on June 1st of the year in which elected and shall serve for a period of two years until May 31st or until a successor takes office. Nominations and elections will be held in accordance with an officer elections policy established by the Board of Directors. A. All officers are subject to re-election without restriction as to the number of terms served. B. Officers must be MCCC members. No member shall run for or hold more than one elected or appointed position in the Council during the term of office, except for committee memberships or duties of the office as established by these Bylaws.

ARTICLE V — BOARD OF DIRECTORS SECTION 1. MEMBERSHIP A. The Board of Directors shall be composed of the officers, one member elected for a term of one or two years from each chapter by the members of the chapter with the one or two year term determined by chapter bylaws, and two at-large part-time adjunct members elected by parttime/adjunct members as part of the regular election cycle each year. The term of office for members other than officers and chapter directors elected for a two-year term shall be one year beginning with the June Board meeting of the year in which members are elected. Any Director may remain in office until a successor takes office. The Board of Directors is empowered to fill vacancies in the two part-time/adjunct positions that occur after the election cycle.

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw):

(BOLDED WORDS ARE ADDED; CROSSED OUT WORDS ARE DELETED)

ARTICLE IV — OFFICERS SECTION 1. DEFINITIONS AND TERMS The officers of the Council shall be a President, a Vice President, a Secretary, and a Treasurer. Each shall take office on June 1st of the year in which elected and shall serve for a period of two years until May 31st or until a successor takes office. Nominations and elections will be held in accordance with an officer elections policy established by the Board of Directors. A. ~~All officers are subject to re-election without restriction as~~

~~to the number of terms served.~~ **Members shall be eligible for election for three consecutive two-year terms. After one year out of office, a member is again eligible to be a candidate for President, Vice-President, Secretary or Treasurer.** B. Officers must be MCCC members. No member shall run for or hold more than one elected or appointed position in the Council during the term of office, except for committee memberships or duties of the office as established by these Bylaws.

ARTICLE V — BOARD OF DIRECTORS SECTION 1. MEMBERSHIP A. The Board of Directors shall be composed of the officers, one member elected for a term of one or two years from each chapter by the members of the chapter with the one or two year term determined by chapter bylaws, and two at-large part-time adjunct members elected by part-time/adjunct members as part of the regular election cycle each year. The term of office for members other than officers and chapter directors elected for a two-year term shall be one year beginning with the June Board meeting of the year in which members are elected. Any Director may remain in office until a successor takes office. **Members shall be eligible for election to consecutive terms lasting no more than 6 years total. After one year out of office, a member is again eligible to run for Chapter Director or one of the two at-large part-time professional staff / adjunct faculty Directors.** The Board of Directors is empowered to fill vacancies in the two part-time/adjunct positions that occur after the election cycle.

Rationale for the Proposed Bylaw Change:

This bylaw amendment is modeled on the term limits language of the MTA Bylaws.

PROPOSAL #9

Date: Feb. 1, 2019

Maker's Name and Second: Carol Gray and Sandra Howland

College(s): GCC / HCC and North Shore Community College

Address(es): 815 South East Street, Amherst, MA 01002

Phone Number(s): 413-297-1075

Email Address(s): carolgray_2000@yahoo.com and sjhowland@comcast.net

Current Bylaw:**ARTICLE V — BOARD OF DIRECTORS SECTION 1. MEMBERSHIP**

B. At-Large Part-Time/Adjunct Members 1. The Board of Directors is empowered to fill vacancies in the two part-time/adjunct positions which occur after the election cycle. 2. If a part-time adjunct director can't attend a meeting, the runner-up in the statewide election will be asked to participate for that meeting only.

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw):**ARTICLE V — BOARD OF DIRECTORS SECTION 1. MEMBERSHIP**

B. At-Large Part-Time/Adjunct Members 1. The Board of Directors is empowered to fill vacancies in the two part-time/adjunct positions which occur after the election cycle. 2. If a part-time adjunct director can't attend a meeting, the runner-up in the statewide election **(ADD: or another part-time / adjunct faculty member)** will be asked to participate for that meeting only.

Rationale for the Proposed Bylaw Change:

The proposed change allows the two at-large part-time professional staff/adjunct faculty directors to have alternates for Board meetings, like other directors, even if the runner up in the statewide election is unavailable. It also allows both such directors to have substitutes if needed on the same day.

PROPOSAL #10

Date: Feb. 1, 2019

Maker's Name and Second: Linda Grochowalski and Carol Gray

College(s): QCC and GCC / HCC

Address(es): 57 Colonial Dr, Shrewsbury, MA 01545 and 815 South East Street, Amherst, MA 01002

Phone Number(s): 413-297-1075

Email Address(s): lgrochowalski@yahoo.com and carolgray_2000@yahoo.com

Current Bylaw:

SECTION 13. ADJUNCTS COMMITTEE

The Adjuncts Committee shall consist of one member selected by each chapter to serve a one year term. The chapter may select an alternate to attend meetings when the member cannot attend. The committee shall be chaired by an adjunct appointed by the President with the approval of the Board of Directors. It shall be the responsibility of the Committee to:

- A. Explore issues deemed important to the adjunct faculty.
- B. With the approval of the President, consult as necessary with the MCCC DCE Coordinator, MTA UniServ consultant, and any other committee or union officials deemed appropriate.
- C. Provide an annual report to the MCCC Board of Directors including any findings and recommendations of the committee.

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw):

(BOLDED WORDS ARE ADDED; CROSSED OUT WORDS ARE DELETED)

SECTION 13. ADJUNCTS- **FACULTY** COMMITTEE

The Adjuncts **Faculty** Committee shall consist of one ~~member~~ **adjunct faculty** member ~~selected~~ **elected** by the **adjunct faculty of** each chapter to serve a ~~one~~ **two** year term, or, if there are no candidates for election, then appointed by the Chapter President. **The candidate who receives the second highest number of votes in the election will be designated the alternate and will** attend meetings when the **primary** member cannot attend. **Alternates may attend all Adjunct Faculty Committee meetings but can only vote in the absence of the primary member.** The committee shall be chaired by an adjunct ~~appointed by the President with the approval of the Board of Directors~~ **faculty member elected by the Adjunct**

Faculty Committee. An adjunct faculty member is an active member teaching one or more community college courses who is not a full-time benefited employee in the community college system.

It shall be the responsibility of the Committee to:

- A. Explore issues deemed important to the adjunct faculty.
- B. With the approval of the President, consult as necessary with the MCCC DCE Coordinator, MTA UniServ consultant, and any other committee or union officials deemed appropriate.
- C. Provide an annual report to the MCCC Board of Directors including any findings and recommendations of the committee.

Rationale for the Proposed Bylaw Change:

This language makes the bylaw more consistent with the Professional Staff Committee bylaw by designating a two-year term and having the Chair of the Committee elected by the members of the Committee itself, and it clarifies the definitions of alternate member and adjunct.

PROPOSAL #11

Date: Feb. 1, 2019

Maker's Name and Second: Carol Gray and Linda Grochowalski

College(s): GCC / HCC and QCC

Address(es): 815 South East Street, Amherst, MA 01002 and 57 Colonial Dr,
Shrewsbury, MA 01545.

Phone Number(s): 413-297-1075

Email Address(s): carolgray_2000@yahoo.com and lgrochowalski@yahoo.com

Current Bylaw:

ARTICLE III—MEMBERSHIP SECTION 1. MEMBERSHIP CATEGORIES Membership in the Council shall be classified as Active or Retired and shall be available to those who pay the prescribed dues.

A. Active Members are those who are employed within the Massachusetts Community College System, who are engaged in work of a professional nature in the field of education, who are in the bargaining unit, and who hold membership in the Council.

B. Adjunct Members are those active members, both faculty and professional staff, who are employed less than full time. Dues for adjunct members who present evidence of part-time employment which is less than or equal to one-half ($\frac{1}{2}$) of a full-time position shall be an amount equal to thirty (30) percent of the annual dues of full-time active members, except that the dues for part-time active members who teach fewer than three (3) credits per semester or work an equivalent number of assigned hours shall be fifteen (15) percent of the annual dues of full-time active members. Approved by the MCCC Delegate Assembly, April 26, 2014

ARTICLE V — BOARD OF DIRECTORS SECTION 1. MEMBERSHIP A. The Board of Directors shall be composed of the officers, one member elected for a term of one or two years from each chapter by the members of the chapter with the one or two year term determined by chapter bylaws, and two at-large part-time adjunct members elected by parttime/adjunct members as part of the regular election cycle each year... The Board of Directors is empowered to fill vacancies in the two part-time/adjunct positions that occur after the election cycle.

Proposed Bylaw Amendment (please use specific language to denote proposed changes to the particular bylaw):

(BOLDED WORDS ARE ADDED; CROSSED OUT WORDS ARE DELETED)

ARTICLE III—MEMBERSHIP SECTION 1. MEMBERSHIP CATEGORIES Membership in the Council shall be classified as Active or Retired and shall be available to those who pay the prescribed dues.

A. Active Members are those who are employed **or have reappointment rights** within the Massachusetts Community College System, who are engaged in work of a professional nature in the field of education, who are in the bargaining unit, and who hold membership in the Council.

B. Adjunct **Faculty** Members are those active **faculty** members, ~~both faculty and professional staff~~, who are employed less than full time **in Massachusetts Community College System. Part-time professional staff members are those active professional staff members who are employed less than full time as defined in the Day Contract.**

Dues for **all part-time professional staff and** adjunct **faculty** members who present evidence of part-time employment which is less than or equal to one-half ($\frac{1}{2}$) of a full-time position shall be an amount equal to thirty (30) percent of the annual dues of full-time active members, except that the dues for part-time active members who teach fewer than three (3) credits per semester or work an equivalent number of assigned hours shall be fifteen (15) percent of the annual dues of full-time active members.

ARTICLE V — BOARD OF DIRECTORS SECTION 1. MEMBERSHIP A. The Board of Directors shall be composed of the officers, one member elected for a term of one or two years from each chapter by the members of the chapter with the one or two year term determined by chapter bylaws, and two at-large part-time **professional staff** /adjunct **faculty** members elected by part-time **professional staff** /adjunct **faculty** members as part of the regular election cycle **for a two year term each year** The Board of Directors will fill vacancies in the two part-time **professional staff** /adjunct **faculty** positions that occur after the election cycle.

Rationale for the Proposed Bylaw Change:

This proposal clarifies the definitions of adjunct faculty and part-time professional staff and includes all adjunct faculty who have rights under the DCE Contract and pay union dues. The at-large Part-time professional staff/Adjunct faculty director seat term is changed to two years to be consistent with statewide office
