

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia A. Duffy and Sean Garballey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act promoting an adjunct bill of rights.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Patricia A. Duffy	5th Hampden	1/15/2025
Sean Garballey	23rd Middlesex	1/15/2025
Lindsay N. Sabadosa	1st Hampshire	1/29/2025
Vanna Howard	17th Middlesex	1/29/2025
Michael D. Brady	Second Plymouth and Norfolk	2/5/2025
Christopher Richard Flanagan	1st Barnstable	2/5/2025
Rodney M. Elliott	16th Middlesex	2/5/2025
Danillo A. Sena	37th Middlesex	2/5/2025
Paul McMurtry	11th Norfolk	2/5/2025
Erika Uyterhoeven	27th Middlesex	2/12/2025
Jacob R. Oliveira	Hampden, Hampshire and Worcester	2/12/2025
Natalie M. Higgins	4th Worcester	2/12/2025
James K. Hawkins	2nd Bristol	2/12/2025
Margaret R. Scarsdale	1st Middlesex	2/18/2025
Mike Connolly	26th Middlesex	2/18/2025
Christine P. Barber	34th Middlesex	2/19/2025
Kevin G. Honan	17th Suffolk	3/4/2025
Adam J. Scanlon	14th Bristol	3/4/2025

<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/4/2025</i>
<i>Tara T. Hong</i>	<i>18th Middlesex</i>	<i>3/12/2025</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>3/12/2025</i>

By Representatives Duffy of Holyoke and Garballey of Arlington, a petition (accompanied by bill, House, No. 1429) of Patricia A. Duffy, Sean Garballey and others for legislation to establish a faculty restoration and equity fund. Higher Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act promoting an adjunct bill of rights.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. There is hereby established and set up on the books of the commonwealth a
2 separate fund to be known as the Faculty Restoration and Equity Fund, hereinafter referred to as
3 the fund. The fund shall provide resources to institutions of public higher education in the
4 commonwealth to: (1) ensure that no less than 75 percent of undergraduate courses are taught by
5 full time faculty and (2) ensure adequate support staff at each institutional by requiring that that
6 no less than 75 percent of support and professional staff in each institutional department are full
7 time employees; and (3) ensure that part-time and other non-tenure track faculty receive fully
8 comparable pay, including per course pay parity, and benefits to full-time tenure and tenure-track
9 faculty according to the provisions of section 2 of this act. The department of higher education
10 shall determine funding allocation, with priority given to institutions with the highest utilization
11 of part-time and non-tenure track faculty.

12 Section 2. Section 3(2)(d) of Chapter 32, as appearing in the 2022 Official Edition, is
13 amended by adding the following new paragraph:

14 For purposes of this section and notwithstanding the provisions of this chapter or any
15 other general or special law, rule or regulation to the contrary, any faculty who teach the
16 equivalent of at least two three credit courses per semester or four three- or more- credit courses
17 per calendar year at one or more state higher education institution, including a division of
18 continuing education, regardless of funding source, including but not limited to subsidiary
19 account CC, shall be considered an employee eligible for membership in the state employees
20 retirement system and shall earn creditable service for such time.

21 Section 3. Section 4(2)(b) of Chapter 32, as appearing in the 2022 Official Edition, is
22 amended by inserting the following in line 476 after the word “membership” the following; -

23 provided, that in the case of any faculty employed at one or more state higher education
24 institution, the board shall credit as at least one-half year of service, actual service teaching the
25 equivalent of at least four three- credit courses per calendar year;

26 Section 4. Section 4(2)(c) of Chapter 32, as appearing in the 2022 Official Edition, is
27 amended by adding the following paragraph: -

28 For faculty employed at one or more state higher education institution, the board, in
29 accordance with the provisions of this section, shall allow credit for any previous period of
30 service equivalent to teaching at least four three- credit courses per calendar year at one or more
31 state higher education institution, including a division of continuing education, regardless of
32 funding source, including but not limited to subsidiary account CC.

33 Section 5. Section 1 of Chapter 32, as appearing in the 2022 Official Edition, is amended
34 by inserting in line 457 after the word “fund.” the following sentence: -

35 In the case of part-time faculty employed at one or more state higher education
36 institution, the full salary and wages received for teaching credit courses at one or more state
37 higher education institution, including a division of continuing education, regardless of funding
38 source, including but not limited to subsidiary account CC, shall be regarded as regular
39 compensation and shall be included in the salary on which deductions are to be paid to the
40 annuity savings fund.

41 Section 6. Section 2 (e) of chapter 32A of the General Laws, as appearing in the 2022
42 Official Edition, is hereby amended in line 114 by inserting after the word “hours” the following:
43 - or faculty who teach the equivalent of at least two three or more- credit courses per semester or
44 four three or more- credit courses per calendar year at one of more state higher education
45 institutions, including a division of continuing education, regardless of funding source, including
46 but not limited to subsidiary account CC, and regardless of the term of employment;

47 Section 7. Notwithstanding any law or regulation to the contrary, the state employees
48 retirement system shall contribute an amount equal to not less than 7.5 percent of each
49 employee's regular compensation to all part-time or non-tenure track faculty member employed
50 at a public institution of higher education who are enrolled in the Commonwealth's SMART
51 Plan, as permitted by the federal Omnibus Budget Reconciliation Act of 1990.

52 Section 8. Notwithstanding any law or regulation to the contrary, all part-time and
53 adjunct faculty shall, subject to collective bargaining with the exclusive representatives of the
54 full-time and part-time faculty at the public institution of higher education, receive pay that is

55 equal, on a pro rata basis, with that of full-time, non-tenure track faculty of comparable
56 qualifications doing comparable work.

57 Section 9. Notwithstanding any law or regulation to the contrary, each public institution
58 of higher education shall establish a process under which part-time and other non-tenure track
59 faculty, after successful completion of a probationary period, receive timely notice and priority
60 consideration, consistent with other institutional and state policies, for part-time and non-tenure
61 track teaching assignments. The provisions of this section are subject to collective bargaining
62 between the public institutions of higher education and the exclusive representatives of part-time
63 and non-tenure track faculty

64 Section 10. Notwithstanding any law or regulation to the contrary, each public institution
65 of higher education shall create a process for ensuring that qualified non-tenure track faculty
66 members receive full and fair consideration in attaining a tenure-track position when one
67 becomes available, consistent with department needs, institutional and state affirmative action,
68 and other personnel policies. This process shall ensure that non-tenure track faculty: (1)
69 accumulate seniority; (2) are notified of job openings prior to the job being posted outside of the
70 institution; and (3) are interviewed during the search and screen process. The provisions of this
71 section are subject to collective bargaining between the public institution of higher education and
72 the exclusive representatives of part time and non-tenure track faculty.

73 Section 11. Nothing in this act shall be construed to either limit or reduce salaries,
74 benefits or hiring rights in existence at any public institution of higher education at the time this
75 legislation passes into law.