

# HOUSE . . . . . No. 1429

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

<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>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>3/25/2025</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>3/26/2025</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>4/7/2025</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>4/9/2025</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>4/16/2025</i>
<i>Michelle L. Badger</i>	<i>1st Plymouth</i>	<i>4/22/2025</i>
<i>Leigh Davis</i>	<i>3rd Berkshire</i>	<i>5/1/2025</i>
<i>Mark D. Sylvia</i>	<i>10th Bristol</i>	<i>6/10/2025</i>

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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.

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**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.