

# Massachusetts Community College Council

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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

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Minutes of the MCCC Executive Committee Meeting  
Mechanics Place, Worcester, MA  
Friday, November 6, 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

Guest: Richard Mullane, MTA Staff Counsel

President Joe LeBlanc called the meeting to order at 11:00 a.m.

The Order of Business was adopted.

The minutes of the October 2, 2009, Executive Committee meeting were approved.

The Executive Committee observed a moment of silence in memory of member Laura Flanders (CCCC) and the Fort Hood victims.

## **GRIEVANCE HEARING**

The Executive Committee went into executive session for a DCE arbitration appeal hearing. MTA Staff Attorney Richard Mullane represented the MTA's position and the grievant presented her case.

**Motion:** Withdraw grievance Case Number 11 390 1038 08 MCCC vs. Holyoke CC/BHE from arbitration.  
**Passed**

## **DISCUSSION**

### ***Contract Compliance Challenges***

Director Freeland raised the issue of the inconsistencies from campus to campus in nursing salary agreements. Consultant D'Urso explained that the employer has the right to hire new employees at a salary that is above classification salary as long as market forces and/or diversity are an issue. Campus by campus agreements are the best solution for now. One of the committees agreed to in the new contract will attempt to come to a state-wide agreement on hiring above the classification salary.

Director Barnes mentioned the inconsistencies from campus to campus in the compensation granted for teaching honors courses. President LeBlanc stated that communication among Chapter Presidents is one of the best ways to "red flag" inequities and inconsistencies among the 15 chapters. These issues are discussed with the employer at Labor Relations Committee meetings.

### ***Ineligible for Employment***

Treasurer Mahler reported that staff member Angela Perno has been proactive about sending out past-due letters to employees who have not paid their union fees or dues. She has also been keeping the Ineligible to be Employed list up-to-date. Even though the Ineligible to be Employed list is distributed monthly, colleges are still hiring ineligible on a small-scale basis. Chair of Presidents' Council, Daniel Asquino, has been informed of the problem. Treasurer Mahler is planning to send another letter to the Human Resource

Directors and Presidents of the colleges that are still hiring ineligible employees to do union work informing them that the union will take action to terminate employees who are ineligible for employment.

### ***Adjunct Health Insurance Lawsuit***

Consultant Stern reported that the adjunct health insurance lawsuit should be filed the week of November 9, 2009, by MTA Attorney Matt Jones. The press packet announcing the lawsuit is ready for distribution.

### ***NEA Higher Education Conference Funding***

**Motion:** Fund Kenneth Anania (MaCC), Claudine Barnes (CCCC), Rosemarie Freeland (GCC), Betsy Smith (CCCC), Margaret Wong (QCC), and Diana Yohe (BCC) for the NEA Higher Education Conference being held in San Francisco in March 2010. The amount of funding is \$800 per member. (Mahler/McGee) **Passed with 3 abstentions**

### ***MTA Higher Education Conference***

The Executive Committee discussed various ways to support member participation at the MTA Higher Education Conference being held in Framingham on December 4 and 5, 2009. Chapters may also decide to help with conference expenses.

**Motion:** Recommend to the Board of Directors that the MCCC reimburse MCCC members up to \$50 for expenses related to attending the MTA Higher Education Conference on December 4 and 5, 2009.

*Note: Because of registration deadlines, notice about the MTA Higher Education Conference and the MCCC's member support will go out before the next Board of Directors' meeting on November 20, 2009.*

### ***Two-Year College English Association (TYCA) Conference***

The Executive Board discussed the angry response of TYCA to the MCCC Board of Directors' vote to boycott Hyatt hotels and the TYCA conference that is being held at a Hyatt hotel in Boston. The Executive Board agreed that TYCA's response to the MCCC action should be a topic of discussion at the November Board of Directors' meeting. President LeBlanc will send a letter to the Hyatt Corporation about the MCCC's position and our solidarity with the terminated Hyatt employees.

### ***Reassigned Time for MTA Board Members and At-Large Executive Committee Members***

Treasurer Mahler reported that the Finance Committee will present a motion to the Board of Directors regarding one reassigned time or the equivalent stipend per year for MTA Board members and At-Large Executive Committee members, beginning in the spring of 2010.

### ***Salary Inequities at Middlesex CC***

The Executive Board discussed a salary inequity issue involving a new hire for the nursing faculty at Middlesex CC. This inequity was brought to the attention of the Executive Board by Day Grievance Coordinator Fitzgerald. Consultant D'Urso explained that Middlesex CC has a Memorandum of Agreement regarding nursing salaries; however, the memorandum does not impact new hires. The Day Team Chair and Middlesex Chapter President, Richard Doud, will be asked to consult with the nursing faculty of Middlesex CC to decide on a course of action.

### ***Charge for Agency Fee***

The Executive Board went into executive session to discuss Treasurer Mahler's concerns about agency fees.

### ***Fiscal Year 2011 Update: Board of Higher Education (BHE) Budget Request***

President LeBlanc distributed the Board of Higher Education's FY2011 Higher Education Budget Request, which will be submitted to the legislature. The request calls for a 7.2 percent cut in state funding for all State and Community Colleges. This cut does not include the anticipated loss of ARRA funds in fiscal year 2012. Although Commissioner Freeland agrees that the community colleges need more resources and full-time faculty, the budget request complies with a mandate to cut costs.

### ***National Association of Government Employees (NAGE) Counter Offer and Related Issues***

President LeBlanc reported that the State has asked NAGE, whose members will be severely impacted by proposed job cuts, to make contract concessions including an additional zero year and required furloughs. NAGE has countered with language asking for reduced furlough time, early retirement, and promises of no layoffs. An early retirement bill with no backfill would further deplete the ranks of community college full-time faculty and professional staff at a time of increasing enrollments. The MCCC has not been contacted by the employer about reopening our recently ratified contract. Currently, the MCCC contract has been signed by the Governor and sent to the legislature for funding. The MCCC's challenge will be to convince the legislature to fund the contract.

### ***Labor Relations Hearings***

The Executive Committee went into executive session to discuss issues relating to filing Unfair Labor Practices.

### ***Palmer Award***

**Motion:** Recommend the following policy to the Board of Directors:

#### ***John A. Palmer III Memorial Award***

*Purpose:* To recognize an adjunct MCCC member whose service, leadership, and dedication have contributed significantly to MCCC adjunct faculty, as exemplified by the life of John A. Palmer III.

*Eligibility:* To be eligible for this award, an individual must meet the following criteria:

- Service to higher education adjunct faculty in the quest for improved working conditions and high standards of professional excellence;
- Demonstration of leadership in the Union and higher education, especially as it pertains to issues of importance to adjunct faculty;
- Exemplification of the concerned and caring approach of John A. Palmer III, who dedicated much of his life to the betterment of adjunct faculty.

*Nominations:* Any MCCC member may nominate a candidate by completing a nomination form, which can be obtained from the MCCC web site. The deadline for submitting nominations is February 15. Nominations should be sent to the MCCC President.

*Selection of Finalists:* The MCCC Executive Committee serves as a screening committee. The Executive Committee submits its recommendations for the award to the Board of Directors for approval.

*The Award:* The John A. Palmer III Award is presented by the MCCC President or the President's designee during the MCCC Delegate Assembly in a ceremony designed to place emphasis on the importance of the Award.

(Guarino/Barnes) **Passed**

### ***MCCC Policy Review***

The Executive Committee completed the first section of policy revisions for consideration by the Board of Directors. Secretary Guarino will forward the proposed revisions to President LeBlanc.

### ***Senate Election***

The MTA has endorsed Congressman Mike Capuano for the vacant US senate seat. Congressman Capuano has an NEA rating of 90 percent on education issues and experience working at the federal level of government. The MTA is preparing a script for a campaign phone bank. The MCCC will determine if our state PAC money can be used in a federal election. MCCC members should contact Consultant Stern if they are interested in campaigning for candidate Capuano.

### ***Mid-State Facility***

The Executive Committee toured an available office space next door to the present MCCC office. The second-floor space is light and spacious, but would need an elevator to be accessible. The tour was taken because it was offered by the owner, but the Executive Committee is not looking for a different facility.

**ANNOUNCEMENTS**

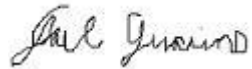
President LeBlanc congratulated everyone who worked to bring the Roxbury CC arbitration to a successful conclusion.

The Sherf family thanked the MCCC for its donation to the Abe Sherf Scholarship Fund.

The next meeting of the MCCC Executive Committee is on Friday, December 4, 2009, at 10:30 a.m.

The Executive Committee meeting adjourned at 4:30 p.m.

Respectfully submitted,



Gail Guarino, Secretary