

Bristol Community College Council Informational Meeting Minutes

March 9, 2016, 2pm

Faculty/Staff Lounge G Building, Fall River

Remote locations in NB and Attleboro

51 persons in attendance in Fall River, 4 in New Bedford, 4 in Attleboro

I. Call to Order

President Yohe called the meeting to order at 2:00pm

- a. Introduction of MCCC Day Bargaining Team: Catherine Adamowicz, Claudine Barnes, Rosemarie Freeland, Courtney Derwinski, Joseph LeBlanc and Donnie McGee
- b. Ground rules: questions seeking clarification on Day Tentative Agreement only, 3 minute time limit, first time speakers prioritized. Questions from audience will guide the team's presentation.

II. Questions from Members/Answers from Team

- a. What happens if campuses split over ratification of Tentative Agreement?
 - Ratification is by majority vote by unit members
- b. Should Tentative Agreement be rejected, what happens then?
 - Bargaining starts from scratch. Concern that this would result in a zero year (no raise).
- c. What is the process to develop a salary grid?
 - The grid not developed yet, but a survey will be sent to members for input. Factors such as change of rank, years of service, licensure can be considered.
 - There will be a committee formed to develop grid. Three members of this committee will be from MCCC and three will represent the state. The timeline is for the committee to work in Summer and Fall 2016, and have a grid proposal ready by January 2017. It will be sent to members for ratification in Spring, 2017. If approved, the grid will be implemented starting July 2017.
 - If grid is not ratified, then everyone who functions under the Day contract will receive 2.5%
- d. Where will the funding come from for Day classes taught after 4pm?
 - There will be no change from now. It is complicated. At some campuses with very few Full Time Faculty, some A sections have to be scheduled after 4pm.

- Under Section 12.03B in Day Contract Tentative Agreement, faculty may teach day classes beginning as late as 5pm. Note: Management had wanted 6:30pm. Faculty can teach day classes with starting times between 4 and 5pm on a volunteer basis and management must agree. They can also teach later, but under very limited circumstances. Example: smaller schools have trouble with their accreditation, such as the Early Childhood Program at Cape Cod Community College. To accommodate students who work during the day, but need to take classes, some Day classes are held in the evenings. Note: if management assigns a faculty member a Day course meeting after 4pm without the faculty consent, he/she should notify Chapter president.
- e. What is impact on DCE faculty with this extension of Day classes?
 - Massachusetts General Law 15E (?) requires management to reconcile this burden with the DCE unit. The MCCC is prepared to bargain on behalf of DCE unit to ensure there is no harmful impact.
- f. Why was this not a consideration before the Tentative Agreement? Why does the DCE unit have to bargain this provision? Why wasn't the Statewide Adjuncts Committee or the DCE Grievance Coordinator consulted about this issue, as it negatively impacts DCE unit?
 - Massachusetts state law does not define "evening."
 - This provision was vetted through MTA consultants, who are lawyers, through Day and DCE Grievance coordinators, through the MCCC Board of Directors.
 - In the Day Bargaining Survey, some members reported wanting to have more flexibility in teaching later courses
 - It is not a foregone conclusion that DCE faculty will get bumped by Day faculty
 - Under state law, management must respect the DCE contract and seniority first
 - An analysis by Day Bargaining Team found that not many people would be affected by this
 - Management brought this as a priority item, and said there is a concern about long term enrollment, and this provision is a potential way to protect against retrenchment of full-time faculty.
- g. If Members wanted 12.03B, (per Day Bargaining Survey), why didn't team bring it to table? Was there awareness of its infringement on DCE unit? Wasn't there an unfair labor change brought against Roxbury Community College when a Full Time faculty member was assigned a class starting after

4pm? Didn't the MCCC have Bob Whalen file an unfair labor charge on behalf of DCE? Didn't the DCE win and had to go to impact bargaining?

- The issue of its impact on DCE unit was brought to the MCCC Board of Directors.
 - This wasn't agreed to yet, and if so, won't be implemented until next year. Management is on the hook to make sure DCE unit not hurt by this.
 - It was a provision that was agreed to at last minute
 - Chapters have agency. The Team thinks that full time faculty will support their DCE colleagues
- h. This may not have been such an issue if colleges hire more full time faculty. But, full time faculty are given priority in class schedule.
- Section 16.02 has also been discussed a lot in terms of making part time faculty and part time professional staff more vulnerable. We actually wanted to recognize and honor them. The only change is to add the 6th category of consideration. The category of DCE unit member has been in the Day contract since 1990, and the DCE contract since 1996.
- i. The terminology in 12.03 regarding instructional workload (SLOs) is to be determined. What could evolve?
- This is most challenging language the Team dealt with. The Team wanted to establish a bargaining history. About 90% of the issues the bargaining focused on related to accreditation and retrenchment.
 - Management wanted to mandate SLOS on all Full Time faculty projects, assessment, and college service and to evaluate faculty on all of it, including student achievement.
 - Right now, 13 of 15 MA community colleges have developed SLOs for their courses.
 - The team believes this is protective language, not allowing management to evaluate faculty. This calls for compensation for work on SLOs, all rights protected. Management can only look at faculty syllabi to note if SLOs are listed. This puts power into the hands of faculty. This also protects staff working on SLOs.
 - If management attempts to evaluate based on SLOs, unit members should grieve it.
 - Predict that there will be more pressure down road for colleges to evaluate on SLOs.
- j. What are some changes with respect to labs and clinical-like courses?
- Contact hours are equalized between lab hours and didactic classes.

- There is also more time allotted for prep for on-line courses, and multiple sections of lab.
- k. What are changes with respect to unit professionals?
- “mutually agreed upon” language maintained
 - College Service will now be listed on the E-7
 - By July 1, Professional Staff must meet with supervisors to review and amend E7s, if mutually agreeable.
 - Other duties as assigned must be related to the duties of the position as defined in the E-7, but staff must still have to report out in E5.
 - During inclement weather, PT Professional Staff and PT Faculty do not have to make up classes if college closes.
 - There is additional money available for tenure of Professional Staff
 - Professional staff are no longer required to take comp. time within 60 days. Supervisors cannot deny professional staff the use of comp. time
 - Parity on health care. Under the new law, part-time staff and faculty accrue sick time leave at same rate as full-time.
- l. Why is the agreed upon salary increase so low?
- The 2% in the first year is retroactive, the second year is 2.5%, and the third year is based on the grid if approved, if not, 2.5%
 - Note: the pink sheet that was made available to meeting participants is incorrect. It is based upon the assumption that the third year would be a 2% raise. The tentative agreement is a 2.5% raise or salary grid.
 - Secretary Peyser was not willing to give more money unless it was tied to graduation rates, which the Team rejected.
 - We are the first contract bargained under the Baker Administration, and will set precedent for others.
 - There are other opportunities for increased monies: for additional credentials, for tenure for professional staff, for change in rank for faculty.
 - Bristol Community College is the only state community college that does not allow for change of rank without additional credentials. This is at the President’s discretion.
- m. Is the salary grid a better deal than the 2.5%? Will it be an either/or? Is it possible that someone under the grid could do worse than a 2.5% increase?
- Under the language of the TA, we will get either a salary grid or 2.5% increase across the board.
 - Yes, it is possible.
- n. Will President Leblanc seek a legal rendering regarding whether DCE unit members are party to this Tentative Agreement, and thus able to vote on it?
- No.

- An opinion from MTA is forthcoming, but the sense is that the Labor Board will not take such a question.
 - The Team will share this information once it comes out.
 - 16.02 language has been part of Day contract since 1990, and DCE contract since 1996, the Team did not change language.
 - This issue was discussed with MCCC Board of Directors, which includes two adjunct representatives.
- o. Can BrCCC Chapter have a meeting before ratification deadline to discuss the Tentative Agreement?
- The next BrCCC Chapter meeting is March 21st. The deadline for ratification votes March 23rd at 4:00pm.
 - There are other wins for MCCC in the Tentative Agreement including parental leave and domestic violence leave.
- p. Will putting a return address on the ballot envelope invalidate the ballot? Can we fold the ballot if it doesn't fit in envelope?
- No invalidation for return address or folding ballot.
- q. Is tenure available for Part-Time staff?
- No, only full-time professional staff.
- r. Does the union have a say regarding the campus inequity between full time and part time professional staff?
- The MCCC is ready to bargain for DCE contract.
- s. Is it possible to get one contract for both Day and DCE members (one college, one contract)?
- DCE certification was established through state law.
 - It is a long and complex process, but Team can look into it.
 - This would involve both the Day and DCE agreeing to decertify and then recertifying. Given the pending Friedrich's Supreme Court case (fair share fees), this might be difficult to pursue.
 - The MCCC hasn't had a statewide conversation about this issue.

III. Meeting Adjourned, 3:47pm.

Respectfully submitted,

Colleen Avedikian, BrCCC Secretary