

From: [MCCC-BCCC, President](#)

Sent: Friday, September 4, 2020 5:33 PM

To: [MCCC-BCCC, President](#)

Subject: Survey of Membership - Should NUPS teach?

Dear Colleagues,

We have been asked by Human Resources to make a recommendation on a written policy regarding whether non-unit Professionals(NUPS) should be allowed to teach DCE courses at Bristol Community College. We are surveying our members for their opinions on this important issue. Please take a moment to respond to this very brief survey by **Wednesday, September 9th at 11:59pm:**

<https://www.surveymonkey.com/r/W2VQVJ9>

For your consideration, please also read the below email sent out to MCCC Chapter Presidents and Chapter Directors from Joe Rizzo on the history of **Academic Deans** teaching DCE classes:

Hello Everyone,

The DCE contract initially prohibited employees who hire, fire, and, or evaluate DCE faculty from teaching in DCE. This provision was in effect for over a decade. There were many cases where deans continued to teach in DCE claiming that they are merely functionaries, Numerous grievances ensued and we prevailed in arbitration. The college also had to pay a considerable amount to unit members as a result even with the limitations of the DCE contract. The arbitrator ruled on the meaning of hire in relation to the employees in question.

*The contract language later changed so that **no employee who hires, fires, or evaluates can teach in DCE in a semester unless all those with reappointment rights in the work area has a course that actually runs.** It would be a contract violation if a unit member with reappointment rights did not receive an assignment or has a course cancel for under enrollment while an employee as described above is teaching a DCE course. The arbitration decision referenced above defined hiring authority as effective hiring authority. This would be the employee who puts names to course sections that is rarely changed by another higher level employee with approval authority.*

My experience is that many colleges would restrict deans from teaching because it would be difficult to monitor contract compliance in regard to course cancellations and the removal of the dean from their courses assignment(s). NUP's in general would not necessarily be impacted by this contract provision relative to the ability to teach in DCE.

There has always the question of state ethics issues because there could be an appearance of self dealing.

Regards,

Joseph Rizzo

MCCC DCE Grievance Coordinator

Grievance-DCE@mccc-union.org

Please let us know if you have any questions.

Thank you,

MCCC Executive Committee