



In Good Faith

THE MSP LOWELL NEWSLETTER

Enhancing the Quality of Work and Life: A Union Agenda for Sustainable Excellence

Your Core Bargaining Team has been meeting almost weekly throughout this academic year to prepare for our next cycle of contract bargaining. While the previous contract emphasized the statewide cost-of-living increase authorized by the governor, in this cycle we are hoping to make significant gains in policies and language that relate to our members' quality of professional environment. To that end, the Core Bargaining Team, led by co-chairs Laura Punnett and Adam St. Jean, put together the following Bargaining Platform:

This year our union, the UML Massachusetts Society of Professors, will negotiate a new 3-year collective bargaining agreement with the administration. Our proposals are informed by extensive input from faculty members gathered through hundreds of conversations with individuals and departments, town halls, training sessions, and our bargaining survey. At the table we aim to ensure that the future of UML supports faculty and librarian expertise, research, and teaching in order to sustain our role as a public resource for the community and a quality learning environment for students.

Because of our excellent faculty, UMass Lowell will attain R1 status in 2025 and has been named the #1 public university in Massachusetts in 2023 (Wall Street Journal). Our faculty's exceptional commitment to students, outstanding record in research, and clear service to the community, have elevated the status and recognition of our university. The sustainability of this excellence is dependent on ensuring fair conditions that recognize and support this work. These include **reasonable workloads, access to administrative support, resources for professional development, transparent governance, and competitive benefits.**

Quality Teaching: Excellent teaching and mentorship are key reasons students choose UML and succeed here and beyond. Preserving this as we move into R1 status means ensuring an R1 teaching load maximum of **2/2 for tenured and tenure-track faculty while maintaining 3/3 for clinical and teaching faculty.** Not all teaching happens in the classroom or under typical conditions, but all teaching is essential to student success. Faculty should be **fairly credited for independent study supervision, advanced seminars, mentoring doctoral students.** Finally, **reasonable class sizes** are necessary to provide students with the quality learning environment for which UML has been recognized.

Bargaining Platform, Continued

Research Support: Faculty research has been essential to UML's recent accolades but is not supported in a sustainable way. To recruit and retain quality faculty as an R1 institution, we need **better resourced pre- and post-award support throughout the research process, increased professional development funds, appropriate computing resources, and better systems to account for and support grant-writing cycles.** Research production relies upon our institution offering robust research and administrative support.

Fair Compensation for All Work: Our institution works because we work, even when it is in roles and regions other than typical teaching and research. **Faculty teaching GPS courses and in GPS programs deserve the same compensation and contractual rights for this work.** Further, UML is dependent on faculty service, including leadership in roles such as **associate chairs, program directors, coordinators,** etc. Our programs and departments could not run without their contributions and such work deserves a clear definition of duties and standard, transparent compensation.

Transparency & Fairness: A quality working environment depends on fair and transparent expectations and opportunities. Our members deserve a workplace with **clear and accessible policies.** This means **efficient evaluation structures,** including **updated annual review forms and processes** to better serve faculty/librarian needs. **Faculty voice** should be central to the evaluation process, including the comprehensive evaluation of teaching. **Opportunities for service and leadership roles** should be shared in a transparent manner, and **selection practices** should be clear, fair and uniform across campus.

Equity: We seek **parity for Clinical and Teaching Faculty.** This means **equal promotion salary increases, increased participation in faculty governance (including P&T)** and **improving the evaluation process for promoted faculty.** **Research Faculty** (grant-supported) also deserve fair treatment. We will advocate for **clear policies that ensure they have access to regular salary increases, a structured rank and promotion system,** and **opportunities to participate in faculty governance.** It's time for inclusivity and fairness for all faculty members.

Grievance Coordinator's Report

MSP makes every effort to enforce your contractual rights and benefits, and one way to do this is through the grievance process. Note that a grievance is not just a general complaint, but rather is a potential violation of an express provision in our collective bargaining agreement (CBA) contract. A link to our CBA contract is here: <https://sites.uml.edu/msp/contract/>

When a faculty member believes that their contractual rights have been violated, they should **contact the MSP Grievance Coordinator** to discuss the matter as soon as possible. Keep in mind that a faculty member only has **30 days from the date of the violation** to file a 'timely' grievance, so don't delay in reaching out to the Grievance Coordinator!

Grievance Coordinator's Report, Continued

If you believe your contractual rights have been violated, are not sure if they have been violated, or simply have a question about the CBA contract or your rights, please contact Grievance Coordinator Kelly Socia for an informal conversation as soon as possible.

Over the summer, faculty may always email Kelly (ksocia@gmail.com) *via their personal non-uml.edu email address* to discuss any and all issues relating to the CBA contract or to set up a virtual meeting.

This Grievance Coordinator Report summarizes some of the grievances that have been formally filed, are still in process, or have otherwise been resolved over the last few months. For every grievance that gets formally filed with the Administration, there are many other instances where a potential contract violation ends up informally resolved to the satisfaction of MSP and the faculty member(s) involved. For every contract violation that results in the MSP filing a formal grievance with the administration, there are perhaps five (potential) contract violations that end up informally resolved before they get to that point.

NEW GRIEVANCES FILED AND OTHER ACTIONS TAKEN

- **VHRP program bargaining.** The administration has implemented a special program for faculty with grant funding that exceeds the limits for summer salary. This program involves a partial appointment as a regular faculty line, and a partial appointment funded using external funding. The MSP sent a demand to bargain to the administration over this issue, and in late June we will bargain over the terms of this VHRP program. MSP wants to ensure the program is transparent, fair, and fully protects the contractual rights of MSP faculty in this program.
- **Course caps and course cancellation.** The MSP has filed multiple grievances regarding course sections being combined into one extremely over-enrolled section (e.g., 50% above the course cap) just before the semester starts. This move saves the administration money because they can pay a small amount for excessive over-enrollment, rather than paying for two separate sections that both easily meet the minimum enrollment to run. But MSP contends this practice violates multiple provisions of the contract. One such case is going to arbitration, and MSP will keep faculty informed.
- **SFI online evaluations.** The MSP filed a cease and desist, a level-2 grievance, and an unfair labor practice (ULP) charge against the administration's forcing the SFI online evaluations process through without bargaining with MSP over its provisions. The MSP is not opposed to online evaluations per se, but must ensure that the evaluation data is fully protected in line with existing contract provisions, that any evaluation revisions are bargained, and that protections are in place when courses receive low response rates due to the online nature of the process. A Department of Labor (DLR) hearing is scheduled for July.

Grievance Coordinator's Report, Continued

ONGOING ISSUES

- **The 33% salary limit.** As faculty are likely well aware, the Board of Trustees (BOT) has a policy that requires faculty to ask for approval if their *calendar year* additional compensation from *University* sources (e.g., overloads, summer grant funding running through UML, stipends that aren't applied to base) exceeds 33% of their base salary. **This is not a process that can be automatically denied at the Chair or Dean level!** The MSP is monitoring this issue to ensure that faculty are receiving fair consideration over such approvals or denials, as well as the appeal process. **If you are denied the ability to go over the 33% limit, please reach out to the MSP Grievance Coordinator as soon as possible!**
- **Denied salary increase.** A faculty member was appointed to an administrative position years ago as an associate professor, and returned to the faculty ranks as an associate professor the following year. Years later, they were promoted to full professor, but were denied a salary increase by the administration because of a clause contained in their prior administrative appointment contract. MSP contends that the clause was not only unclear, it was also an MSP contract violation due to direct dealing. In short, the administration cannot bargain directly with an employee *to give up their union rights* either now or in the future. MSP filed a ULP with the state DLR and is awaiting a hearing date.
- **New librarian positions.** Previously, the University created multiple new librarian positions that MSP believes should be appropriately placed in the MSP unit, but were instead placed in the SEIU professional unit. MSP and the administration are actively negotiating over which positions will be placed in MSP and which will be in SEIU, and what those job requirements will look like.
- **Under-enrolled GPS overload courses.** MSP previously filed a grievance on behalf of a faculty member who was offered a per-student rate for an under-enrolled GPS online course, rather than the minimum per-course stipend identified in the contract. Arbitration was held this spring but without a final agreement, and so a follow up hearing is scheduled for October 2024.
- **Visiting Professors.** MSP previously filed a grievance over the administration keeping visiting professor positions for longer than the maximum four years specified in the contract. The administration has worked to reduce/convert some of visiting professors whose positions are not in compliance with the contract, and is working on plans to finish converting some remaining positions as teaching-track lines become available.
- **Administrator Promotions.** An administrator went through the promotion process during the '23-'24 cycle. MSP found multiple violations of the procedure used to solicit and upload external letters, and filed a ULP charge with the DLR. Mediation was held in late April but did not result in a settlement agreement that day. Subsequent negotiations resulted in a mutually acceptable settlement, with increased contract protections for the administrator promotion process in the future.

-Kelly M. Socia, MSP Grievance Coordinator

Email Kelly (with your personal email): ksocia@gmail.com

Know Your Contract

DID YOU KNOW THE ADMINISTRATION DOESN'T FUND PARENTAL LEAVES?

While faculty have the ability to take a semester of leave upon the birth or adoption of a child, the administration does not actually fund this leave themselves. Instead, parental leave hours are covered by the faculty member's *own sick leave hours*, and when those are exhausted, the remainder of the semester's hours are covered either by the sick leave bank (if they are a member of the bank), through the state's paid family and medical leave (PFML), or are unpaid. The sick leave bank consists entirely of *faculty-donated* sick leave hours.

The CBA contract has provisions regarding paid parental/adoptive leave. Specifically, Article XX, section B.3 (p. 150) notes:

"3. Paid Parental/Adoptive Leave

*Full-time faculty and librarians who become the biological or adoptive parents of a child under five years of age, shall receive, upon request, up to a one semester paid leave. In the event that two unit members become the biological or adoptive parents of a child under five years of age, only one may request the one semester paid leave. During that semester which shall be the semester in which the child's birth or adoption occurs or an adjacent semester, the faculty member or librarian **shall be required to use their accrued sick leave**. Any otherwise eligible faculty member or librarian with insufficient accrued sick leave **may draw against the sick leave bank**. Bargaining unit members who start employment at the University on or after September 1, 2015 shall be eligible for leave under this section only after employed by the University for 1 full year and shall be required to return to the University, following such leave, for a period equal to twice the length of the granted parental/adoptive leave or shall be required to repay the University for salary paid during leave."*

In plain language, this means that faculty who take a paid leave semester for a child's birth/adoption are funded by sick leave hours (their own, or the sick leave bank's). **The cost of this leave is paid for by faculty, for faculty**. There are other aspects of parental/adoptive leave in the contract, including the ability to take unpaid leave, and the ability to delay the tenure clock by a year. If you have any questions about your contractual rights surrounding parental/adoptive leave, please contact the MSP Grievance Coordinator.

President's Report

Dear Colleagues,

Congratulations on completing the spring 2024 semester! I hope that you are looking forward to an interesting summer.

This summer MSP will be preparing proposals for contract negotiation and beginning the bargaining process with the UML administration. We have reached out to you, our members, both with a survey and by department visits. More on bargaining as the process evolves. The MSP Executive Board is also pursuing legally several issues related to contract enforcement.

I will be in touch with you throughout the summer with updates. Please reach out to me with your suggestions, comments and concerns. For now, let's all take a breather and celebrate our accomplishments!

With all best wishes,

Carol McDonough, MSP President

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