

Massachusetts Community College Council

Joseph LeBlanc, President
Diana (Donnie) McGee, Vice President
Philip Mahler, Treasurer
Gail Guarino, Secretary



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

Minutes of the MCCC Executive Committee Meeting
Mechanics Place, Worcester, MA
Friday, September 11, 2009

Present: President Joe LeBlanc, Vice President Donnie McGee, Treasurer Philip Mahler, Secretary Gail Guarino, At-Large Members Claudine Barnes, Rosemarie Freeland and Margaret Wong, MTA Consultant Miles Stern, MTA Consultant Katie D'Urso, Communications Coordinator Don Williams

Guests: Director Steven Proietti; DCE Grievance Coordinator Joe Rizzo; Director John Farrenkopf; NEA Director Bob Gillies; MTA Staff Lawyer Richard Mullane, MCCC Parliamentarian Pattie Legault-Frank, Director John Cipora

President Joe LeBlanc called the meeting to order at 10:40 a.m.

The Order of Business was adopted.

The minutes of the June 5, 2009, Executive Committee meeting were approved with one correction. The date of the August 2009 Board of Directors' meeting is August 21, 2009. The revised MCCC 2009-2010 Calendar is attached.

The Executive Committee and guests observed a moment of silence in memory of Abe Sherf.

DISSUSSION

Curley Room AV Update

Director Proietti reported on the research for making the Curley Boardroom video conferencing capable. Lee May of LifeSize in Marlboro quoted \$25,000 for a high definition Internet-based system that would be capable of serving four to six people at remote sites. PolyCom quoted \$33,000 if we use the existing AV system and \$45,000 for a system with an AV upgrade. Executive Committee members expressed concern about buying a system that may soon become obsolete and wanted more information about free videoconferencing services available on the Internet. Any system would have to allow remote participants to see one another. The Executive Committee suggested that a needs/cost analysis be done before a system is purchased. Treasurer Mahler asked whether the MCCC wanted to become an organization that held electronic meetings.

ORP

The ORP Ad Hoc Committee met on September 4, 2009. Members reviewed the booklet of personal stories and decided who would testify at the upcoming legislative hearing at the Public Service Committee on September 21, 2009. After the hearing, union members from the MCCC will lobby for ORP legislation. Union members from the state college and university systems will also testify at the hearing and may join the lobbying effort. At a meeting to kickoff the lobbying effort, the MCCC will honor Senator Pacheco, the sponsor of the legislation, Patrick Charles, General Counsel of the Public Service Committee, MTA's Jack Flannagan, and Senator Kaufman for all their help with this legislative initiative. Arrangements for the Lobby Day are still being finalized. Lunch and travel reimbursement will be provided to MCCC members who participate.

DCE Grievance Appeals Issue

The Executive Committee went into executive session to discuss a DCE appeals process issue.

DCE/Reverse Course Action Plan

Director Cipora reported on his meeting at the NEA in Washington D. C. as a member of the Advisory Group for Contingent Faculty Issues. The NEA is developing a survey of contingent faculty; the data from the survey will be available in the fall of 2010. Six states, with at least 12 higher education institutions from each of the six states, will be surveyed. Twenty-five percent of the NEA's higher education membership is contingent faculty. The NEA wants to take a leadership role in contingent faculty issues and plans to develop and provide a toolkit to help members improve working conditions for contingent faculty.

The Executive Committee reviewed the DCE Bargaining Support/Reversing Course action plan. First steps include Communications Coordinator Williams and Director Cipora working on developing talking points and devising a logo. The *MCCC News* will provide extensive coverage of the DCE bargaining process and Reversing Course campaign. Chapter leaders are asked to address Boards of Trustees and College Presidents in support of DCE members.

A discussion ensued about the advisability of pursuing one contract for all MCCC members. Treasurer Mahler gave a brief history of the reason for two contracts. Because DCE members and full-time members are funded from two different sources, the state determined that there must be two contracts.

Adjunct Hiring Trends Research Project

President LeBlanc has asked Research Coordinator Jean-Gilles to do a year-to-year report on the number of adjuncts and the number of courses taught by adjuncts for all community colleges.

AFL/CIO NEA Labor Partnership

President LeBlanc reported that becoming an AFL/CIO partner would be too costly for the MCCC. The Executive Board expressed the opinion that affiliation with the AFL/CIO might be an MTA function.

Building Mold Update

Treasurer Mahler commended staff member Edy Stoddard for all the work she has done with the condominium association to insure that the problem with the mold and moisture in the basement of the MCCC office building rectified. Phase 1 of the project to remove the mold and moisture and repair a support column will start soon. The old ventilation has been inspected. It would cost \$2,300 to repair but is very out-dated. The Board of Health has recommended that dehumidifiers be placed in the basement. Decisions about trenching and pouring a concrete floor will be made after the initial clean up.

ARRA Information Request

The MCCC is sending a state-wide information request to the Massachusetts Community Colleges Office of General Counsel. The request asks for details of colleges' budgets, specifically how the ARRA money is being spent, along with employment numbers and current and projected number of bargaining unit jobs lost. President LeBlanc reported that at this time the number of job cuts of MCCC members does not seem to be extraordinary.

Officer Ad Hoc Committee

Secretary Guarino resigned from the Officer Ad Hoc Committee because the secretary's position is one of the positions that the committee is examining.

Fall Conference

The Fall Conference will be held on Tuesday, September 29, 2009, at 4 p.m. at the Crowne Plaza in Worcester. Senator Galluccio, the Co-chair of the Higher Education Committee will give the keynote address. The presenters for all of the workshops have been confirmed. MTA Benefits has not confirmed that they will donate prizes for the drawing. Members may register for the conference on the MCCC web site at <http://mccc-union.org/FallConference/registration2009.html>.

Motion: The MCCC donate \$400 for four \$100 prizes for the Fall Conference. (Guarino/Freeland) **Passed**

Assorted Bylaw Issues

Parliamentarian Legault-Frank reviewed recommendations for changes to the MCCC Bylaws. The Executive Committee referred the following suggested bylaw revisions to the Bylaws and Rules Committee for further review and action:

	ByLaw	Recommendation	Rationale
1.	Article IV- Officers, Section 4 - Secretary	Add new section C which would allow the President and/or Annual Meeting to make additional assignments that are typical to the office..	When items are listed in bylaws, all else is precluded that is not listed. There may be other things that the President or Annual Meeting might seek to assign the Secretary.
2.	Article IV- Officers, Section 5 - Treasurer	Add new section E which would allow the President and/or Annual Meeting to make additional assignments that are typical to the office.	When items are listed in bylaws, all else is precluded that is not listed. There may be other things that the President or Annual Meeting might seek to assign the Treasurer..
3.	Article IV- Officers, Section 6 – Removal from Office	Amend the process if people are committed to keeping it by: (1) increasing the number of members far beyond 30; (2) requiring members to sign the petition and list their Chapter; (3) requiring a certain number of Chapters to participate and (3) define what infractions would be considered as the basis for removal from office. In lieu of the above, delete this section and elsewhere in the bylaws, insert a section on Charges and Hearings that would apply to Officers and Board members that is more comprehensive or reference a more comprehensive policy.	As printed, this provision (1) allows 30 members (in an organization of over 6,500 members) to put into motion a broad and complicated process (the Board being responsible for informing and making petitions available for all campuses to get 30% of the membership signed on). It also allows the petition for removal to be based “reason(s)” versus “just cause,” or “serious infractions,” The petition has to bear the names of 30 members, not their signatures.
4	Article V – Board of Directors, Section 1 - Membership	Add new section which would state that when the bylaws require a seat be filled by election, in cases where the election is uncontested, the election shall be conducted by the secretary casting one vote or the candidate(s) is deemed elected. Conversely, that language could be added to this and every section in the bylaws where elections are required.	This section states that: “The Board of Directors shall be composed of the officers and one member elected for a term of one year from each chapter by the members of the chapter.” When language says that a member must be “elected,” then there must be an election (often a very timely and expensive process) even if there is only one candidate. This could conceivably save a great deal of money in the event NEA delegate and officer elections were all uncontested.

5	Article V – Board of Directors, Section 2, Authority	Add a comma after the word “Bylaws” or amend the sentence to add “within the” to read: “Within provisions of the Bylaws and within the policies established and actions ordered by the Delegate Assembly, the Board of Directors shall be responsible for the management of the Council	This section needs a comma after the word “Bylaws.” It states: “Within provisions of the Bylaws and policies established and actions ordered by the Delegate Assembly, the Board of Directors shall be responsible for the management of the Council.” The absence of a comma after the “Bylaws” leaves the reader unclear that “management of the Council” shall be “within the provisions” of the policies of the Delegate Assembly, and all policies.
6	Article V – Board of Directors, Section 5, Powers and Duties, Sub-section G	Amend language to include appointment of the chair of ad hoc committees if the Board wishes to have this responsibility	This section states: “Appoint such ad hoc committees as it may deem necessary.” If the intention is for the Board of Directors to also appoint the chair of an ad hoc committee, that must be added to the language. RRNR states that unless the bylaws specifically state that the chair will be otherwise appointed, chairs are selected from within the committee. All other committees addressed in the bylaws state that the President appoints the chair with consent of the Board.
7	Article V – Board of Directors, Section 5, Powers and Duties, Sub-section J	Amend language to include appointment of the Vice President in this section, as well as the Secretary and Treasurer	This section states: “Appoint the Secretary and Treasurer of the Council when a vacancy exists in either office until such time as the next regularly scheduled election.” There is no provision in the bylaws that addresses a vacancy in the office of Vice President.
8	Article VI – Delegate Assembly, Section 2, Meetings	In Section 1 of this Article, amend the language that provides: “Each chapter shall elect its own delegates who shall present their credentials . . .” to “Each chapter shall elect its own delegates for a term of one year”	Section 2 states that special meetings of the Delegate Assembly may be called (which is good since RRNR says special meetings may only occur if they are provided for in the bylaws!), but it is not clear from the bylaws if, when Chapters elect their delegates they make it clear on the nomination notice and election forms that the term is for one full year. In the event there was a special Delegate Assembly, and the delegate terms were not for one year, then new delegates would have to be elected for the special meeting.

9	Article IV – Officers, Section 2, President	Amend Article IV – Officers, Section 2, President by adding a provision that the President interprets the bylaws with the approval of the Board, and that in the event an interpretation is necessary, the members shall be notified through the quarterly publication of the Council. It could also be added that the Annual Meeting could re-interpret the language, without meeting the requirements of amending the bylaws, at the next Annual Meeting.	Interpreting the Bylaws, is, in accordance with RRNR, only done in very specific situations, and is done by the same people who adopt them, unless the bylaws provide otherwise. Because the members only meet once a year, if a situation mandated an interpretation of the bylaws, it would be impractical to have a special meeting.
14	New Article or Article V – Board of Directors, Section 3, Meetings and Article VII – Committees, new section 12.	Amend bylaws to permit electronic (phone, video-conference, email) meeting participation and draft supporting policy.	Electronic Meetings are prohibited by RRNR unless they are specifically permitted in the bylaws.
15	Article VIII – Chapters	Determine the Board’s position on the issue and add a sub-section to this article if they are in favor of a restriction. Conversely, if the Board is amendable to such dues, that could be included.	It is not clear whether the MCCC permits the Chapters to require Chapter dues from their members. Because it is not addressed in the bylaws, it would be difficult to restrict them from doing so.
16	Article X – Amendments	Amend Section 1 to read: “These Bylaws may be amended, after previous notice has been provided, by a two-thirds (2/3) vote of the delegates at any regular or special meeting of the Delegate Assembly, in accordance with the provisions of the Standing Rules	It is not clear in the bylaws that there is a comprehensive procedure in place in the Standing Rules on amending the bylaws, and that previous notice is required

CAS and New Grant-funded Members

New Union members are questioning the advantages of belonging to the MCCC and having to pay union dues. President LeBlanc will prepare talking points for chapter leadership to help them answer questions.

Expansion of MCCC Office Space

The Executive Committee discussed the possibility of purchasing the adjacent condominium. More research needs to be done about the utility and availability of the space.

NEW BUSINESS

Labor Education Center Dinner

Motion: Recommend that the Board of Directors authorize \$400 from reserves for a table for 10 people for the Labor Education Center Dinner sponsored by the Labor Education Center of UMass Dartmouth. (Guarino/Barnes) **Passed**

Computer Backup Systems

Motion: Recommend to the Board of Directors that the MCCC reimburse for an online backup service for employees who are authorized home office support (President, Vice President, Secretary, Treasurer, Day Grievance Coordinator, DCE Grievance Coordinator, Communications Coordinator, and Research Coordinator). The choice of service must be approved by the Treasurer. (Finance Committee) **Passed**

Write-in Candidate Policy

Motion: Recommend to the Board of Directors that write-in candidates for delegate to the NEA-RA and the MTA Annual Meeting submit a write-in candidate nomination form by the close of voting. This form is to solicit the same information as a pre-election nomination form. Names written in but not nominated as a write-in are ineligible for election. This policy will appear in the ballot materials and be referenced on the ballot. (Mahler/Wong) **Passed**

ANNOUNCEMENTS

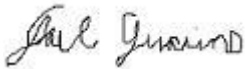
ORP Legislative Hearing: September 21, 2009 at 11 a.m. at the State House.

Day Ratification Ballots Due: September, 16, 2009 at 4 p.m.

The next meeting of the MCCC Executive Committee is on Friday, October 2, 2009, at 10:30 a.m.

The Executive Committee meeting adjourned at 4:40 p.m.

Respectfully submitted,



Gail Guarino, Secretary

MCCC 2009-2010 Calendar

July 2009

August 2 to 6, 2009e

August 13 and 14, 2009

August 21, 2009

September 7, 2009

September 11, 2009

September 25, 2009

September 29, 2009

October 2, 2009

October 12, 2009

October 16, 2009

November 6, 2009

November 11, 2009

November 20, 2009

November 26, 2009

December 4, 2009

December 4 (evening) and 5, 2009

January 8, 2010

January 18, 2010

January 22, 2010

February 5, 2010

February 15, 2010

February 19, 2010

March 5, 2010

March 12, 2010

March 26 to 28, 2010

April 2, 2010

April 9, 2010

April 16, 2010

April 24, 2010

May 7 and 8, 2010

May 14, 2010

June 4, 2010

June 18, 2010

No Meetings

MTA Williamstown

Executive Committee Retreat - tentative

BOARD OF DIRECTORS' MEETING

Labor Day

Executive Committee Meeting

BOARD OF DIRECTORS' MEETING

Fall Conference (evening) Crowne Plaza, Worcester, MA

Executive Committee Meeting

Columbus Day

BOARD OF DIRECTORS' MEETING

Executive Committee Meeting

Veteran's Day

BOARD OF DIRECTORS' MEETING

Thanksgiving

Executive Committee Meeting

Massachusetts Higher Education Conference

Executive Committee Meeting

Martin Luther King Day

BOARD OF DIRECTORS' MEETING

Executive Committee Meeting

Presidents Day

BOARD OF DIRECTORS' MEETING

Executive Committee Meeting

BOARD OF DIRECTORS' MEETING

NEA Higher Ed. Conference - San Francisco, CA

Executive Committee Meeting

Teaching & Learning Conference (BHCC)

BOARD OF DIRECTORS' MEETING

MCCC Delegate Assembly, Crowne Plaza, Worcester, MA

MTA Annual Meeting

Executive Committee Meeting

Executive Committee Meeting

BOARD OF DIRECTORS' MEETING