

NEWSLETTER

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Number Three

NEGOTIATIONS: OCT. 1 WORK TO RULE

On September 19, 1986, the MCCC Board of Directors voted to institute work to rule beginning October 1.

Work to rule was initiated primarily because of the workload proposal management put on the table in the middle of September and a lack of overall progress in negotiations.

After work to rule began, management put yet another workload proposal on the table. There are a number of differences on workload between the teams; for example, management believes the current contract allows for a fifth course. It appears that though management has given up arbitrability on workload, it wants to have workload rules that would tie the arbitrator's hands. The MCCC Team's position is the current contract, and it does not agree with management that the contract allows for a fifth course.

Workload is not the only outstanding issue; but it has taken up the most time in negotiations during the past two months. Not just limited to a fifth course, workload issues include clinical time adjustments, summer work, and lab-type course adjustments.

NOTA BENE

• Effective May 1, 1987, retirees or dependants of former employees will be able to stay in the Health and Welfare Trust Fund. They will have to be assessed a premium, but it will still be lower than that of a regular plan. The premium, for example, might be 102 percent of a regular member's assessment. If the unit member's cost is \$100, the retiree or dependant's cost would be \$102.

All new unit members. Make sure you fill out a membership card. If you have not done so, contact your chapter president for information.

• On January 1, 1987, maximums for the Health and Welfare begin again. If you have not used your maximum, do it before December 31, 1986. If you have reached it, try and wait until after January 1, 1987 to do dental work.

• The MTA Accidental Death and Dismemberment Program underwritten by Fireman's Fund American Life Insurance Company is being terminated November 1, 1986. This is insurance which has been in effect since 1982 for members of the Union who were on union business and were covered if they had been in an accident. The insurance is being terminated by Fireman's Fund because of inadequate participation levels which makes it unprofitable for the Company.

• By October 15, all evaluations that were not in a narrative format, must be redone. If you think your evaluations should be rewritten, you must contact your division chair to let him or her know.

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HIGHER EDUCATION CONFERENCE

November 14, 1986

On Friday, November 14, 1986, the Colleges and Universities Committee will sponsor the Higher Education Conference at Framingham State College. This year's conference will focus on reform in higher education from early retirement options, to what is happening in Washington, California, and Massachusetts. In addition to representatives from NEA in Washington who will cover national legislation and give a synopsis of the several reports out on reform in higher education, the president of the community college association from California, David Rubiales will talk about changes in California. The afternoon session will focus on higher education in Massachusetts. Representative Nick Paleologos and Senator Richard Kraus, chair and vice chair respectively of the Education Committee, will provide the legislative perspective. Robert Schwartz, Secretary of Educational Affairs, will provide the Executive Branch perspective, and Dr. Peter Mitchell, Vice Chancellor for Planning and Program Development will give the Regents perspective. The keynote speaker will be Franklyn Jenifer, Massachusetts' new Chancellor for Higher Education.

All unit members should be receiving a brochure in the mail this week. Registration fee of \$20. includes all materials, coffee, donuts, lunch, and refreshments after conference. If you need further information, contact your MCCC Director or call Higher Education at the MTA at 1-800-392-61675.

DIMITRY ASKED TO REFRAIN FROM SOLICITING SUPPORT

The faculty at Northern Essex Community College have voted overwhelmingly that President John Dimitry refrain from asking people to get politically involved in a very controversial development project.

A.J. Lane is a large real estate corporation which has purchased a large parcel of land abutting the Northern Essex campus. Former Governor King, a director of this corporation, went to President Dimitry to get things moving and to solicit the College's support for this project. Apparently, President Dimitry gave support for the project in return for getting housing facilities for students and handicapped students (he could be the first community college president to provide student housing), hotel facilities for visiting dignitaries, and convention facilities.

Over the summer, President Dimitry plunged into the support of this multi-million dollar project. This development, however, has much opposition. It is on Canoza Lake which provides drinking water to the City of Haverhill (there is opposition to the College even being there). Some residents around the College and within the City do not support this development because of environmental concerns, and they want to keep the area rural.

It has turned into a major political battle, and President Dimitry has asked MCCC members, as well as other College employees, to help lobby for this development. He has called people into his office and asked that, on their own time, and as Haverhill residents, they politic for this project. He has asked counselors for the handicapped to solicit support from advocacy groups, and has asked faculty in the science areas to confer with him about certain aspects of the project.

According to Joe Rizzo, chapter president, Dimitry has made no secret

that he has arranged for two college custodians to live on the property and maintain it. On occasion, other custodians have had to go and help. Some science faculty who are also civil engineers feel that if someone wants their expertise, let A.J. Lane hire them; don't use the fact that they are state employees working at the College. Others are concerned that they are being asked to prove A.J. Lane's case as opposed to giving an objective opinion.

Dimitry's activities concerning this project, according to Rizzo, have made faculty very uncomfortable, and this precipitated the vote. The vote taken was that Dimitry refrain from asking people to get involved in the A.J. Lane project in a way that might compromise them as state employees and until the State Ethic's Commission comments on the degree to which state employees can be involved. Rizzo stated that there is no discernible support for President Dimitry.

BERSHIRE VOTES NO CONFIDENCE IN PRESIDENT DAUBE

On June 10, 1986, President Jonathan Daube suspended two faculty members without conducting a formal hearing and without due process. After a detailed investigation, it was found that the charges against the two faculty were false. The suspension and dismissal were rescinded, and all written materials were expunged from their records.

When school opened in September, Janet R. Kroboth, president of the Berkshire chapter, and James D. Border, vice president, sent out a letter to unit members informing them about what had happened over the summer. During a Professional Day, different divisions had meetings, and the Humanities Division decided they would like to speak to the President about the lack of due process, and they initiated a petition. Fifty-two people signed the petition requesting this meeting.

Daube set up a meeting for the end of September. At the meeting with the President and his Academic Dean, the faculty discussed this issue along with a number of other issues that had been dormant for a long time. According to Kroboth, "Daube did not answer a lot of the questions, and people got upset. Within two days of the meeting, there was talk of a no-confidence vote." President Daube then called another meeting--a continuation of the first meeting. He apologized for any hurt that he may have caused but would not acknowledge the fact that the two unit members he tried to terminate were innocent. "The President then left the meeting," said Kroboth, "and after a 40-minute discussion of what transpired in the past and how the faculty were not happy with the way Daube handled things, a vote of no confidence against him was passed."

On October 3, one day after the faculties' vote of no confidence, the maintenance and clerical staff also passed a vote of no confidence. The maintenance staffs' vote also included the Board of Trustees and its attitude toward the employees. The Board of Trustees has asked to have a special meeting with representatives from each faction.

Jan Kroboth stated that, "This was a faculty action and vote not a Union one. The Union did their job during the summer for two faculty, and the faculty has taken the subsequent action on their own initiative. We have been a campus which has always tried to resolve grievances internally before going to another forum, and I think we have done an excellent job. We may have, however, though unwittingly, given the impression that everything has been fine."

**VOTE OF
CENSURE
AND NO
CONFIDENCE
AGAINST
DIMITRY**

On September 19, 1986, the MCCC Board of Directors voted no confidence and censure in the leadership of John Dimitry, President of Northern Essex Community College. Subsequent to this vote, the MCCC filed a prohibited practice charge against Dimitry and his administrators.

This charge arose from the administration terminating the 03 faculty at the college. The Union filed a grievance, but withdrew it when Dean Robert MacDonald informed the Union that all 03 faculty were rehired with some reduction in hours (1-3) because of lack of work. On September 18, however, Joe Rizzo, chapter president, was informed that part-time employees had been hired to work the reduced hours; and when the 03 faculty went to pick up their checks, they were told that they would not be paid for their noninstructional work. Dean MacDonald would not authorize this payment which was part of their contract.

In a meeting between the 03 faculty and the area division chair, the division chair told the faculty that the Union abandoned them, that the grievance was propaganda, that the union is getting into a lot of trouble by challenging the College on this issue, and that the 03 faculty must please the division chair with "free work" because "I do the hiring; you please me or else."

There is a long history of an anti-labor attitude on the part of the president and his administrators at No. Essex. Since December, 1984 there have been 47 actions filed against them. Just recently, the President, his administrators, and the Board of Trustees were found guilty of violating Chapter 150E when they terminated professional staff member, Richard Dauphinee, for filing an informal grievance. Another prohibited practice charge had to be filed for Dimitry's failure to implement the Commission's decision concerning Dauphinee who was reinstated by the Commission with back pay and interest.

**RESOLVED
GRIEVANCES**

A grievance was filed by Gretchen Thayer from **Quinsigamond Community College** concerning a workload overload. The grievance was resolved, and the grievant will receive a one credit course reduction over the Fall and Spring semesters.

A grievance was filed by the **Northern Essex Community College Chapter** concerning three members of the Nursing Department having been assigned a workload overload. The grievance was resolved, and the administration will no longer initiate courses before they are duly approved; the workload overload will be corrected with compensation or a reduced workload; and faculty will not be harassed or retaliated against due to the exercise of their contractual and professional rights.

**KNOW
YOUR
CONTRACT**

Oct. 24 Preferred Spring courses submitted by faculty.

Oct. 31 Notice to join sick-leave bank submitted by faculty.

Nov. 15 Student evaluation packets distributed.

Nov. 21 UPPC elected by chapter.