

Resolution Title: Resolution on Hostile Work Environments Due To Bullying and Abuse
Submitted by: Professional Staff Congress/CUNY

Whereas, civil rights legislation makes it illegal for an employer, or anyone acting as an agent of an employer, or a co-worker to abuse or harass any employee because of race, color, national origin, religion, disability, medical condition, marital status, sex, age, or sexual orientation; and

Whereas, the Workplace Bullying & Trauma Institute's definition of bullying is **the repeated, hurtful interpersonal mistreatment** of a person (the target) by a perpetrator (the bully) through **acts of commission** (hostile verbal, nonverbal, communication and interfering actions) and **omission** (the withholding of resources – time, information, training, support, equipment – that guarantee failure); and

Whereas, civil rights legislation rightfully identified such behavior by supervisors or co-workers as discriminatory when used to maintain race, gender or other privileges within a given occupation; and

Whereas, studies have documented that between 16 and 21 percent of employees are victims of some form of harassment, abuse, or workplace bullying, and that such mistreatment is more prevalent than sexual harassment; and

Whereas, unless those who have been subjected to workplace bullying can demonstrate that the abusive treatment is because of their race, color, sex, national origin, age, sexual orientation or disability, they are unlikely to have any legal or other resource to redress such mistreatment; and

Whereas, an “abusive work environment” is one where an employee is subjected to repeated abuse that can cause physical and or psychological harm to the employee; and

Whereas, workers have the right to a hostility-free work environment that does not put their physical or mental health at risk and where everyone is treated with dignity and respect; and

Whereas, hostile workplaces are extremely costly to employers and employees in attrition, suck time and related health costs; and

Whereas, national experts on workplace bullying have identified the major health consequences for victims of abuse: 76% suffer from anxiety, stress and excessive worry; 71% experience loss of concentration; 71% suffer from disrupted sleep, 60% become edgy, irritable, easily startled and guarded; 52% become obsessive over work details; and 49% suffer from recurrent memories, nightmares and flashbacks; and

Whereas, union supporters or activists are sometimes targeted for such abuse by management in an effort to weaken the union, undermine employee solidarity or organizing drives; and

Whereas, managers must be held accountable if they abuse and harass staff or tolerate such behavior from others, and

Whereas, according to Workplace Bullying & Trauma Institute's study, once targeted, bullied individuals face a 70% chance of losing their jobs; and

Whereas, bullies don't work alone but in 77% of cases enlist co-workers to isolate the target; and

Whereas, bullying at the workplace occurs in both the private and the public sector; and

Whereas, bullying in the workplace and an abusive work environment has a chilling effect on many others not directly targeted undermining their work or teaching performance; and

Whereas, an increasing number of municipalities, communities, cities and states are considering anti-bullying legislation to insure that abuse and bullying are not tolerated at the workplace; therefore be it

Resolved, that NYSUT will work with its labor affiliates to develop legislation to prevent hostile work environments and provide enforceable remedies that will protect workers.

I hereby certify that the above resolution was approved for submission to the 2007 NYSUT Representative Assembly by the:

Delegate Assembly

at a meeting held on

December 21, 2006

Signed:



(President)

Local 2334

NYSUT Local or Retiree Council #

Professional Staff Congress

Local or Retiree Council Name

Local 2334

AFT#

Resolution Title: Proposed NYSUT RA Resolution Regarding the War in Iraq
Submitted by: Professional Staff Congress/CUNY

Whereas, our parent federation, the American Federation of Teachers (AFT), passed a resolution at its 2006 July convention titled "U.S. Policy in Iraq" that opposes the war in Iraq and calls upon our country's leaders to withdraw all troops, bases and military operations in a rapid and timely manner and put a stop to the unending military presence that will waste lives and resources, undermine our nation's security and weaken our military; and

Whereas, the AFT also resolved to actively encourage its state and local affiliates to join them in working with the AFL-CIO to end the war in Iraq and bring the troops home rapidly; and

Whereas, the AFL-CIO has passed Resolution 53 on the war in Iraq which was also supported by the AFT; and

Whereas, the war has resulted in staggering human, social and economic costs to both Iraqis and Americans, the violation of labor rights in Iraq by the U.S. occupation and its Iraqi surrogates, the privatization of Iraq's public assets and grotesque war-profiteering by U.S. corporations; and

Whereas, the U.S. government propagated false information to justify the invasion and expansionist premises that underlie its policy; and therefore be it

Resolved, that NYSUT call for the immediate withdrawal of all troops, bases and military operations in Iraq and oppose their redeployment elsewhere in the Persian Gulf; and be it further

Resolved, that NYSUT mobilize its members to call on the New York State congressional delegation to vote "no" on any funding bill to continue the war and to facilitate legislation that will withdraw all troops, bases and military operations, that will fund full benefits, adequate health care, and other support for returning veterans and their families, and organize their congressional peers to do the same; and be it further

Resolved, that NYSUT encourage locals to organize activities to end the war and develop materials to educate its members about the human, social, political and economic costs of the war; and be it further

Resolved, that NYSUT create a statewide anti-war listserv for members and locals to help encourage the exchange and dissemination of educational materials, organizing materials and best practices.

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AFT#

Resolution Title: Resolution to Oppose Political Repression in the Wake of the Oaxaca Teachers Strike
Submitted by: Professional Staff Congress/CUNY

Whereas, the strike of the teachers union local in the State of Oaxaca in Mexico, was based on demands for pay parity, support for impoverished students, equipment for their classrooms, repairs for their schools and the defense against government plans to privatize education; and

Whereas, the extended strike resulted in teachers developing local alliances with parents, labor, university students, social movements, community and indigenous groups and organizing themselves into a Popular Assembly of the Peoples of Oaxaca, thereby broadening their social demands beyond the under-funding of education; and

Whereas, the teachers and members of the Popular Assembly of the Peoples of Oaxaca were met by violent repression, first from the police and security forces of the State of Oaxaca under Governor Ruiz and later from the federal police intervention by the government of Mexico under Presidents Fox and Calderon; and

Whereas, over the first seven months of the struggle in Oaxaca, teachers have been arrested, in front of their classes, for their political activity; more than 200 people have been killed and disappeared; hundreds have been wounded by the military, police and paramilitary forces; and many hundreds of union and community activists have been arrested and jailed; therefore be it

Resolved, that NYSUT join with human rights groups in Mexico and around the world in demanding an end to the repression of the people of Oaxaca; and be it further

Resolved, that NYSUT lodge protests with President Calderon of Mexico and Interior Minister Ramirez Acuna demanding the immediate release of the teachers and other political prisoners of Oaxaca; and be it further

Resolved, that NYSUT support the just demands of the teachers of Oaxaca, and be it further

Resolved, that NYSUT demand that criminal charges be instituted against Governor Ruiz of the State of Oaxaca, who is responsible for the initiation of repression against the rightful collective bargaining demands and subsequent strike mobilization of the teachers of Oaxaca; and be it further

Resolved, that NYSUT keep its members aware of the continuing developments in Oaxaca through additional coverage in *The New York Teacher*; and be it further

Resolved, that NYSUT request that the leadership of the AFL/CIO join these efforts to oppose the repression of teachers and other workers in Oaxaca.

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AFT#

Resolution Title: Urging TIAA-CREF to Continue Developing Shareholder Activism In Support Of Labor Rights In the United States and Abroad
Submitted by: Professional Staff Congress/CUNY

Whereas, NYSUT has been historically committed to the defense of human, civil and labor rights as well as the promotion of social justice both at home and abroad; and

Whereas, NYSUT members in higher education generally have the option of selecting TIAA-CREF as their retirement plan, and the decision, made within the first month of full-time employment, is irrevocable; and

Whereas, NYSUT has continuously demonstrated its opposition to low-wage, non-unionized labor; and

Whereas, NYSUT has consistently informed its members and the public at-large regarding the unfair labor practices of many corporations currently included in TIAA-CREF's stock portfolio (e.g. Wal-Mart, Coca-Cola, Nike and others) and whose Third World suppliers routinely ignore workers' rights to organize and collectively bargain; and

Whereas, a significant number of NYSUT's members in higher education have their pensions invested in TIAA-CREF; and

Whereas, NYSUT members are also investors and pensioners with social commitments that come with financial involvements; and

Whereas, TIAA-CREF prides itself on being sensitive to the concerns which investors express about socially responsible investment policies; and claims to endorse and engage in corporate accountability; and

Whereas, TIAA-CREF's Social Choice Account, though a more responsible investment alternative because it excludes companies that derive their revenue from alcohol, tobacco, firearms, gambling, military weaponry and electric utilities that own interests in nuclear power plants, does not exclude corporations that insufficiently promote labor rights both at home and abroad; therefore be it

Whereas, TIAA-CREF's Social Choice Account only excludes companies that derive their revenue from alcohol, tobacco, firearms, gambling, military weaponry or have interests in nuclear power plants but does not exclude companies with violations of workers rights; and

Whereas, these socially responsible retirement investment options include many financially successful funds; therefore be it

Resolved, that NYSUT recognizes that its members who participate in TIAA-CREF should be offered the option of socially conscious investments that include options that screen for companies' labor policies as well as other social criteria; and

Resolved, that NYSUT on behalf of its membership encourages TIAA-CREF's directors and trustees to substantially strengthen their corporate oversight of companies in which it invests; and be it further,

Resolved, that NYSUT encourages TIAA-CREF's new office of Social and Community Investing to refine its Social Choice Account so that it contains an explicit, clearly monitored and widely publicized labor rights screen that rules out the inclusion of companies, both in the United States and abroad, that conduct anti-union intimidation campaigns, refuse to bargain collectively, do not pay a living wage and don't offer minimal health and retirement benefits; and be it further

Resolved, that NYSUT encourage TIAA-CREF's office of Social and Community Investing to offer new options that include companies with strong records in workers' rights, community development and environmental issues; and be it further

Resolved, that NYSUT communicate its interest in a socially conscious investment policy that includes labor screening to the TIAA-CREF President and Chief Executive Officer, the Vice-President and Chief Investment Officer, the Head of Corporate Governance, the Director and Managing Director of Social and Community Investing and the Board of Trustees and ask for a response within three months of this NYSUT RA convention.

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AFT#

Resolution Title: Restore Habeas Corpus
Submitted by: Professional Staff Congress/CUNY

Whereas, the U.S. Constitution specifically provides in Article 1, Section 9, Clause 2: “The privilege of the writ of habeas corpus” [which gives an imprisoned person the right to challenge in court the legality of his or her imprisonment] “shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it”; and

Whereas, NYSUT is strongly committed to upholding the rights, freedoms and responsibilities of the Constitution; and

Whereas, on September 28 and 30, 2006, the House of Representatives and the Senate passed the Military Commissions Act, which denies the writ of habeas corpus to individuals labeled “unlawful enemy combatants,” whether U.S. citizens or citizens of other nations; and

Whereas, President George W. Bush, took the lead in urging passage of this Act and immediately signed it into law; and

Whereas, for the first time in our history, U.S. citizens can be arrested and detained indefinitely without charge if the President declares them to be “unlawful enemy combatants”; and

Whereas, under the Military Commissions Act, virtually anyone can be determined to be an “unlawful enemy combatant” by a “competent tribunal” designated by the President without meeting any objective criteria for this designation; and

Whereas, hundreds of people are being held by the U.S. at Guantanamo and at other U.S. installations in Afghanistan, Iraq, and in other countries all over the world without recourse to habeas corpus or any meaningful review of their “enemy combatant” status; and

Whereas, under the Military Commissions Act; ‘enemy combatants’ can be tried and executed on the basis of coerced testimony, hearsay and secret classified testimony; and

Whereas, an editorial (9/28/06) in *The New York Times* described the Act as “a tyrannical law that will be ranked with the low points in American democracy, our generation’s version of the Alien and Sedition Acts.”

Whereas, as Senator Russell Feingold argued on the floor of the U.S. Senate, the United States undermines its proclamations of “democratic government to the rest of the world as the supreme form of government at the very moment we eliminate the most important avenue of relief from arbitrary governmental detention”; and

Whereas, by the example it sets for treatment of detainees, the Military Commissions Act threatens the rights and safety of U.S. soldiers held as prisoners of war; and

Whereas, as educators, we engage our students in the study and understanding of democratic and constitutional rights and the rule of law; and

Whereas, as trade unionists, we have a long and proud history of defending democratic and constitutional rights; therefore be it

Resolved, that New York State United Teachers urges all its members to notify their representatives in the U.S. House of Representatives and the U.S. Senate (1) that the prohibition of the use of habeas corpus, as set forth in the Military Commissions Act, is a violation of the U.S. Constitution that undermines democracy and endangers the constitutional rights of all people in the United States and U.S. Territories, and (2) calls on each of them to vote to repeal this law immediately, and be it further

Resolved, that New York State United Teachers lobby the New York Congressional and Senate delegation to work for repeal of the Military Commissions Act, and be it further

Resolved, that New York State United Teachers will urge its affiliates and members to call on candidates in the 2008 New York State Presidential Primary and for New York State Congressional seats in the 2008 elections to commit themselves to immediate repeal of the Military Commissions Act.

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AFT#

Resolution Title: Health Care and Secure Retirement Are a Right
Submitted by: Professional Staff Congress/CUNY

“Of all the forms of inequality, injustice in health care is the most shocking and inhumane.”
--Martin Luther King, Jr.

Whereas, health care and a secure retirement—which includes health care in retirement—are basic human rights; all people, regardless of nationality or citizenship, should be entitled to health; and

Whereas, health care and a secure pension for working people are a form of deferred wages—not a gift or a bonus; and

Whereas, NYSUT has played a leading role in securing good retirement benefits for its members and in advocating for fair health care; and

Whereas, teachers, professors, health care workers and others in the public sector, who sacrifice the opportunity to earn high salaries because they believe in the mission of public service, are entitled to expect in return fair health care benefits and a secure retirement; and

Whereas, the universal right to health care has still not been recognized in the United States, almost uniquely among industrialized countries; and

Whereas, the past decade has seen an escalating assault on both pensions and health care for employees, and there are indications that this assault may soon be attempted with public employees in New York State; and

Whereas, the attempts to reduce or eliminate employee health care and pensions is straight out of the neo-liberal playbook—part of the conscious agenda to redistribute wealth from the middle class to an ever-smaller sector of the ownership class; therefore be it

Resolved, that in the context of this economic and political agenda, NYSUT reinvigorate its advocacy to defend and improve employee health care and pensions for its members not shifting the cost onto working people, and that NYSUT reaffirm its position that cuts to pensions and health care will not be tolerated.

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