

Hello everyone,

Today (March 16, 2020) **Rosemarie Freeland** (MCCC Vice President), **Claudine Barnes** (Day Impact Bargaining Chair), John McColgan (DCE Impact Bargaining Chair), **Bret Seferian** (MTA Field Representative for the MCCC), **Colleen Fitzpatrick** (MTA Field Representative), and I (**Margaret Wong**, MCCC President) met with **Mike Murray** (DHE Director of Employee & Labor Relations), **Carol Wolff Fallon** (Labor Counsel), and **John Casey** (Assistant General Counsel) to bargain the impact of the COVID-19 pandemic on the workload, working conditions, and other contractual issues on the full time and part time faculty and professional staff who work at the commonwealth's 15 community colleges.

We will be teleconferencing with management again tomorrow at 3:00 p.m. At primary issue is the safety of professional staff. Mike Murray is going to be consulting with the presidents in advance of this meeting.

While we are doing our best to get management to allow professional staff to telecommute, we may not be able to achieve this goal tomorrow. In the meantime, professional staff who do not feel it is safe to return to work may use their accrued sick leave/the sick bank to stay home. Mike Murray has assured us that professional staff will be allowed to use sick leave for this purpose. Sick leave/sick leave bank might need to be employed to tie people over until something is worked out to permit remote working or until the COVID-19 crisis is over.

The MCCC team met at 9:00 a.m. Bargaining with the DHE team started at 10:30. Claudine had compiled all the issues, and suggestions sent to us from unit members, statewide grievance coordinators, and MCCC/MTA leaders and had categorized them into general issues, professional staff issues, and faculty issues.

We started joint bargaining by asking Management to clarify whether higher education employees were part of the Executive Branch and therefore included in Governor Baker's March 15 directive that non-essential personnel not report to work today. Mike Murray and Carol Wolff-Fallon said that higher education employees were not included in the directive. Mike further shared his personal observation that Higher Ed is included in the Executive Branch "only when it is convenient to include us." MTA field representatives await an answer from MTA Legal about the validity of that conclusion.

Management pointed out that, generally speaking, because each campus is dealing with issues specific to their campus culture, region, student body, academic schedule, etc., the Department of Higher Ed, under the leadership of Commissioner Santiago and Education Secretary James Peyser, have largely taken a hands off approach with regard to how individual colleges have chosen to respond to the COVID-19 crisis. Instead Mike has invited each college to engage with the chapter leadership to develop plans that work for their specific circumstances. We noted that, while this may have been successful at some colleges, at others, chapter leadership have not been included in the decision making and were notified of decisions made after the fact. Mike said that he always encourages college management to communicate with chapter leadership. In response we asked that, going forward, when college presidents make COVID-19 related changes to their plans the MCCC president be notified, so that there can be some consistency across the 15 colleges. Mike agree this would be a good idea. They admitted they were not aware of everything every college is doing on an ongoing basis. They did say that the presidents are having multiple conference calls a day.

Here are some (by no means all) of the issues we focused on: We pointed out the lack of clear protocols in place to ensure the safety of professional staff, some of whom were expected to return to work today. We noted that some colleges have been reluctant to allow professional staff the option of working remotely, and we asserted that our position is that professional staff should all be working remotely. We asked management to, at the very least, consider prioritizing the safety of those who are at higher risk for harm from COVID-19, and to ensure that everything be done to allow high-risk individuals to telecommute. We pointed out that some classes do not lend themselves to conversion to an online format and that this needed to be considered. We asked that, rather than telling faculty to put their face-to-face classes “online,” thereby mandating the use of the colleges’ learning management system, faculty be permitted to determine their own mode of “remote delivery” which includes a variety of modalities (Internet, e-mail, phone, etc.). While Mike was amenable to these suggestions, he remained reluctant to impose any set of rules onto the colleges, preferring to allow the colleges to come to local agreements with the chapter leadership. We also raised the idea of how evaluations would work with faculty suddenly teaching classes online – many for the first time ever, and that faculty should not be punished for it. The administration was receptive. Additionally, we raised childcare issues with k-12 schools closed, and campus childcare centers potentially joining them.

Among the things that management did agree to was waiving the waiting period before unit members could access the sick leave bank and lifting the cap on the number of days a unit member could take leave to care for a family member. They would not agree to putting unit members, who are placed into forced quarantine as a result of presumed exposure to the COVID-19, on paid administrative leave but insisted that accrued leave (sick, personal, vacation) be used in that circumstance. We pressed back against that and will continue to do so. Finally we also discussed waiving grievance timelines.

These and other issues will be revisited tomorrow. Please keep us informed about any new developments from your campuses.

Best,

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