

Education Minnesota

Claims for back pay for college faculty crosses \$100,000 mark

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ST. PAUL, Minnesota. July 15, 2019 – Instructors at Minnesota’s two-year public colleges have already filed more than \$100,000 in claims for lost wages as part of a \$1.9 million settlement reached in May with the Minnesota State system.

More than 70 college instructors have met face-to-face with staff and officers from the Minnesota State College Faculty union to review the instructors’ work and pay records. Twenty faculty members filed claims when a special software calculator indicated money was owed.

Marie Sustacek, (pronounced Mary SHOES-too-chek) an instructor in the biology department at Minneapolis Community and Technical College, filed a claim in early July for more than \$20,000 for work she did during 2016-17 and 2017-18. The average value of the claims so far has been much lower, however, at \$5,885.

“I am grateful to be part of the union and know that if things like this come up, I don’t have to worry about myself as an individual to resolve these problems. I have people I can go to,” Sustacek said. “In terms of my fellow science faculty, this is big. Some people won’t be affected, but I still want to tell them thank you for being part of the union and supporting us who are affected.”

The underlying wage dispute involved how the college system calculated the pay for faculty members with certain job assignments, such as teaching in flex labs, independent studies and internships, or instructors who performed duties as department chairs and in similar jobs. Sustacek supervised labs and accepted academic leadership roles. The union estimates the settlement will directly affect between 180 and 700 instructors.

“What we’ve heard from the faculty most affected by this issue is a sense that their pay simply didn’t reflect the extra work they were doing,” said Matt Williams, president of MSCF. “That’s not healthy for the employees or the system. We believe people should be paid fairly for the hard work they do and I’m proud our union committed the time and resources to ensure this happens for everyone on a consistent basis.”

The settlement agreement created a process for faculty to recover back pay for the 2016-17 and 2017-18 academic years. The settlement also mandated that the system make certain changes

to ensure that it correctly compensates its faculty in the future.

Under terms of the agreement, faculty members must file a claim for back pay by Oct. 31, 2019. A referee selected by both parties will review any disputed claims.

The settlement caps the systems' liability for approved claims at \$1.9 million. If the total value of the claims exceed that amount, the individual awards will be proportionally adjusted downward to fit under the cap.

The union began filing grievances for the pay calculations in 2010, asserting that Minnesota State was not following the contract the two sides had negotiated together. In 2016, the union took the grievances to binding arbitration. The arbitrator ruled for the union.

In December 2017, the union filed an unfair labor practices lawsuit in Ramsey County District Court alleging Minnesota State violated the law by refusing to comply with the arbitrator's decision. The settlement signed May 22 resolves that lawsuit.

MSCF officers and staff will continue meeting with faculty through the summer and early fall. The group will be in Windom on July 16, the Riverland campus in Austin on July 17 and in St. Paul on July 23-25. Faculty can watch for updates on campus visits at mscfmn.org/workload-settlement.

The Minnesota State College Faculty union is affiliated with Education Minnesota.

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