

SENATE No. 940

The Commonwealth of Massachusetts

PRESENTED BY:

Paul W. Mark

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:	
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/3/2025</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>2/3/2025</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>2/7/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/11/2025</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/14/2025</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>2/19/2025</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>2/27/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/27/2025</i>

SENATE No. 940

By Mr. Mark, a petition (accompanied by bill, Senate, No. 940) of Paul W. Mark, Vanna Howard, Michael D. Brady, Jacob R. Oliveira and other members of the General Court for legislation to improve the working conditions and benefits of part-time and adjunct faculty at public institutions of higher education Commonwealth. 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 institution by requiring that no less
6 than 75 percent of support and professional staff in each institutional department are full-time
7 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, prioritizing institutions with the highest utilization of part-
11 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 institutions, 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 institutions, 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 institutions, 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
34 amended 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 institutions, the full salary and wages received for teaching credit courses at one or more state
37 higher education institutions, 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 -

44 Or faculty who teach the equivalent of at least two or more- credit courses per semester
45 or four three or more- credit courses per calendar year at one of more state higher education
46 institutions, including a division of continuing education, regardless of funding source, including
47 but not limited to subsidiary account CC, and regardless of the term of employment;

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

53 SECTION 8. Notwithstanding any law or regulation to the contrary, all part-time and
54 adjunct faculty shall, subject to collective bargaining with the exclusive representatives of the

55 full-time and part-time faculty at the public institution of higher education, receive equal pay on
56 a pro-rata basis, with that of full-time, non-tenure track faculty of comparable qualifications
57 doing comparable work.

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

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

74 SECTION 11. Nothing in this Act shall be construed to limit or reduce salaries, benefits,
75 or hiring rights existing at any public institution of higher education when this legislation passes
76 into law.