

# Massachusetts Community College Council

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Joseph LeBlanc, President  
Diana (Donnie) McGee, Vice President  
Philip Mahler, Treasurer  
Phyllis Barrett, Secretary



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

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Minutes of the Board of Directors Meeting  
Mechanics Place/Worcester  
Friday, September 21, 2007

**Present:** President Joe LeBlanc, Vice President Donnie McGee, Treasurer Philip Mahler, Secretary Phyllis Barrett; June Tooley (Be), Catherine Adamowicz (Br), Geri Curley (BH), Claudine Barnes (CC), Rosemarie Freeland (G), Pennie Marcus (H), Lois Martin (Ma), Ned McGuire (MB), David Kalivas (Mi), Ellen Madigan Pratt (MW), Steve Proietti (NE), Abe Sherf (NS), Sharron Gillies (Q), Clark Grain (R), Roberta Albano (ST); Sara Satham (MTA Board); Communications Coordinator Don Williams; MTA Consultants Katie D'Urso and Miles Stern; Operations Manager Phil Kennedy. **Guest:** Day Grievance Coordinator Dennis Fitzgerald.

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

The agenda was adopted by consensus.

The minutes of the Board of Directors Meeting of August 17, 2007, were approved, by consensus.

## REPORT OF THE PRESIDENT

President LeBlanc began his report with the news that the academic provost at Mass Bay Community College, the individual who had threatened several chapter leaders there with lawsuits, lost his job yesterday. The news was greeted with applause. President LeBlanc and Consultant Katie D'Urso will be meeting with Chancellor Plummer and Board of Higher Education Chair Clark next week to discuss the situation at MBCC and other MCCC issues. The chapter has now passed a motion indicating their outrage over the threat to chapter leaders and has approved a subcommittee to look into their options, including a possible vote of no confidence in the college president, Carole M. Berotte Joseph.

President LeBlanc has also been working with Sarah Nathan, from MTA Communications, to draft a statement addressing the reassigned time issue that recently drew press coverage from TV 4's I-Team. As a member of the PHENOM Steering Committee, the president has helped to organize a Fall Summit set for Friday, October 26, from 11-4, at Framingham State College. President LeBlanc also assisted Vice President Donnie McGee in interviewing candidates for the SAC Steering Committee and attended the HELC meeting on September 14 at which the legislative agenda (Chapter 150E and the Higher Ed Bill) and recent contract talks were discussed. (The president reiterated the news that the MCCC is pursuing a .8 percent adjustment to the negotiated salary increase in light of other recently bargained higher ed contracts.)

President LeBlanc reported that members will soon be asked to submit or re-submit their paperwork to receive credit and payment for their licenses and certifications. He also reported that Archer and Company have completed their research on the 75<sup>th</sup> percentile; the report is being reviewed by the Board of Higher Education and will soon be released. The next step is garnering support for increasing salaries to this level. President LeBlanc expressed disappointment that none of higher education's candidates were chosen to participate in the Governor's Readiness Task Force; however, MTA Vice President Paul Toner and MTA Director of Higher Education Arthur Pippo will both be serving.

President LeBlanc thanked Treasurer Phil Mahler for preparing a Treasurer's Manual for the chapters. He encouraged the chapters to invite him to chapter meetings and to supply him with a list of meeting dates, and he expressed his hope that the Fall Conference on Monday, October 1, will be well attended.

### **REPORT OF THE VICE PRESIDENT**

Vice President Donnie McGee noted that state tax collections were up again in August, good news for all who depend on state funding. On the other hand, it is too early to judge whether the governor's recent decision to pursue the possibility of casinos might in any way help with higher ed budgets.

In the legislative area, the vice president urged members to contact their legislators in support of the Adjunct Health Insurance and Pension Bills (SB 1587 and HB 2821, respectively). She reported that the congressional hearing on the GPO/WEP social securities issues (HR 82) is now expected to take place in November; all are encouraged to return the petitions in support of this cause by September 30. The vice president is awaiting word on the scheduling of an oversight hearing on the ORP issue; an online survey will be available to current members from October 1 to October 15. There is a Public Service Committee hearing on the Peace Corps Creditable Service Bill (SB 1619) on September 27; she will be testifying, along with Jack Flannagan from MTA and Katia Lund, a unit member at Bristol.

Vice President McGee announced that the deadline for applications for the Legislative Internship Program has been extended to October 5. This is an excellent opportunity for students and great for MCCC visibility and public relations. So far, there has been a request from Senator Downing's Berkshire Office for an MCCC intern.

In Strategic Action News, Vice President McGee announced that Roberta Albano (ST), Caroline Schwarzwalder (NS), and Brooks Smith (CC/Retired) have been named to the SAC Steering Committee. The Steering Committee will meet in Boston on September 26 to plan strategic action and lobby at the State House; the statewide SAC team will meet in October. Noting that Steve Russell has indicted he will continue to serve as the SAC representative from Northern Essex, the vice president expressed her willingness to make recruitment visits to the chapter who do not yet have representatives: Bristol, Greenfield, Massasoit, Mount Wachusett, and Roxbury.

### **REPORT OF THE TREASURER**

Treasurer Phil Mahler noted that the office is short-handed at the moment, with staff member Edy Stoddard out for a few weeks due to surgery. Former staffer Mamie Leblanc may fill in temporarily. He reported that he is working on MTA/MCCC membership lists and, with staff member Meg Kennedy, on part-time billing. He has scheduled three Finance Committee meetings for the fall and has conducted a chapter treasurer training and updated the chapter treasurer's manual. He will be sending occasional email reminders to chapter treasurers this fall, like the recent one concerning the accountability policies for reimbursement of chapter Strategic Action Committee representatives and newsletter editors. Treasurer Mahler asked directors to thank their chapter treasurers for all of the work they do.

Treasurer Mahler has also been doing a lot of work related to the web page. He has corrected the online version of the contract, updated the college service form, posted several Strategic Action Committee items, posted several Day Grievance items, created a registration form for the Fall Conference, updated the calendar on the home page to show two months, and posted a do-it-yourself calendar linked to the home page. He expressed the desire to get back to work with Gail Guarino and her students at Cape Cod on revisions to the web site's appearance, adding that handicapped access is one of his concerns.

## **REPORT OF THE DAY GRIEVANCE COORDINATOR**

Day Grievance Coordinator Dennis Fitzgerald began his presentation by distributing “flash cards”—handy reference cards on important contract issues—which are to be distributed to members. Like his *Grievance Manuals*, which he distributed to directors, these cards are meant to facilitate communication between him and the chapters on potential grievance issues. Coordinator Fitzgerald also distributed his most recent grievance update and commented on several recent resolutions.

Coordinator Fitzgerald reported there are currently 81 grievances pending, as well as 43 new unit determination, or CAS petitions (in addition to the backlog of 255 CAS cases pending in mediation). The MCCC position is that any position that is not clearly a management position is a unit position (excepting AFSCME positions). Tutors, particularly, seem to be a hidden group making less money than they should because they are not deemed MCCC unit members by management.

Another grievance trend is in the area of salary equity. Approximately 69% of new hires are being awarded salaries above the grid—not just in nursing, but seemingly randomly. The colleges—most notably Holyoke and Springfield—are negotiating salaries with individuals rather than respecting the Classification Study. Coordinator Fitzgerald recommended that both individuals and chapters grieve inequities created by this trend. While the union does not want to be in the business of “take backs,” this practice leads to serious morale problems among members of the unit. Consultant Katie D’Urso added that a coordinated grievance and bargaining strategy is the best approach to this problem. The only solution, of course, is to achieve automatic updates in the contract.

## **HEALTH AND WELFARE REPORT**

Board member Abe Sherf reported few complaints but some questions concerning coverage. The Trust Board meets next week.

## **REPORT OF THE MTA CONSULTANTS**

Consultant Katie D’urso reported that a re-opener on salary has been filed in light of increases negotiated by other higher education units recently. She also reported that there is a proposal on the issue of nursing salaries at Holyoke—basically the plan implemented at Middlesex—but no meeting has been scheduled yet. Consultant D’Urso reported a good resolution to a case involving the unsatisfactory evaluation of a faculty member at Northern Essex; she noted that the testimony of students was valuable in this victory. Finally, Consultant D’Urso thanked Grievance Coordinator Dennis Fitzgerald for his help in dealing with the extremely difficult sexual harassment case involving two unit members at Massasoit. This case was also successfully resolved.

Consultant Miles Stern reported that he met with Richard Sanders yesterday to discuss where things stand with the Strategic Directions initiative. Once goals have been identified and the mission statement revised, a training session will be offered on leadership development, member rights, organizing, and political power. Citing PHENOM as one helpful model, Consultant Stern also noted that the MCCC is already “ahead of the pack” in terms of political organizing.

Consultant Stern also reported on two areas in which the Board has made requests for advice from MTA Legal. On the subject of possible problems related to the growing number of underage students at the colleges, he suggested that faculty might benefit from training regarding FERPA (the Family Education Rights and Privacy Act). He also suggested that the colleges might be well advised to determine and issue a system-wide policy on this issue. It was suggested that the MCCC might want to establish an *ad hoc* committee on dealing with underage students and that MTA Legal should be consulted about laws and statutes that would give the committee direction in its discussions. On another issue, Consultant

Stern reported that the legal request regarding some sections of the proposed revision to the Elections Policy has been reassigned, resulting in further delay in getting an answer.

**MOTION:** The MCCC Board urges chapters and individuals to consider donating to the fund to off-set the debt associated with the recent successful strike by the Quincy Education Association (Barrett/Kalivas). **PASSED.**

Checks should be made out to the Quincy Education Association and can be brought to next month's Board meeting or mailed to QEA at 590 Hancock Street, Quincy, MA 02170.

## **COMMUNICATIONS REPORT**

Coordinator Don Williams reported that he continues to update the lead article on developments at Mass Bay for the next newsletter. He also reported that the postcard announcing the Optional Retirement Plan Survey is ready to go out. He is currently collecting the names of attendees for the Fall Conference—there are 44 so far. The deadline for signing up is one week from today.

## **MTA BOARD REPORT**

Board Member Phil Mahler reported that the next meeting will take place on October 12-13.

Before the lunch break, on a point of personal privilege, President LeBlanc congratulated director Sharron Gillies, a long-time adjunct faculty member who has recently been named to a full-time position at Quinsigamond. Sharron is now the Interim Coordinator of the Energy Utilities Program with the rank of Assistant Professor.

## **NEW BUSINESS**

### **A. MCCC Elections Policy Revision**

**MOTION:** Adopt the proposed revisions to the MCCC Elections Policy (Kalivas/Proietti). **PASSED.**

### **B. 2008 Election Dates**

**MOTION:** Adopt the proposed 2007-2008 Elections Calendar (McGuire/Gillies). **PASSED.**

### **C. Calendar Revision**

**MOTION:** Change the date of the November Board meeting from November 16 to November 30 and change the June Board meeting from June 20 to June 13 in light of conflicts with Board of Higher Education meetings (Albano/Pratt). **PASSED.**

### **D. SAC Steering Committee Appointments**

**MOTION:** Appoint the following to the Strategic Action Steering Committee: Roberta Albano, Caroline Schwarzwalder, and Brooks Smith (McGee/Pratt). **PASSED.**

## **DISCUSSION/ANNOUNCEMENTS**

### **A. Mass Bay**

Director Ned McGuire shared a list of the administration's offenses at Mass Bay with the Board. As President LeBlanc reported earlier in the meeting, the administrator who threatened chapter leaders has been fired. Unit members are becoming angrier and more energized about the problems at the college.

**MOTION:** The MCCC Board of Directors censures Mass Bay Community College President Carole Berotte Joseph for fostering a hostile environment at the college, one that is antithetical to the teaching and learning mission of MBCC and of the community college system (Kalivas/Curley). **PASSED UNANIMOUSLY.**

**B. Labor Relations Restructuring Plan**

President LeBlanc reported on a proposed merger of three state agencies: the Labor Relations Commission, the Board of Arbitration and Conciliation, and the Mediation Board. The argument is that cross training made possible by the merger will improve efficiency. Currently there is a huge backlog at the MLRC. The plan will have to be voted on by the legislature.

**C. Processing Contract Information Procedures**

Treasurer Mahler shared a page from what will become the Office Procedures Manual, detailing how requests for information should be handled. The purpose of the manual is to make procedures clear to all involved: coordinators, chapter leaders, and office staff.

**D. NEA Membership Grant**

MTA Consultant Miles Stern reported that a request has been filed for an NEA grant in support of organizing again this year. Last year's grant helped to fund the cluster meetings for both Day and DCE members. This one would support Strategic Directions objectives, adjunct organizing efforts, and online communications possibilities. Treasurer Mahler expressed concern about some of the proposals and the possibility of ongoing expenses once the grant ends.

**E. Len Paolillo Campaign**

At its August meeting, the Board endorsed Len Paolillo for a seat on the NEA Executive Committee. He will be invited to set up an information table about his campaign at the Fall Conference.

The meeting adjourned at 3:23 p.m.

The next Board meeting is scheduled for October 19, 2007.

Respectfully submitted,



Phyllis Barrett, Secretary

# MCCC ELECTIONS

Revised September 2007

## INTRODUCTION

The following campaign and election principles are intended to foster a fair and open election process for officers of the Massachusetts Community College Council in both statewide and chapter elections. MCCC chapters may specify additional requirements or procedures for chapter elections by chapter bylaw or policy.

### I. Campaign Requirements

#### A. Association Resources: Statewide and Chapter Elections

1. Neither the MCCC nor its chapters may use the Association's resources to publicize or support specific candidates in statewide or chapter elections. The MCCC and its chapters may provide information about all candidates for particular positions. Association resources shall include but not be limited to use of the union (1) name, logo, or letterhead, (2) telephone, fax machines, and computers, (3) email addresses @mccc-union.org, (4) web site, and (5) funds, directly or indirectly.
2. For statewide office, association membership lists appropriate to the office being sought may be provided by the Nominations and Elections Committee equally to all certified statewide officer candidates. An electronic file of member names, membership category, mailing addresses, and home colleges will be provided to all certified candidates without cost, upon completion and submission of the Board-approved address request form prepared by the Committee, to the Committee chair.

This information may be used only for mailing election materials and only before the closing date of the election.

#### B. Campaign Revenues and Expenditures

1. Definitions
  - a. Campaign revenues include fundraising and financial contributions to a campaign.

- b. Campaign expenditures include the cost of printing, mailing, telephone, travel, giveaways, social or fundraising events, and expenditures of a campaign committee.
2. No dues money shall be used to promote the candidacy of an individual for statewide or chapter office.
3. Campaign funds may be used only for campaign expenses.
4. Recordkeeping and Reporting
  - a. If a campaign involves revenues and/or expenses, candidates are required to keep accurate records.
  - b. For statewide elections, an itemized list of expenditures and amounts must be filed with the MCCC Executive Committee within 30 days of the close of the election.
  - c. For chapter elections, each chapter should establish a reporting system for candidate expenditures.

#### C. Campaign Materials

1. Campaign materials include but are not limited to printed materials, electronic materials such as web sites and blogs, buttons, and/or giveaways bearing the name of a candidate.
2. Campaign materials must not attack the character of an individual or group. Campaigners must not remove or deface campaign materials belonging to any candidate.
3. For chapter elections, each chapter should establish a procedure for reviewing the appropriateness of campaign materials.

Any infractions of these policies can be referred to the chair of the Nominations and Elections Committee for subsequent review and possible action by the Board of Directors.

## II. CONDUCT OF ELECTIONS: STATEWIDE AND CHAPTER 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 by electronic self-nomination.
3. Statewide elections are conducted by mail. Ballots are delivered to member home addresses, votes are cast by mail or hand-delivered to the designated location.
4. The Committee will certify and place in nomination (1) the names of all officer candidates who have secured at least fifty signatures of active members in support of their candidacy, (2) the names of candidates for the MTA Annual Meeting, and (3) the names of candidates for the NEA-RA Delegate Assembly.
5. If the number of certified candidates for MTA delegate is less than or equal to the number permitted, then those candidates are deemed elected. A ballot process will be conducted to permit write-in candidates for none-filled slots or to be named as successor delegates.
6. The MCCC Nominations and Elections Committee shall have the authority and responsibility to:
  - a. Provide a recommended nominations/elections schedule each year to the Board of Directors by the September meeting.
  - b. Give notice of the opportunity to nominate candidates and of elections. Such notice should appear in the *MCCC News* and on the MCCC Website. Notice of nominations and elections shall appear at least ten weeks prior to the deadline for nominations. The notice should specify (1) open offices, (2) nomination procedures and deadline, (3) election procedures and timeframe, (4) the time and date by which ballots must be cast, (5) the location to which ballots must be mailed or hand delivered.
  - c. Publish the names of candidates for each elective officer position in the *MCCC News*. Officer candidate statements appear in the *MCCC News*.
  - d. Institute a balloting procedure assuring that each vote has been cast by an eligible voter and that each voter has cast only one ballot.

- e. Mail ballots in late February or early March, leaving at least twenty days for voters to return the ballots. NEA delegate candidate statements are included in the ballot mailing.
- f. Supervise elections and conduct all voting by secret ballot. Secret ballot shall mean a voting procedure which cannot disclose the identity of the voter on the marked ballot to the individuals tallying the result of the vote. In a mail election, the voter must be provided with a business reply envelope with the Association address used for the return address.
- g. Provide a challenge vote procedure. Challenged ballots are not reviewed or counted unless their numbers could affect the outcome of an election.
- h. Count the ballots. A reasonable number of observers is permitted at the counting of ballots, to be determined by the chair of the Nominations and Elections Committee. An observer must be an MCCC union member.
- i. Certify as elected the candidate who receives the highest number of votes for each office and certify the candidates elected to serve as MTA and NEA delegates. Such certification is sent to the MCCC President within five working days of the vote count. The President then presents the certification to the Board of Directors and announces the election results to the members.
- j. Safeguard the ballots at the MCCC Statewide Office for one year and allow inspection of the ballots by any active MCCC member, after reasonable notice.

#### B. Nominations and Elections: Chapter Elections

1. It is strongly recommended that each chapter establish a Nominations and Elections Committee as part of its bylaws for the purpose of assuring equal access to all members of the chapter to the nomination and election process. If a chapter chooses not to establish a Nominations and Elections Committee, the Chapter has the responsibility, nonetheless, to follow the procedures indicated below.
2. The chapter Nominations and Elections Committee or the chapter, if no committee exists, shall have the authority and responsibility to:
  - a. Give notice of the opportunity to nominate candidates and of elections. Notice of nominations and elections shall be distributed or mailed at least two weeks prior to the deadline for nominations.

The notice should specify (1) open offices, (2) nomination procedures and deadline, (3) election procedures and timeframe, (4) the time, date, and place of the election if it is to be an on-site election, OR the time and date by which mail ballots, either through campus mail or U.S. Postal Service, must be received.

- b. Publish the names of candidates for each elective office at least five working days before the start of the election.
- c. Supervise elections and conduct all voting by secret ballot. Secret ballot shall mean a voting procedure which cannot disclose the identity of the voter on the marked ballot to the individuals tallying the result of the voting.
  - (1) In an on-site election the voter must be provided an area where the ballot may be marked with reasonable privacy. No campaigning shall be allowed within a polling area. Neither campaign literature nor materials may be distributed, posted, or worn within the polling area on the day of the election. Maintaining a physical presence in a polling area shall be construed as campaigning.
  - (2) In a mail election, the ballot and other materials must be designed to protect the integrity of the voting process.
- d. Provide an absentee ballot procedure for on-site elections. Such ballots must be received by the closing time for voting.
- e. Provide a challenge vote procedure. Challenged ballots are not reviewed or counted unless their numbers could affect the outcome of an election.
- f. Conduct the elections during the period from April 1 through May 15. In the case of mail elections, a reasonable time should be allowed between the mailing of ballots and the deadline for returning ballots.
- g. Institute a balloting procedure assuring that each vote has been cast by an eligible voter and that each voter has cast only one ballot. Membership lists provided by the MCCC office must be the source for voter lists.
- h. Count the ballots and certify as elected the candidate who receives the highest number of votes for each office. A reasonable number of observers is permitted at the counting of ballots. An observer must be an MCCC member.

- i. Announce the election results, including the vote count, to chapter members no more than three working days after the close of the election.
- j. Safeguard the ballots for one year and allow inspection of the ballots by any active member of the Chapter, by the Chair of the MCCC Nominations and Elections Committee, or by a designee of The MCCC President.
- k. Rely on the statewide MCCC Nominations and Elections Committee as a resource on nomination and election procedure.

### **III. Challenge Procedure**

A challenge to a statewide or chapter election must be conducted according to the following process. Any union member may file a challenge.

#### **A. Statewide Elections**

1. A union member who wishes to challenge an election of an MCCC officer or the outcome of an election for delegates to the MTA annual meeting or the NEA Representative Assembly must file the challenge with the MCCC President no more than five working days from the day the vote count is announced to the membership. If the challenge involves the office of the MCCC President, the challenge should be filed with the MCCC Vice President, Secretary, or Treasurer. If the challenge involves all four MCCC offices, the challenge may be filed with any MCCC Board member.
2. The MCCC Board of Directors must conduct a hearing on a challenge to an election no more than sixty days from the documented receipt of that challenge and must issue a decision no more than ten working days from the date of the hearing. Multiple challenges may be consolidated and/or handled at the same hearing.
3. An appeal of the decision of the MCCC Board of Directors may be made to the Massachusetts Teachers Association. It must be filed no more than five working days from the documented receipt of that decision. At this point, the challenger and the MCCC Board become the parties involved under the MTA Policy on Local Election Disputes. The MCCC Board may designate representatives to participate in the MTA process on its behalf.

## B. Chapter Elections

1. It is strongly recommended that each chapter establish a process to address a challenge to an election of officers. A union member from that chapter must utilize the chapter's challenge process before appealing to the MCCC Nominations and Elections Committee. If a chapter lacks a challenge process, a union member from that chapter may appeal directly to the MCCC Nominations and Elections Committee.
2. A challenge to an election must be filed no more than five working days from the day the election results are announced.
3. The MCCC Nominations and Elections Committee must conduct a hearing on a challenge or appeal no more than thirty days from its documented filing. It must issue a decision no more than five working days from the date of the hearing. Multiple challenges may be consolidated and/or handled at the same hearing.
4. The decision of the MCCC Nominations and Elections Committee may be appealed to the MCCC Board of Directors no more than five working days from receipt of the decision.
5. The MCCC Board of Directors must consider an appeal of the decision by the MCCC Nominations Committee no more than sixty days from the documented receipt of that appeal. The MCCC Board must take such steps as it deems appropriate to make a final determination on the appeal. Multiple challenges may be consolidated and/or handled at the same hearing.

Adopted by the Board of Directors, September 21, 2007

## 2007-2008 MCCC Internal Elections Timeline

- September chair submits election dates to the MCCC President for presentation to the Executive committee
- September MCCC board establishes election dates
- October 1 Chair sends election announcement and nomination form to Communications Coordinator for publication in November and December newsletters and to webmaster for inclusion in the MCCC **website** by late October
- \*Feb. 1 Close of nominations at 4 p.m.
- Feb. 8 Chair sends memo and ballot material to Communications Coordinator (We usually do this within a day or two of the close of nominations.)
- February Communications Coordinator works with printer
- February Communications Coordinator sends copy to chair for certification
- \*Feb. 29 Mailing of ballots
- Feb. 29-March 21 MCCC office receives and date stamps returned ballots; carries out challenge process
- \*March 21 Balloting closes at 4 p.m.
- \*March 21-22 Ballot count
- \*March 24 Announcement of results (We usually **email** the president by the Monday after the count.)

\* Dates approved by the BOD September 21, 2007