

# Clarion

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Gary Schlichter

## ACADEMIC FREEDOM AT ISSUE

# POLICY PROPOSALS DRAW FACULTY FIRE

Iakovos Vasiliou, associate professor of philosophy at Brooklyn College, spoke against CUNY management's proposed new student complaint procedure at a Board of Trustees hearing on January 22. Many critics called it "a solution in search of a problem," but warned that its lack of clear standards or guarantees of due process will invite attacks on academic freedom. A proposed computer use policy was also criticized for its lack of privacy protections.

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## HUNTER

### Precise tongues

María Cornelio  
trains  
professional  
translators.

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## RETIREMENT

### Job changes, tax changes & pensions

Former adjuncts hired on a conversion or substitute line should call a PSC pension counselor right away. And new tax law changes are important for domestic partners and others.

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## CONTRACT

### Bargaining begins in February

The PSC and CUNY scheduled their first negotiating session, and the DA will hold a special meeting to finalize demands.

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## DILLARD BENEFIT

### Poetry reading raises funds for New Orleans

CUNY poets read from their work at an event organized by the PSC Peace & Justice Committee in November. Proceeds benefited Dillard University in New Orleans.

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## HIGHER ED IN BRIEF

### College Student Relief Act

House Democrats have approved a bill to cut interest rates in half for federally subsidized loans to undergraduate college students. Students and higher education professionals lobbied House members, who passed the College Student Relief Act on January 17, sending the measure to the Senate. The AFT and NEA both applauded the move. AFT President Edward McElroy said in a statement that the AFT is "ready to tackle other equally important measures, particularly our goal of increasing the maximum Pell Grant to \$5,100" from its current \$4,500.

### RateMyProfessors.com is bought by MTV

On January 17 MTV's college-student-oriented 24-hour-channel, mtvU, bought the website RateMyProfessors.com. The website allows students to rate professors "good, average or poor quality" and "hot or not." Professors rated highly on the last point receive an increasing number of chili peppers.

MTV also purchased College Publisher, a network of some 500 online college periodicals. The two purchases allow MTV to be "everywhere our audience is," said MTV President Christina Norman.

### Cops beat prof

Atlanta police arrested Tufts historian Felipe Fernandez-Armesto for jaywalking after he crossed the street between hotels during his attendance at an American Historical Association meeting in January. The arresting officer threw him to the ground, handcuffed him and hauled him to a crowded, filthy jail cell after Fernandez-Armesto asked to see the officer's identification. Bruised and in pain, he was held for eight hours until he came up with \$1,000 for bail. All charges were later dropped.

Fernandez-Armesto, a British citizen, is the author of 19 books and is a former Oxford don. The mild-mannered academic says he has no plans to sue; AHA is considering a complaint.

### Iraqi academics at risk

Iraqi institutions of higher education and Iraqi academics themselves are a little-publicized casualty of the war. Some 250 professors have been killed and hundreds more disappeared since the war began, reports the BRussels Tribunal and the Spanish Campaign Against the Occupation and for the Sovereignty of Iraq.

The two organizations have created a petition to the United Nations and other human rights organizations to "break the silence"; it can be found at [www.brusselstribunal.org](http://www.brusselstribunal.org).



LETTERS TO THE EDITOR | WRITE TO: CLARION/PSC, 61 BROADWAY, 15TH FLOOR, NEW YORK, NY 10006.  
E-MAIL: PHOGNESS@PSCMAIL.ORG. FAX: 212-302-7815.

# Free speech in the university

● Journalists refer to public relations representatives as "flacks" for a reason: their job is to provide a positive image of their employers to the media – no matter what the truth may be. A reporters' job is to seek the truth, or get as close to it as possible on deadline.

That is why as a journalism professor at Baruch College, I am disturbed by the college's newest policy, barring staff from speaking directly to the press [*Clarion*, December 2006]. Now all media inquiries are supposed to be directed to the College's Office of Communications and Marketing. This not only infringes upon employees' rights to free speech, it weakens the free exchange of ideas that a public college ought to foster and support. And it feels censorious. The PSC did the right thing by demanding that the policy be withdrawn.

Of course, no institution wants negative press, and I understand the impulse to try to control one's image in the media. But enacting this policy sends the wrong message, one far worse than what it attempts to avoid: that the college has something to hide. Nothing excites journalists more.

Bridgett Davis  
Baruch

### Accurate? You decide

● "Censorship Blocked at Kingsborough" (December 2006 *Clarion*) inaccurately characterizes the position and actions of the CUNY Alliance [CA] regarding use of staff listservs for political messages.

Contrary to the claim made by Peter Hogness, editor of the paper and author of the article, the CA slate never distributed a leaflet asserting the view that "too broad an interpretation of 'free speech' would 'allow professors unrestricted right to send

anything they wanted'" through KCC listservs. We never held that view. Rather, KCC regulations prohibited distribution of campaign literature through the listservs, so our presidential candidate complained when a New Caucus supporter so did. Had Mr. Hogness contacted us for comment prior to publishing the article, as is proper journalistic practice, he would have discovered that we neither authored nor distributed the leaflet that he attributes to us. We ask that *Clarion* publicly retract its inaccurate claim.

Now that the rule at KCC has been changed, we are pleased to contrast our philosophy on union leadership with that of the NC. We believe in focusing on union business, not global politics and unnecessary confrontation, and we will continue to promote that view.

Mona Fabricant  
Secretary, CUNY Alliance

*Clarion's editor responds:*

The CUNY Alliance circular quoted by *Clarion* was issued last April, and it can still be found on the CUNY Alliance website ([www.cunyalliance.org/mis/ca025.htm](http://www.cunyalliance.org/mis/ca025.htm)). Referring to the alleged rule banning union politics from the KCC listserv, it states: "These rules, common to all CUNY campuses, exist for good reason: imagine if every professor at, say, Brooklyn College, decided to send five politically-oriented e-mails a day through the college list-serv. Every day, professors on campus would wake up to roughly 3,000 e-mails cluttering their inboxes. The New Caucus has been in power for six years. If they thought that these common-sense rules restricted 'free speech,' they should have fought to allow professors unrestricted right to send anything they wanted, whenever they wanted, through faculty listservs" (emphasis added). Since

*Clarion* was quoting a public statement, there was no need to ask for further comment.

As readers can see, *Clarion's* quote from this CUNY Alliance statement was accurate. But the statement itself was not – Kingsborough in fact never had any rule banning discussion of union politics on college listservs. Fabricant doesn't offer any quotes from these "regulations," because they don't exist.

As we reported last issue, after NC supporter Patrick Lloyd stated his views on the union election on a Kingsborough listserv, the CA complained to college administration – which then banned Lloyd from the listserv. But this was an arbitrary action that was not based on college policy. After the election, CUNY admitted that the supposed policy at KCC did not in fact exist, and the union won a settlement in which KCC administration reversed its decision to ban Lloyd, and promised to respect all PSC members' right to engage in political speech in this online forum.

(Full text of the *Clarion* article is at [www.psc-cuny.org/PDF/ClarionDec06.pdf](http://www.psc-cuny.org/PDF/ClarionDec06.pdf), on p.5.)

### No dental for adjuncts

● I have been disappointed to read several union announcements headlined "New Benefits for Members" only to discover that the dental benefits in question are only for full-timers. There was even a mailing to adjuncts with the same heading. It's bad enough that adjuncts have no dental coverage. At least the announcements could read "new benefits for full-timers." It's discouraging to find that once again, adjuncts are the invisible faculty.

While full-timers are enjoying their new benefits, adjuncts have suffered a downgrading of our

health coverage. Our old Empire Blue Cross plan had a \$15 co-pay for office visits, did not require referrals from the primary care doctor, and had no deductible for medication. Now most adjuncts insured by the Welfare Fund are covered by another Empire Blue Cross plan that requires referrals for visits to specialists, a \$25 co-pay for doctor's visits, a \$75 co-pay for emergency room visits, up to \$30 for medication after meeting a \$100 deductible, no reimbursement at all for out of network providers, and reductions in payments to practitioners like chiropractors so that most good ones refuse to join the plan.

Ingrid Hughes  
BMCC

*PSC President Barbara Bowen responds:*

I want to apologize for sending messages that said "faculty" when they meant "full-time faculty." That's an error the union tries not to make and shouldn't make.

The fundamental problem, of course, is the lack of adequate health benefits for adjuncts in the first place. One of the things at stake in the last contract was any health coverage at all for adjuncts, given the historic underfunding of the Welfare Fund by the employer. When the whole union fought successfully to increase management contributions, we saved the health insurance of more than a thousand adjuncts, many of whom carry more than a normal full-time teaching load.

The only real solution to the problem is structural: inclusion of CUNY adjuncts who work the equivalent of half-time or more in the New York City Health Benefits Program. It is an outrage that CUNY relies on adjuncts to teach half its courses but fails to ensure that they will be provided with health insurance, in contrast with many other part-time City workers.

### New credit union name

As of November 2006, the credit union name has changed from PSC/CUNY Federal Credit Union to Education Affiliates Federal Credit Union. The name PSC/CUNY FCU served us well for over 25 years, but as the credit union continues to grow, it welcomes members from outside the PSC/CUNY system. So after much consideration and discussion, we felt a name more reflective of our current membership base was warranted.

While our name has changed and we have moved into a new office space, our commitment to excel at member service and to provide you and your family access to competitive personal financial products and services has not wavered.

Lorraine Stern  
President, Education Affiliates FCU

## CSI day care workers rally



Day care workers at the College of Staten Island picketed the college's Children's Center in December, as part of their contract campaign. The center's 28 workers belong to Local 338 of the Retail, Wholesale & Department Store Union. The union says the center, which provides subsidized day care to CSI students, is underfunding its welfare fund.

# Contract talks start on Feb. 7

By PETER HOGNESS

The PSC bargaining team and CUNY management have agreed to begin negotiations for a new contract on February 7. The two sides will start by discussing ground rules for future bargaining sessions, with specific issues taken up at later meetings.

The PSC Delegate Assembly (DA) discussed possible union demands at its November, December and January meetings. In early February the union's Executive Council will recommend a set of demands to the DA, and delegates will vote on the proposed package at a special meeting on February 15.

In a message to union members, PSC President Barbara Bowen reported that the union would press CUNY to settle the new contract before the current one expires in September 2007. "I am confident that we will present a focused, strategic and ambitious bargaining agenda to address the needs of CUNY faculty and staff," Bowen said.

## DELIBERATION

Local chapter discussions on contract demands have helped shape the DA's deliberations, and some chapters conducted e-mail surveys as well. Member comments from last fall's "listening campaign" have been another source of input. The Delegate Assembly has sometimes divided into small groups to allow for more thorough discussion.

Topics have included salary increases, Welfare Fund benefits,

## CUNY agrees to union request



BMCC Associate Professor Charlie Post at the December 21 Delegate Assembly.

workload, adjunct equity and job security, paid parental leave, HEO and CLT advancement, other needs of particular titles, and more.

Both at the DA and in chapter-level discussions, union leaders have asked members to think about which demands should be a priority for the union as a whole. At one meeting Marianne Pita, PSC chapter chair at Bronx Community College, argued that "we should prioritize demands that will unify us, around which all members can rally."

At its meeting in January, the Executive Council named the members of the union bargaining committee for this round of negotiations. The new committee is made up of the PSC's four principal officers (President Barbara Bowen; First VP Steve London; Secretary Arthurine DeSola; Treasurer Mike Fabricant), four vice presidents (VP for Senior Colleges Bob Cermele; VP for Community Colleges Anne Friedman; VP for Cross-

Campus Units Iris DeLutro; VP for Part-Time Personnel Marcia Newfield), and Executive Council members Stanley Aronowitz, Diane Menna and Steve Trimboli.

## FISCAL FORECAST

The PSC had written to CUNY management on November 3 to request that the two sides start contract talks. Later that month Vice Chancellor Brenda Malone agreed in principle to begin bargaining, but said that talks should not start until "after the holiday season." CUNY must consult with both New York City and State about its contract negotiations, and Malone wrote that while New York City had begun to reach settlements with some unions, "the State is not as far advanced in its negotiations and will...be engaged in a transition to a new administration in January."

On January 9, the City's Independent Budget Office (IBO) said that NYC's fiscal situation was improving. The IBO predicted that the City would end up with a \$2 billion surplus this year, and a \$700 million surplus the year to come. In his State of the City address, delivered January 17 at City Tech, Mayor Bloomberg proposed spending \$1 billion of that surplus on a series of tax cuts. He did not pledge any new money for union contracts - which drew criticism from the Patrolmen's Benevolent Association. Its president, Pat Lynch, noted that low starting salaries have hurt police recruitment.

## Union moves to define demands.

# Clarion wins local, national awards

By DANIA RAJENDRA

For the second year in a row, *Clarion* was named best union newspaper of its size by the International Labor Communications Association (ILCA), the labor media organization for unions in the US and Canada. The award was given in November for work in 2005. The paper also won recognition from the American Federation of Teachers (AFT), NY State United Teachers (NYSUT), and the NY Metro Labor Communications Council.

Besides the award for general excellence, ILCA judges cited *Clarion* for its distinctive art and news writing. Gregory Nemeč's drawing "Academic freedom under attack," on the cover of the Summer 2005 issue, won first prize for best illustration among all local unions in North America; judges called it "very striking."

In the competition for best collective bargaining story, out of all local unions, *Clarion* Editor Peter Hogness and Associate Editor Dania Rajendra won second place for their co-written coverage of the PSC's mass meeting at Cooper Union.

## For reporting, art and design

The ILCA also praised designer Margarita Aguilar and First Vice President Steve London's combined work on a feature with charts that showed management's declining contributions to the PSC/CUNY Welfare Fund. "They know what an information graphic is," judges wrote. They also cited Hogness's article on the first two CUNY students killed in Iraq as "well written and moving."

Within the AFT, *Clarion* took home second place among the largest locals for best feature story and best column, and third place for general excellence and best editorial. Judges called it "a smart, activist publication" and one that reflects "an engaged membership as well as honest, committed leadership."

## FEATURE

The feature story award went to Rajendra's interview with Charles Molesworth, former chair of the Queens College English department and currently chair of the PSC's

Grievance Policy Committee, for its "many small human touches." President Barbara Bowen's March 2006 column, "Straight talk about the contract" was praised as an "excellent point-by-point rebuttal of the university administration."

## NOT PERFECT

"The Bush Hurricane," an article about the social fallout of Hurricane Katrina by Neil Smith, distinguished professor of anthropology and geography at the Graduate Center, was "a serious and insightful article" offering analysis not found elsewhere, wrote AFT Judge Charlie Michaelson. "More publications might call on their own members who have special expertise for such articles," Michaelson said.

But there's still room for improvement. AFT judges suggested that *Clarion* should look for "a few more ways to help the reader understand content without reading every last word," such as more photos and more creative use of pull quotes and other summarizing features.

NYSUT, the PSC state affiliate, gave *Clarion* its award for general excellence among the group's largest locals. Francine Brewer's analysis of the rising cost of prescription drugs was named "best article on health issues" as well.

Metro picked *Clarion*'s coverage of the split in the AFL-CIO for its award for Unique Performance. "Too few unions take seriously their responsibility to explain the issues [of the split] in a non-polemical way," Metro's judges said. They complimented both the text and the art of the two-page spread, citing "the dynamism of the pictures" by Gary Schoichet. Another *Clarion* photo, a shot of retiree Jim Perlstein taken by photographer Dave Sanders, won Metro's award for best photo.

The PSC website, www.psc-cuny.org, which is administered mostly by retiree Bill Friedheim, won several awards, including NYSUT's first place award, Metro's second place award, a third place award from ILCA, and another from AFT. "The site has the look and feel of a very vibrant and active local," said one AFT judge.

## CALENDAR

**MONDAY, FEBRUARY 5: 1:00 – 3:00 pm** / Retiree Chapter meeting. With Tami Gold showing her new film, *Land, Rain and Fire*, about the teachers' strike in Oaxaca. In the PSC Union Hall, 61 Broadway, 16th floor. Photo ID required to enter the building. Contact Jack Judd, jjudd18@optonline.net or Linda Slifkin, (212) 354-1252.

**MONDAY, FEBRUARY 5: 4:00 – 6:00 pm** / Part-time Personnel Committee meeting, at the PSC office, 61 Broadway, 15th floor. Photo ID required to enter the building. Contact Marcia Newfield, (212) 354-1252, mnewfield@psccmail.org.

**FRIDAY, FEBRUARY 9: 4:00 pm** / Seminar on financial planning for part-time personnel. At the PSC office, 61 Broadway, 15th floor. Photo ID required to enter the building. Contact Marcia Newfield (see above).

**TUESDAY, FEBRUARY 20: 6:00 pm** / Women's Committee meeting, at the PSC office, 61 Broadway, 15th floor. Photo ID required to enter the building. Contact Debra Bergen, (212) 354-1252, dbergen@psccmail.org.

**FRIDAY, FEBRUARY 23: 6:00 pm** / Labor Goes to the Movies shows *Black Girl*, by Senegalese director Ousmane Sembene. In the PSC Union Hall, 61 Broadway, 16th floor. Photo ID required to enter the building. Contact Dania Rajendra, (212) 354-1252, dra-jendra@psccmail.org; \$2; no RSVPs.

**WEDNESDAY, FEBRUARY 28: 6:00 pm** / HEO Chapter Meeting at the CUNY Graduate Center, 365 5th Avenue, Room 9205. Contact Jean Weisman, jweisman@igc.org.

**FRIDAY, MARCH 2: 4:00 – 6:00 pm** / Part-time Personnel Committee meeting, at the PSC office, 61 Broadway, 15th floor. Photo ID required to enter the building. Contact Marcia Newfield (see above).

**MONDAY, MARCH 5: 1:00 – 3:00 pm** / Retiree Chapter meeting with Clarissa Gilbert Weiss discussing pensions. In the PSC Union Hall, 61 Broadway, 16th Floor. Photo ID required to enter the building. Contact Jack Judd or Linda Slifkin (see above).

**FRIDAY, MARCH 9: 6:00 pm** / Labor Goes to the Movies shows *Life and Debt*. Ashley Dawson will speak after the film. In the PSC Union Hall, 61 Broadway, 16th floor. Contact Dania Rajendra (see above).

## For the record

Ashley Dawson, not Jim Perlstein as was reported in the October *Clarion*, was arrested during last Spring's civil disobedience in support of the graduate assistants' union at NYU.

Credit is due to Bharat Sarath, professor of accountancy at Baruch, for technical advice on *Clarion*'s October article on public-sector pensions.

# Pataki picks last two trustees

By PETER HOGNESS

In December, the New York State Senate confirmed Governor George Pataki's final two appointments to the CUNY Board of Trustees. Returning to the board is Jeffrey Wiesenfeld, a former Pataki aide whose first term as a trustee had expired in June. He will be joined on the board by new trustee Sam Sutton, CEO of the handbag company Accessory Exchange.

The two appointments were part of a rush of last-minute nominations by Pataki, over the objections of incoming Governor Eliot Spitzer. "I think wise policy would dictate against putting individuals in agencies where their term of office would extend deeply into my term," Spitzer told reporters on December 7. A full term for a CUNY trustee lasts seven years.

Sutton is a founder of the Education Association for Children in New York State, which has campaigned for state tax credits that could be

## Governor Spitzer objects

used to pay for private school expenses. Public school advocates criticized the plan as just another word for vouchers. An alumnus of Yeshiva University and Yeshiva of Flatbush High School, Sutton told senators that he appreciated the education that other members of his family had received at CUNY.

### WIESENFELD & SUTTON

A board member of Brooklyn's Sephardic High School, Sutton heads the Sephardic Community Federation. A foster parent, he has a long history of support for community-based social service and charity work. His political contributions have gone to both Democrats and Republicans, across a political spectrum ranging from Sen. Chuck Schumer to former Sen. Rick Santorum. He is a supporter of American Friends of Likud.

Wiesenfeld, a principal in Bern-

stein Global Wealth Management, worked as Pataki's community liaison in the NYC metro area in the late 1990s. An alumnus of Queens College, he worked for four years in FBI counter-intelligence. He began his career in NYC politics as a staffer for Queens Democrats and then moved to the right, working successively for Mayor Ed Koch, Sen. Al D'Amato and then Gov. Pataki.

When Wiesenfeld was first appointed in 1999, Issac Abraham, a longtime activist in Brooklyn's Jewish community, charged that Wiesenfeld had referred to African Americans as "savages" and labeled Hasidic Jews "thieves." Wiesenfeld claimed that Abraham was motivated by a personal feud but never denied the charges.

As a CUNY trustee, Wiesenfeld continued to court controversy. Af-

ter an anti-war teach-in at City College in October 2001, he told the *New York Post* that "I would consider that seditious behavior." Wiesenfeld told reporters that while CUNY could not fire faculty members who spoke at the teach-in, "They're fortunate it's not up to me."

### Pataki's presidential ambitions a factor?

A different kind of tension surrounded Wiesenfeld's reappointment. As his first term as trustee expired at the end of June, Pataki did not nominate him for a second. Conservative activists were worried and went public with their concerns. In two editorials in the *Post*, and both opinion and news articles in the *New York Sun*, Wiesenfeld's ideological supporters rushed to his defense. "Any failure to reappoint Wiesenfeld would be a slap in the face to the lone trustees who have the courage to stand up to the tyranny of radicals on our campuses," SUNY trustee Candace de Russy told the *Sun*.

Press reports that Pataki was considering Fernando Mateo, head of the NY State Federation of Taxi Drivers, for the post were followed by warnings that Pataki would lose right-wing support for his presidential bid if he did not renominate Wiesenfeld. In September, Pataki finally sent Wiesenfeld's name to the State Senate – too late for a hearing in the regular legislative session. As late as October, the *Sun* reported that it was "up in the air" whether Wiesenfeld would keep his job.

### LATE-NIGHT DEALS

In the end, Wiesenfeld was confirmed in a lame-duck legislative session in mid-December. His was one of more than 70 Pataki nominations approved by the State Senate in a late-night meeting full of last-minute deals, as the arrival of the Spitzer administration loomed on the horizon. "This was like the last helicopter ride out of Vietnam," an Albany insider told *Clarion*.

# EOC employees will shift to CUNY payroll

By ELLEN BALLEISEN  
Bronx Community College

## Change to come this spring

This spring faculty and staff at New York City's four Educational Opportunity Centers (EOC) will be put on the CUNY payroll, and will start receiving paychecks from New York City or State.

In the past, faculty were paid by the EOCs themselves. PSC members at the EOCs hope this change will mean an end to the problems with pension contributions and Supplemental Retirement Annuity (SRA) deductions that employees at some centers experienced repeatedly over the past five years.

The EOCs offer classes in vocational skills, preparation for the GED, and preparation for further learning in college. "We work with adults who generally come from deprived backgrounds," said Santiago Villafañe, chapter chair at the Bronx EOC. "I think it's important work – we can give people who've had a hard road a second chance."

### FOUR CENTERS

The four NYC centers are operated under a contract between SUNY, which runs several EOCs elsewhere in New York State, and CUNY, which oversees their administrative and academic functions.

At the Manhattan and Bronx EOCs, administered by BMCC and Bronx Community College respectively, faculty and staff will receive New York City paychecks. At the Brooklyn and Queens EOCs, which

are administered by City Tech and by York, faculty will receive paychecks from the State.

Since 2001, some of the EOC centers repeatedly delayed transmission of retirement contributions and payroll deductions to TIAA-CREF for months at a time, resulting in a loss of interest income in employees' pension and supplemental retirement accounts.

"The money was being used to meet budget shortfalls because the State sometimes delayed sending payments to the EOC centers," recalled Villafañe. But the EOCs had no legal right to do this: the law requires that pension deductions be transmitted without delay.

### PETITION

PSC members enlisted the union's help in securing timely payments from management. Members circulated a petition, and the PSC insisted that the law be followed. The union has been pursuing all available remedies and is currently in discussions with CUNY about lost interest.

CUNY's takeover of the EOC centers is intended to bring an end to such problems. "I think it's positive all the way around," said Villafañe. "There will be more fiscal responsibility and better benefits."

"People are pleased about this transition, based on the informa-

tion that we've received," said Amy Nicholas, PSC chapter chair at the Brooklyn EOC. "It will also give us more options, in terms of pension as well as health care."

Now that EOC employees will be on CUNY's payroll, they will be included in the New York City Health Benefits Program and will have additional provider options. Supplemental benefits, such as prescription drugs, will come through the Welfare Fund.

### REIMBURSEMENT

Those who retire after the payroll change will be reimbursed for their Medicare Part B premiums by New York City. Under the new payroll arrangement, full-time employees' pension accruals will be preserved, and in some cases EOC employees will receive more favorable employer pension contributions.

According to Clarissa Weiss, the PSC's director of pension and welfare benefits, "All previous contractual obligations will be honored. This includes CCEs for lecturers, 13.3b for HEOs, and contracts for adjuncts already teaching in the semester."

Weiss noted that when the EOCs handled their own payroll, EOC adjuncts were not eligible for pensions or health insurance. She said that the union "has discussed with CUNY the need for EOC adjuncts to be allowed to join TRS, and the PSC will work to get health insurance for EOC adjuncts on the same



Santiago Villafañe chairs the PSC chapter at the Bronx EOC.

terms as CUNY adjuncts in future contract negotiations."

Previously, full-time EOC faculty received no additional pension contributions if they also worked as adjuncts on CUNY campuses, and full-time CUNY faculty received no pension payments for working as adjuncts at the EOCs. Under the new arrangement, EOC adjunct work will be pensionable for CUNY full-timers, and CUNY adjunct work will be pensionable for EOC full-timers.

Former EOC employees who have subsequently taken full-time positions with CUNY will also benefit from the change. Their EOC service will now count towards the years they need to qualify for Travia leave and health insurance in retirement.

Programmatic issues with the EOCs will now be the responsibility of John Mogulescu, CUNY's senior university dean for academic affairs and the dean of the School of Professional Studies.

# Adjunct job security in Canada

By DANIA RAJENDRA  
and PETER HOGNESS

## Continuity good for faculty and students

CUNY central administration has stubbornly resisted the idea of job security for adjuncts. Management insists that part-timers “may be re-fired or no reason at all” – even when someone has dedicated themselves to CUNY students for 10 or 20 years.

Canadian universities have shown that there is a better way. “Overall in Canada, adjuncts tend to have some form of seniority, and it has changed the culture of working part-time,” said Marcia Newfield, PSC vice president for part-time personnel. Academic unions in Canada have used a variety of approaches to job security for contingent academics – but there is broad agreement that it is a necessary part of decent university.

### COCAL

In Canada last August, PSC activists heard about a variety of approaches to job security for contingent academics at the Coalition of Contingent Academic Labor (CO-CAL) conference in Vancouver. Unions in Canada “have been on the cutting edge of advances for contingent academic labor,” said Diane Menna, a member of the PSC Executive Council. “We would gain valuable insight by more closely examining their contracts and methods.”

“What we try to bargain for is some continuity within the position,” explained David Robinson, associate executive director of the Canadian Association of University Teachers (CAUT), which represents both full-time and part-time faculty. “The employer shouldn’t be able to hire one person one semester and another person the next semester, to limit salaries and benefits.”

Even the most basic kinds of job security provisions can make a big difference to adjunct faculty. “I used to take more work than I should have, to the detriment of my health, to guard against not having enough work the next term,” said Richard Wellen, who worked for years as a part-timer at York University in Toronto.

“Contingent job security is also important for full-timers,” said Margot Young, national research officer for the Canadian Union of Public Employees (CUPE). “We’re seeing an erosion of full-time tenured faculty [lines],” said Young – and the lack of rights for part-timers helps fuel that trend, because it increases management’s incentive to use contingent labor. When contingent academics can be fired at will, she said, “that puts everyone at risk. When contingents don’t have academic freedom and the right to speak out, that’s bad for universities as a whole.”

“We think there are a lot of advantages for the teaching and learning environment,” said Fred Ho of



Faculty at the University of Prince Edward Island won a good contract after a 16-day strike last Spring.

CUPE Local 3903, which represents contingent faculty at York. “If people know in advance that they’re likely to have the same course that they’ve taught before, it allows them to prepare better.” Alex Levant, a member of the same local, agreed. “High turnover means less experience,” he told *Clarion*. “In general, students get better teaching when there is more continuity.”

For Canada’s adjunct faculty, job security rights come in three basic varieties: right of first refusal of courses, giving previous service weight in hiring decisions, and longer-term or permanent appointments.

The right of first refusal varies among campuses that have it, but generally, after a defined period of time and positive evaluations, contingent faculty members earn the right to continue teaching the course, if they so choose. The university must offer them the course before considering another instructor.

### RIGHT OF FIRST REFUSAL

Joyce Lorimer, a full-time faculty member at Wilfred Laurier University in Ontario and former CAUT officer, explained how it works at her school. “They have to have taught this course, or one that’s substantially the same, at least three times in the preceding 24 months,” she told *Clarion*. At that point they are evaluated by a committee of full-time faculty, who consider the adjunct’s past teaching evaluations, course materials, c.v. and other information supplied by the adjunct. “They have to decide if the person should be offered this course in the future,” Lorimer said.

While some are rejected at this point, Lorimer said, it is rare. “If

someone is not good in the classroom, they should not be rehired three times,” she said.

The greater stability that results from this system benefits the department, Lorimer told *Clarion*. “We encourage them to become part of its academic life,” she said. “If the university asks them to do something truly serious like sit on a major committee, there’s some kind of compensation. We would always prefer to have colleagues that become part of the family of the department, rather than poor people constantly running from one campus to another.”

Many colleges have longer-term appointments that augment the more common semester-by-semester practice. At a number of campuses, after a certain number of semesters teaching the same course with positive evaluations, an adjunct’s position becomes a “rolling” appointment – routinely renewed unless the adjunct faculty member is otherwise notified. At Western Ontario and some other schools, nonreappointment of such long-serving adjuncts requires a statement of reasons.

“This is critically important for academic freedom,” said CAUT’s Robinson. “The onus must be on the employer to show that there are justifiable reasons for nonreappointment.” If management is not required to explain its actions, he said, an adjunct’s job can be at risk “just because they don’t like someone’s viewpoint or political opinions.”

### REASONS REQUIRED

At a number of universities, seniority is weighed as one of several factors in hiring for part-time faculty positions. “There’s a set of required and preferred qualifications,” said Fred Ho, explaining the system

at York. Required qualifications might include prior experience teaching the subject of the course, or the type of degree required.

“This might be a master’s degree, or a doctorate in a given field,” said Ho. “It depends on the department. In a science department, virtually everyone will be teaching with a PhD – but that would be less true, for example, in fine art.” Preferred qualifications might include publications in the area, or relevant field work. “They can be quite specific, but they have to be reasonable,” he said.

### SENIORITY

Within the applicant pool, Ho said, “if there’s more than one person who meets both the required and preferred qualifications, then it’s a test of seniority” – defined as the number of years teaching at least a certain minimum number of courses.

Many Canadian campuses also have mechanisms to improve adjuncts’ access to full-time jobs in their departments. Some contracts simply require the department to interview current contingent faculty who apply for a full-time opening. “When a full-time position opens up, part-timers should have a crack at it,” commented Robinson.

Other schools have provisions for a certain number of conversion lines, similar in many ways to the lines created through last year’s PSC contract settlement. “When you have enough service to be eligible, you join the pool from which departments select to hire,” said Alex Levant of York. Levant estimated that York has about 800 part-time faculty, of whom as many as 200 might prefer a full-time position. For about a decade, union contracts at York have specified the number of these conversion lines, which are for tenure-

track appointments; the number has generally ranged between five and ten per year.

The cumulative effect has been significant. After years as an adjunct – or “contract faculty,” as they are often called in Canada – Richard Wellen was hired on a conversion line; he was recently elected as chair of his department. “A number of us have gone on to become department chairs,” he told *Clarion*. Wellen’s own department is an interdisciplinary program in the social sciences. “The fact that I had to teach in several different departments over the years probably did help shape my career toward an interdisciplinary department,” he said. “And I’m a more agile teacher as a result.”

Improvements in job security for Canada’s adjuncts came after CAUT and CUPE began to focus serious attention on contingent faculty organizing, about ten years ago. Now, the unions say, almost every contingent faculty member is in a union, and it’s through their unions that they’ve built the power to win these changes.

## LABOR IN BRIEF

### Houston janitors raise hell, win raise

Some 1,700 janitors walked off the job in October in Houston – a right to work city. The strike hit five major cleaning companies and, as part of the campaign, workers held huge rallies and creative actions, such as dragging garbage cans and trash bags into busy intersections.

Organized with SEIU, the workers mobilized clergy and other allies and won a huge victory in November with a first contract that brings their hourly wages from \$5.15 to \$7.75 by 2009, and new benefits such as health insurance, paid holidays and accrued vacation days.

“We got justice,” bargaining team member Mercedes Herrera said to the *LA Times*. “Just put, ‘Invisible no more.’”

### UFT supports Oaxacan teachers’ union

In December, United Federation of Teachers delegates voted overwhelmingly to support teachers in Oaxaca, Mexico, against government repression.

The resolution states that the UFT “call[s] on the Mexican government to withdraw all federal forces and bring a non-violent end to the conflict [and] recognize the legitimate issues of the teachers of Oaxaca and their supporters.” The UFT resolution built on one adopted by AFT at its August convention, which was proposed by the PSC.

# Who decides the shape of CUNY?

Several centralized initiatives from CUNY management sparked sharp debate during Fall semester and intersession. A proposed student complaint procedure and a new computer use policy drew strong criticism from CUNY faculty and staff.

Faculty advocates are also scrutinizing proposed changes to CUNY's multiple positions policy and a proposed policy on research misconduct, with a report on restructuring CUNY's doctoral programs in the sciences soon to follow.

These moves come on the heels of several recent 80th Street initiatives that drew faculty ire:

- Launching the School of Professional Studies with no depart-

## The trend: Consolidating control at 80th Street

mental structure to provide faculty control over curriculum

- Creation of a CUNY Teachers' Academy, which Chancellor Matthew Goldstein announced to the surprise of faculty in CUNY's existing schools of education

- The decision to build a centralized science research facility, adopted before most CUNY science faculty had even heard of the idea

The PSC and the University Faculty Senate have both objected to the increasing number of initiatives conceived with little or no faculty in-

put. The trend from 80th Street has been to extend management authority over both curriculum and discipline – attempting to circumvent regular departmental structure, faculty governance, and the PSC-CUNY contract.

Such moves toward more centralized, corporate-style management have been increasingly common in American universities. Joan Scott of the Institute for Advanced Study at Princeton has described the results: "The increasing turn to the corporate

model... involves not only the legitimization of the ultimate authority of the governing board to make educational decisions outside its area of expertise (without consulting faculty who are experts on these matters) but also the devaluation of the faculty as members of university communities."

### MANAGED MORE

Sheila Slaughter and Gary Rhodes, authors of *Academic Capitalism and the New Economy*, argue that the move to "increase the power of administrators to manage

academic work" is part of a broader shift toward a more market-driven university organized along business lines.

But, as Scott notes, this not a *fait accompli*. "The attacks on governance and on faculty standing more generally... have not been accepted passively by university and college faculties," she says. "There has been resistance at every point, in the form of faculty protests, unionization efforts, and public relations campaigns."

Slaughter puts it this way: "The only way the corporatization of colleges and universities can be stopped is through committed organizing."

— DR & PH

# Threat to academic freedom?

By DANIA RAJENDRA

A proposed new procedure "for handling student complaints about faculty conduct in academic settings" has provoked fierce opposition from faculty advocates. The University Faculty Senate voted to reject the plan at its November plenary, and the next month the PSC Delegate Assembly called on the trustees to withdraw it from consideration.

The draft procedure is intended to cover "student complaints about faculty conduct in the classroom or other formal academic settings" – but it never defines what constitutes inappropriate conduct. Existing CUNY policies are much more specific; for example, CUNY's sexual harassment policy defines sexual harassment, lists prohibited conduct and provides examples.

CUNY already has policies in place to deal with grade appeals, academic integrity, sexual harassment,

## Student complaint proposal

violent behavior, discrimination and other clearly defined problems. The disciplinary procedure defined in the union contract has been used to address past allegations of faculty misconduct. Many faculty therefore questioned why CUNY would propose a new procedure that lacks the due process protections guaranteed in the contract.

### NO POLICY

"One always needs to be cautious when presented with a 'solution' where no problem is evident," said Aaron Barlow, assistant professor of English at City Tech, in his testimony at a January 22 hearing.

CUNY Vice Chancellor for Legal Affairs Frederick Schaffer told a January 8 committee meeting that there had been a "half dozen or so" problems during his tenure at 80th Street that would have fallen under this procedure. But he offered no specifics, and did not say why existing university mechanisms were inadequate to deal with them.

"It's a procedure without a policy," said PSC First Vice President Steve London. "That is, it's a mechanism for investigating faculty behavior, but no one knows what behavior would set off the mechanism."

"The proposed student complaint procedures set forth no standards or guidelines upon which to base 'findings' and 'recommendations,'" the PSC resolution noted. A formal student complaint about any subject requires an investigation and a report by the department chair. "So each chair must apply his or her own sensibilities about what constitutes inappropriate conduct – or academic freedom," London said. "The application of the policy will be arbitrary."

"The PSC begins from the position that the university should provide CUNY's diverse student body with the richest possible college experi-

ence," testified PSC President Barbara Bowen. "That means an experience that includes lively debate, the opportunity to disagree and the security that students will always be treated with fairness and respect. The proposed student complaint procedure does not advance that goal.

"It proposes a vast and onerous new machinery of investigations, appeals and reports without ever defining the standard these procedures were created to enforce," Bowen said. "The lack of a policy or of any standards or guidelines invites abuse; it suggests that the real motive for the proposal is not to assist students."

UFS Executive Committee member Lenore Beaky warned that the complaint procedure "may actually trigger and encourage" conflict instead of resolving it. Beaky cited a national increase in student complaints that infringe on academic freedom, such as a student at Williams College who said his religious views were offended by a professor's legitimate classroom discussion of Nietzsche. "In a time of political pressures on academia," said Beaky, "a policy which inadequately protects faculty due process and academic freedom is unacceptable."

### FALSE COMPLAINTS

The PSC agreed, calling the complaint procedure "an invitation to politicize the classroom and intimidate faculty and students." At the January 22 hearing, Steve Leberstein, who chairs the PSC's Academic Freedom Committee, noted that "there are well-organized, heavily funded groups outside of the academy... that encourage students to complain about their professors, to report what they say in class."

Last year at UCLA, a right-wing alumni group published a list of 31

professors it considered too radical, and offered to pay students \$100 for lecture notes and tape recordings of class discussions. Past associates of the group's founder, Andrew Jones, told *Chronicle of Higher Education* that there had been "complaints that Mr. Jones pressured students to file false reports about leftists."

In a political context of such attacks, Leberstein said, the complaint procedure "may well lead some faculty members to begin to censor themselves for fear they will be pilloried and perhaps prosecuted for offending the sensibilities of some of their students."

Such concerns were heightened by comments made by Vice Chancellor Schaffer in a January 18 article in *Inside Higher Education*. Schaffer said "that the policy was for cases... in which students feel a faculty member has been 'abusive' in class, generally in a dispute over political views."

At the January 22 hearing, Frank Kirkland, chair of the philosophy department at Hunter, told trustees that if a professor has truly been abusive, there should be "a formal complaint under the contractual provision of Article 21.1 – 'conduct unbecoming' – and [CUNY should] allow the disciplinary inquiry to proceed."

If the problem does not require a formal complaint, he said, there is no need for a new procedure – resolving informal complaints is something that department chairs do all the time. "Over these nine years I have resolved informally my share of informal complaints, raised against and by full-time and part-time faculty in the department," Kirkland said.

Under CUNY's proposal, chairs must investigate and submit a written report on every formal complaint – they have no discretion on whether a complaint is substantive

enough to require that they proceed. This role as designated "fact finder" leaves many chairs unhappy.

Maki Haberfeld, chair of John Jay's Department of Law, Police Science and Criminal Justice Administration, said that the lack of discretion – or of any standard for what constitutes a legitimate complaint – will be a severe problem for chairs. She cited a student who'd once complained to her that his professor was "staring at him each and every class, and sending him messages from his mind."

Even less extreme complaints might be clearly groundless, but a chair would still be obligated to investigate and report. If a concerted campaign of complaints were organized in a given department, it could be a nightmare for chairs. "At minimum, it's three hours per complaint," said Haberfeld. "I have a department of 130 – 44 full-time faculty and 90 adjuncts. In theory, I could be doing just this."

### DANGEROUS

UFS Chair Manfred Philipp, a former department chair at Lehman, raised another concern. "The department chair, as the single fact-finder, will have untrammelled ability to abuse that power to use student complaints in the context of internal departmental political, personnel and policy disputes," Philipp wrote in a January 19 open letter. "Such concentrated power is dangerous, even when in the hands of good people."

Part-time faculty say that they would be particularly vulnerable. "CUNY is not required to furnish us with reasons when they don't reappoint us," said Marcia Newfield, PSC vice president for part-time personnel. "What will happen when a student complains about an adjunct? For many chairs, the simplest thing will simply be to not rehire that adjunct. Who is protecting that adjunct's academic freedom?"

"This proposal is a bad idea, from start to finish," concluded the PSC's London. UFS Chair Philipp agreed, calling it "dangerous to the university as a whole." But as *Clarion* went to press, the Board of Trustees was still scheduled to vote on the proposal at its January 29 meeting.



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Photos pages 6 and 7: Gary Schochet

At the January 22 hearing on CUNY policy changes, those waiting to testify were crammed behind a barrier at one end of the room. They faced administration representatives across a wide gulf.

## Faculty want change in computer policy

By DANIA RAJENDRA

CUNY management's proposed computer use policy is dangerously overbroad, faculty and staff testified at a January 22 hearing. Certain provisions could lead to invasion of users' privacy, compromise confidential research, violate the PSC-CUNY contract and infringe on academic freedom, PSC members warned.

The union and the University Faculty Senate agreed that CUNY needs a clear policy on computer use, and they supported some parts of the administration's draft. "The introductory statements affirming academic freedom, freedom of expression and freedom of inquiry are necessary and important," said PSC First Vice President Steve London. "But these general assurances are undermined by other provisions and by the lack of specific policies that would adequately protect users' privacy."

### EXCESSIVE

"In general, the policy is excessively invasive of privacy, for both students and employees," said Lee Tien, senior staff attorney at the Electronic Frontier Foundation (EFF). "Employers tend toward broad policies that arrogate maximum discretion with minimum accountability," Tien told *Clarion*. "Universities should strive to do better, given the nature of their community and need for academic freedom." Founded in 1990, EFF has become well known for its defense of civil liberties in the use of electronic technology.

PSC representatives expressed particular concern about provisions that would allow management to monitor faculty and students in online classroom discussions without notice. "Article 18 of the contract clearly states that if you're going to observe people teaching their class-

### Inhibits research and teaching

es, you have to give them 24 hours notice," London said. Management has so far refused to negotiate with the union over this or other contract-related issues.

### INADEQUATE

Union and UFS leaders criticized the policy's inadequate protections for confidential research. The policy itself states that "users have no guarantee of privacy during any use of CUNY computer resources or in any data in them, whether or not a password or other entry identification or encryption is used" and gives CUNY broad latitude to monitor activity on its computer systems.

For faculty whose research is confidential, this is unacceptable, said Keith Markus, associate professor of psychology at John Jay and the Graduate Center. "The policy's reliance on encryption to protect confidential research data is inadequate," he said. "It seems clear that we cannot safely do our work on our college computers while connected to the network under either the existing policy or the new one."

The policy states that administration monitoring is warranted if management determines that "there is a reasonable basis to believe that CUNY policy or federal, state or local law has been or is being violated." But many CUNY computer users conduct research on people who break the law – and to do so, they must promise confidentiality to their research subjects.

"The policy creates an absolute, non-negotiable conflict with the confidentiality commitments to subjects that an ethical researcher

must make," said Margaret Smith of the Institute for Criminal Justice Ethics at John Jay. "This is obviously much more acute with subjects whose activity is unlawful or immoral." Smith has been the data analyst for an ongoing John Jay study of child abuse by Catholic priests. The proposed policy, she said, would "change how we work in ways that are profound, and move us further from one another and from CUNY."

**'Invasive of privacy' says Electronic Frontier Foundation.**

In addition to problems for research, "the fact that online discussion and writing may be monitored at any time will inhibit effective teaching," said Joan Greenbaum, professor of Computer Information Systems at LaGuardia. Management monitoring of electronic classroom discussions and online writing assignments would have "a chilling influence," she said.

The administration at NYU sparked a controversy – dubbed "Blackboard-gate" – in November 2005, when, at the start of the recent strike by graduate assistants, administrators were authorized to monitor online discussion in graduate assistants' classes. The move drew sharp condemnation from many tenured faculty and NYU stopped the monitoring soon after it came to light.

### LOOPHOLE

Nathaniel Charny, PSC director of legal affairs, pointed to a loophole in the proposal that could threaten academic freedom: "The proposed policy allows CUNY to filter access to websites based on content, as long as content is not the 'sole' reason to limit access," he said. "Content-based restrictions of

any sort are quite dangerous, especially in the context of higher education faculty."

Where the proposed policy grants CUNY the right to access users' information to diagnose technical problems, it fails to provide basic protections that are the norm among internet service providers (ISPs), Greenbaum said. "When ISPs have a clause like this in their company policies, they routinely require that users be given prior notification," Greenbaum said. "CUNY should do the same."

### OFFLOADING

While CUNY management seeks broad rights of surveillance on its computer systems, it fails to clarify many of its responsibilities as an employer, noted London. "For example, the policy expressly states that employees are responsible for anything that happens from their accounts," London explained. "We are concerned about CUNY's efforts to shun this classic employer responsibility – indemnification of employees for work performed in the scope of their duties."

All faculty members who testified at the January 22 hearing called for changes in the computer use policy, while none supported it as written. In December, PSC delegates urged CUNY trustees to table a vote on the policy and called for further consultation with the UFS and other stakeholders and negotiations with the union. But as *Clarion* went to press, the Board of Trustees still planned to vote on the measure at its January 29 meeting.

"We believe the problems with this proposal can be fixed," London said. "The university is a very complex organization, and the board should seek solutions to the policy's problems through continued dialogue with those who use CUNY's computer systems every day."



Testifying at the hearing were (above) Joan Greenbaum, professor of computer information systems at LaGuardia; Frank Kirkland, chair of Hunter's philosophy department; and (at left) Evelyn Maggio, assistant professor of economics at Medgar Evers.

# Retirement funds & taxes

## Recent changes

The 2006 Pension Protection Act, a federal law that went into effect in August, includes some important tax changes for retirement benefits.

The changes affect tax treatment of inherited retirement funds, supplemental retirement plans and IRAs. CUNY employees may take advantage of the new provisions regardless of whether they are enrolled in the Teachers' Retirement System (TRS), or in an Optional Retirement Plan (ORP) program such as TIAA-CREF.

### DOMESTIC PARTNERS

One change is particularly important for domestic partners: if you inherit retirement money from someone who isn't your spouse, you will no longer face discriminatory treatment from the IRS. Spouses who inherit retirement money have long been able to roll over the inheritance into an IRA, avoiding taxes on the rollover and paying taxes only on withdrawals. But in the past, non-spouse beneficiaries had to pay income taxes on the full amount of inherited retirement money at the time of the inheritance. The new law changes this, and provides all non-spouse beneficiaries of retirement plans with the same tax treatment as spouses.

Another change affects CUNY employees who contribute to a supplemental retirement plan (SRP), in addition to their basic pension such as TRS or TIAA-CREF. SRP contributions are made on a tax-deferred basis, and the annual limit on these contributions is now \$15,500 – a \$500 increase over the old \$15,000 limit.

### TAX RULES

Finally, the tax rules have changed for moving retirement funds into a Roth IRA. Roth IRAs allow workers to contribute post-tax earnings into an account that will provide tax-free money in retirement. Previously you could not move funds from a pension plan into a Roth IRA directly; instead, it was necessary to roll the money into a traditional IRA and then roll it a second time into a Roth IRA. Now the money can go from the pension plan into a Roth IRA in just one step.

Anyone who does a rollover from a pension plan into a Roth IRA must pay federal income tax on the money that is transferred. After that, future earnings and all withdrawals from a Roth IRA are tax-free. Whether this is your best choice depends on your tax bracket, your age and other individual factors. Consult a financial advisor or accountant before you decide on such a change.

-EB

# Pension choices and new lines

By ELLEN BALLEISEN

## Former adjuncts: be careful

If you've just started working in a new full-time position at CUNY, you should call the PSC immediately to discuss your pension options with a pension counselor. It's important to do this within your first 30 days.

This is especially important for long-term adjuncts hired for one of the new full-time conversion lines, and for long-term adjuncts who are taking a full-time substitute position. CUNY has two pension systems for full-time instructional staff – Teachers' Retirement System (TRS) or the Optional Retirement Plan (ORP), which includes TIAA-CREF and similar plans. Full-time faculty are required to make an irrevocable choice between the two within their first 30 days.

Faculty in the new conversion lines may have already joined TRS as adjuncts. You will keep the same pension membership, and your account balances will carry over if you remain in TRS. If you already have significant pension credit under TRS, this is probably your best choice – but speak to a pension counselor to be sure.

**You must choose within 30 days.**

Those hired for conversion lines who never joined TRS as adjuncts will need to decide between TRS and the ORP in the first 30 days in their new position. Basic information on this decision can be found on page 9 of the September 2005 *Clarion*, available at [www.psc-cuny.org/Clarion%20Sept%2005.pdf](http://www.psc-cuny.org/Clarion%20Sept%2005.pdf). If you choose TRS but were not previously a member, you can pay to "buy back"

pension credit for your prior years of adjunct service. Again, consult a pension counselor about your options.

Many faculty who take substitute positions have substantial pri-

or adjunct service. Faculty hired on substitute lines who joined TRS when they were adjuncts may stay in TRS. However, substitute faculty who did not previously join TRS may not do so while working on a substitute line. They can only join the ORP – or opt not to join a pension system while working as a substitute.

### OPTIONS

If you worked for years as an adjunct but never joined TRS, and have now been hired on a substitute line, you may be better off staying out of the ORP. Unlike TRS, the ORP

does not grant credit for prior service. If faculty on a substitute line do join the ORP, they will be required to stay in the ORP, and will never be able to get pension credit for all their adjunct service before the substitute position. But if they do not join a pension system while they are substitutes, they may join TRS if they work for CUNY again – either as an adjunct, or on a regular full-time faculty line. Once they have joined TRS, they will be eligible to buy back TRS credit for both their prior adjunct service and their service on the full-time substitute line.

All faculty hired on substitute lines are strongly encouraged to speak to a pension counselor at the PSC within their first 30 days.



## EDUCATORS' INCOME TAX GUIDE 2007

Mail to: Membership Dept., Professional Staff Congress, 61 Broadway, 15th floor, NY, NY 10006

Enclosed is a check in the amount of \$ \_\_\_\_\_ made out to PSC for \_\_\_\_\_ copy(ies) of The Educators' Income Tax Guide @\$6.00 per copy.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

## PROFESSIONAL STAFF CONGRESS/CUNY NOTICE OF NOMINATIONS AND ELECTIONS – SPRING 2007

Chapter Officers, Delegates and Alternates to the PSC Delegate Assembly and PSC-CUNY Welfare Fund Advisory Council

Term of Office: 3 Years

### ELECTION SCHEDULE

- Nominating petitions will be available upon request from chapter chairpersons or the PSC office from February 5, 2007 to March 5, 2007.
- Properly completed nominating petitions must be received at the PSC office, 61 Broadway – Ste. 1500, New York, N.Y. 10006, by 5:00 pm, March 5, 2007.
- Ballots will be mailed to members' home addresses on April 2, 2007.
- Ballots in uncontested elections must be received at the PSC office by 5:00 pm on April 26, 2007.
- Ballots in contested elections must be received at the office of the designated ballot-counting organization by 5:00 pm on April 26, 2007.
- Ballots will be counted at 10:00 am on April 27, 2007.

### OFFICERS TO BE ELECTED

In each of the Chapters listed below, voters will elect the Chapter Chairperson, Vice Chairperson, Secretary, four Officers-at-Large, Delegates to the Delegate Assembly (in addition to the Chapter Chairperson, who shall automatically be the initial delegate to the Delegate Assembly) and Alternates to the Delegate Assembly according to the following listing:

Chapter	Members	Delegates	Alternates	Petition Signatures Required
Bronx EOC	16	Chair	1	4
Brooklyn EOC	43	Chair	1	11
College of S.I.	536	Chair + 4	4	25
Hunter Campus Schools	77	Chair	1	19
HEOs	1897	Chair + 18	5	25
Kingsborough	671	Chair + 6	5	25
Lehman College	503	Chair + 4	4	25
Manhattan CC	835	Chair + 7	5	25
Manhattan EOC	43	Chair	1	11
Medgar Evers	235	Chair + 1	2	25
NYC Tech	709	Chair + 6	5	25
Queens EOC	11	Chair	1	3
Queensborough CC	639	Chair + 5	4	25
Registrars	11	Chair	1	3
Research Foundation	88	Chair	1	22
Retirees	2266	Chair + 3	4	25

Relevant portions of the ELECTION RULES are summarized be-

low. The complete rules may be obtained from Barbara Gabriel at the PSC office, or viewed on the PSC website.

**Eligibility for Holding Office:** Members shall be permitted to hold chapter-level office who have been members in good standing of the appropriate chapter for at least one (1) year prior to the close of nominations, March 5, 2007.

**Voting Eligibility:** Members shall be permitted to participate in the nomination process and to vote who have been members in good standing of the appropriate chapter for at least four (4) months prior to the mailing of the ballots on April 2, 2007 (i.e., they must have been a member as of December 1, 2006).

**Nominating Procedures:** Nominations of an individual or of a slate *must* be by official nominating petition signed by no fewer than twenty-five (25) members of the chapter in good standing, or by no fewer than twenty-five percent (25%) of the members of the chapter in good standing, whichever is less. For *all* candidates, petitions shall include: (a) the printed name, signature, department and college of each petitioner; and (b) the printed name, signature, department and college of the nominee, as well as the office being sought by the nominee. For chapter elections, members may only sign nominating petitions of the chapter to which they belong. A candidate's signature on a slate petition shall constitute that candidate's acceptance of the slate designation.

**Slate Regulations:** A slate of candidates will be recognized if it consists of candidates for twenty-five percent (25%) or more of the officers to be elected, and if it submits, prior to the close of nominations: (a) a listing of caucus officers, including the person designated to authorize nominees for that slate; and (b) the names of the members of the caucus's Committee on Vacancies, which, unless otherwise designated, shall be the caucus nominating committee authorized to replace any candidate on the slate whose name is withdrawn no later than seven days prior to the mailing of the ballots.

**Balloting:** All voting must be on the official PSC ballot. Write-in votes are permitted. A write-in vote shall be valid if the intent of the voter is clear; written, printed and typed names are acceptable. A write-in candidate must meet the same eligibility requirements as a regular candidate. In chapter elections, any nominated or write-in candidate must receive at least ten votes or ten percent of the votes cast for that office, whichever is less, in order to be elected. Write-in candidates who are elected must submit written acceptance of office to the Elections Committee within ten calendar days of notification that their election has been certified.

**Campaigning:** Declared candidates may mail literature at their own expense, either directly or through the PSC mailing house

(Century Direct, 30-00 47th Avenue, Long Island City, NY 11101). At the request of the candidate and at cost, the PSC will provide Century Direct with home-addressed download of the membership, or will provide candidates with college-addressed list or labels of the membership. Candidates must notify the PSC five business days in advance of the mailing to allow sufficient time for the ordering of labels. Please see Barbara Gabriel at the PSC for further information, and to file the required forms.

**Election Tally:** Each candidate, or a representative of the candidate, is entitled to be present at the counting of the ballots.

### PSC-CUNY WELFARE FUND ADVISORY COUNCIL

At each of the colleges listed below, voters will elect the designated number of members of the PSC-CUNY Welfare Fund Advisory Council, in accordance with the above schedule and rules and the by-laws of the PSC/CUNY Welfare Fund:

College	Council Members
Bronx EOC	1
Brooklyn EOC	1
College of S.I.	2
Hunter Campus Schools	1
Kingsborough	2
Lehman College	2
Manhattan CC	2
Manhattan EOC	1
Medgar Evers	2
NYC Tech	2
Queens EOC	1
Queensborough	2
Retirees	1

**Voting Eligibility:** All members in good standing of the PSC at the above colleges, who have been members in good standing for at least four (4) months, including Higher Education Officers, Registrars and College Laboratory Technicians, as well as faculty, will elect the PSC-CUNY Welfare Fund Advisory Council members running at their respective colleges.

**Eligibility for Holding Office:** PSC-CUNY Welfare Fund Advisory Council members must be CUNY instructional staff members who have been members in good standing of the PSC for two (2) years prior to the close of nominations, March 5, 2007.

**Nominations:** Advisory Council members shall be nominated by written petition signed by no fewer than twenty-five (25) or twenty-five percent (25%) whichever is less, of the CUNY instructional staff members at each unit who are also PSC members. Slate nominations will be permitted.



## LABOR &amp; IMMIGRATION

## Justice deported

By DAVID BACON

When Democrats won control of Congress last fall, they did it with strong backing from immigrants and labor. Two-thirds of union households and of immigrant-heavy groups such as Asian Americans and Latinos gave their votes to Democratic candidates. But as Congress returns to the debate on immigration policy that went unresolved last year, it is an open question whose interests congressional Democrats will support.

The Bush administration thinks it can intimidate Democrats into supporting its immigration plan, opposed by immigrant rights groups and the AFL-CIO. And it is using a brutal tool to step up the pressure: a crack-down in the workplace.

When federal agents from Immigration and Customs Enforcement (ICE) arrested over 1,000 workers in six Swift and Company meatpacking plants on December 12, the raids were staged for maximum media impact. In Greeley, Colorado, agents dressed in SWAT uniforms carried a hundred handcuffs into the plant.

The workers, they said, were identity thieves. Barbara Gonzalez, an ICE spokesperson, told reporters outside the slaughterhouse there that “we have been investigating a large identity theft scheme that has victimized many US citizens and lawful residents.” ICE head Julie Myers told other reporters in Washington, DC that “those who steal identities of US citizens will not escape enforcement.”

Not everyone fell into the ICE chorus.

In Grand Island, Nebraska, site of another Swift plant, Police Chief Steve Lamken refused to help agents drag workers from the slaughterhouse. “When this is all over, we’re still here,” he told the local paper, “and if I have a significant part of my population that’s fearful and won’t call us, then that’s not good for our community.” In Greeley, hundreds of people, accompanied by the local priest, lined the street as their family members were brought out, shouting that they’d been guilty of nothing more than hard work.

ICE rhetoric would have you believe these deportees were planning to apply for credit cards and go on a spending spree, racking up charges for expensive stereos and widescreen TVs. In reality, when these meatpacking laborers gave their employer a false Social Security number, they weren’t trying to steal from anyone. They had only one goal: to get hired for one of the dirtiest, hardest, most dangerous jobs in America.

## RHETORIC VS. REALITY

Many of their numbers were invented, others borrowed – often from other immigrants who’ve managed to get green cards. ICE admitted that a number of those arrested had purchased their numbers from homeless people – hardly the best target for a get-rich-quick scheme. In fact, the real owners of any of these Social Security numbers will benefit, not suffer – because Swift paid thousands of extra dollars into Social Security on their behalf.

The undocumented immigrants who used these numbers will never be able to collect a dime in retirement pay for all their years of work on the killing floor. If anyone was cheated here, they were. But ICE agents are



David Bacon

Union members at work in a Nebraska meatpacking plant.

calling the victims thieves, in order to make their immigration raid sound like an action on behalf of upright citizens.

ICE press releases did not, of course, accuse the immigrant laborers of the real crime for which they were arrested: the crime of working. Since passage of the Immigration Reform and Control Act of 1986, hiring an undocumented worker has been a violation of federal law. Don’t expect Swift executives to go to jail, however, or even to pay a fine. The real targets of this law are workers themselves, who become violators the minute they take a job.

## ANTI-UNION

Arresting people for holding a job, however, would sound a little inconsistent with the traditional values of hard work that the Bush administration says it supports.

The real motivation for these immigration raids is more cynical. The crackdown in the workplace was aimed not only at immigrants – it was also aimed at the labor movement. It’s no accident that in five of the six Swift meatpacking plants where the December raids took place, workers belong to unions.

The Swift action follows months of ICE pressure on employers to fire workers whose Social Security numbers don’t match the agency’s database. These “no-match” actions have been concentrated in workplaces where immigrants are organizing unions or standing up for their rights.

At the Cintas laundry chain, over 400 workers were terminated in November alone, as a result of no-match letters. Cintas is the target of a major national organizing drive by UNITE HERE, the hotel and garment workers union.

Also in November, hundreds walked out of the huge Smithfield pork processing plant in Tarheel, North Carolina, after the company fired 60 workers for Social Security discrepancies. That non-union plant is not only a national organizing target for the United Food and Commercial Workers Union – Smithfield has specifically been found guilty of repeated-

ly firing its employees for union activity and threatening to use their immigration status against them. When workers at the Woodfin Suites hotel in Emeryville, California, tried to enforce the city’s new living wage law, they too were suddenly hit with a no-match check.

The ICE raids were calculated to generate publicity that would influence the debate over immigration reform. Bush wants Congress to approve his plan for “guest workers”: corporations would be allowed to recruit hundreds of thousands of workers per year outside of the US, who would then be brought into the country on temporary visas that would require them to remain constantly employed. A worker fired after complaining about conditions on the job, or after joining a union, would lose his or her visa and have to leave. It’s an employer’s dream, a contract-labor scheme that resembles the infamous bracero program of the 1940s and ’50s.

At Swift, the administration is sending a message to Democrats: support our program, or we’ll paint you as the friend of identity thieves. There’s a message for employers and for unions as well: support the guest-worker program, or face a new wave of raids. “The significance is that we’re serious about work site enforcement,” threatened ICE chief Myers. In a Washington press conference the day of the raid, Homeland Security Secretary Michael Chertoff told reporters that such enforcement efforts highlight the need for “stronger border security, effective interior enforcement and a temporary-worker program.” The raids and the guest-worker plan have one big thing in common: both are used to undermine unions.

ICE’s pressure campaign recalls the history of immigration enforcement during previous periods when anti-immigration bills were debated in the US Congress. Before 1986, the Immigration and Naturalization Service (ICE’s predecessor) conducted months of high-profile workplace raids, dubbed “Operation Jobs.” INS used the raids to produce public support for the employer sanctions provision that was later written in-

to the 1986 immigration law.

In theory, employer sanctions make it illegal for an employer to hire an undocumented person. In practice, the law made it a crime for an undocumented worker to hold a job. This has given employers a big weapon to hold over the heads of their own workers, especially when they begin to organize.

It was the law’s anti-union track record that led the AFL-CIO to change its position on immigration reform. In 1986, the labor federation had supported employer sanctions – and workplace raids. But as unions grew more serious about organizing immigrants, they repeatedly saw sanctions used to smash their campaigns. The 1986 law never kept undocumented immigrants from coming to the United States – but it did discourage them from asserting their rights on the job after they were here.

A 2002 Supreme Court decision made clear where this logic leads: the court decreed that although undocumented immigrants, like all other workers, have the right to organize, employers who fire them for union activity have no obligation to reinstate them on the job, or even to pay them back wages. Employer sanctions effectively remove any penalty for companies that violate the law and fire undocumented workers who try to organize.

With each passing year, it’s become clearer that if undocumented immigrants have no rights on the job, this creates a strong incentive for exploitation. As a result, since 1999 the AFL-CIO has called for the repeal of employer sanctions, along with the legalization of the 12 million people living in the United States without documents. When the meatpacking raids happened last December, the United Food and Commercial Workers went into court, asking for an injunction to stop the deportations and guarantee workers their rights to habeas corpus and legal representation.

ICE’s campaign of mass arrests is designed to force the new Democratic congressional majority to attack its own base. The administration wants Democrats to endorse guest worker programs and increased workplace raids in order to appear “tough on illegal immigration,” in preparation for the 2008 presidential elections. In doing so, they will have to turn against two of the major groups who produced the votes that changed Congress in November – labor and Latinos.

## CHOICES

In contrast with the Bush plan, what unions and immigrants both need is a bill that would mandate what they’ve advocated since 1999 – repeal of employer sanctions, workplace rights, no new guest worker programs, and legalization of the undocumented. Workers without visas would still be subject to deportation, but enforcement wouldn’t take place in the workplace, where sanctions effectively deny basic labor rights to millions.

The administration and Republicans in Congress wouldn’t like that. Nor would conservative Democrats. But Democrats must make a choice. They can defend the workers, unions and immigrant families who gave them victory in November. Or, as they have so often, Democrats can turn their back on the people who elected them, “triangulating” instead of defending the interests of their base.

They can join the government’s chorus to condemn these workers as criminals. Or they can recognize them as the human beings they are.

*David Bacon’s book Communities Without Borders (Cornell, 2006) documents indigenous immigrant communities, including those of meatpacking workers employed in the Swift plant in Omaha. An earlier version of this article appeared on the web at [www.prospect.org](http://www.prospect.org).*

## Workplace raids target unions.

# Poetry at the union hall

People filled the PSC union hall for a night of live poetry on November 17, with union members from seven CUNY campuses reading from their work. "Poetry of Resistance" was the theme of the evening, a fundraiser to benefit Dillard University, a historic black college in New Orleans severely damaged during Hurricane Katrina. Organized by the PSC's Peace & Justice Committee, the event raised more than \$1,500. The evening's poets included Sultan Catto, Tina Chang, Nicole Cooley, Page Dougherty Delano, Jackie DiSalvo, Nick Powers, Cicely Rodway, Grace Schulman and Roger Sedarat. On this page is a sampling of their work.

## PAGE DOUGHERTY DELANO

### Ode to X

After TV I cannot shake the thought  
Of bombs dropping on Iraq, my desire off target.  
In bed I know I will fail again,  
Incomplete, the body's explosion unworthy.  
Oh, what rubble we grind through, brushing  
Wet from our lips, spittle of despair,  
Conspiracy of dark. Now they are flashing  
Stories so private, all stony. Hush.  
Even the window shade flaps my country's role.  
Too much TNT in the crook of an elbow,  
Tongues around the city needing to reproduce.  
Nothing can remove this skin from grief.

In the spin of his hair I hear the bombs sing.  
In the gyre of my hips I feel the graves being dug.

Nicole Cooley is assistant professor of English at Queens College. "September Notebook" is forthcoming in Callaloo: A Journal of African Diaspora Arts & Letters (callaloo.tamu.edu).

Page Dougherty Delano is assistant professor of English at BMCC. "Ode to X" is from her collection No One with a Past Is Safe (Word Press, 2002). It originally appeared in the journal American Voices.

Grace Schulman is distinguished professor of English at Baruch College. "Prayer" is from her collection Days of Wonder (Houghton Mifflin, 2002).

Roger Sedarat is assistant professor of English at BMCC. "Dear Regime" originally appeared in the Fall 1999 issue of Plainsongs.

## GRACE SCHULMAN

### Prayer

FOR AGHA SHAHID ALI

Yom Kippur: wearing a bride's dress bought in Jerusalem,  
I peer through swamp reeds, my thought in Jerusalem.

Velvet on grass. Odd, but I learned young to keep this day  
just as I can, if not as I ought, in Jerusalem.

Like sleep or love, prayer may surprise the woman  
who laughs by a stream, or the child distraught in Jerusalem.

My Arab dress has blue-green-yellow threads  
the shades of mosaics hand-wrought in Jerusalem

that both peoples prize, like the blue-yellow Dome of the Rock,  
like strung beads-and-cloves, said to ward off the drought in Jerusalem.

Both savor things that grow wild – coreopsis in April,  
the rose that buds late, like an afterthought, in Jerusalem.

While car bombs flared, an Arab poet translated  
Hebrew verses whose flame caught in Jerusalem.

And you, Shahid, sail Judah Halevi's sea as I,  
on Ghalib's, course like an Argonaut in Jerusalem.

Stone lions pace the sultan's gate while almonds bloom  
into images, Hebrew and Arabic, wrought in Jerusalem.

No words, no metaphors, for knives that gore flesh  
on streets where the people have fought in Jerusalem.

As this spider weaves a web in silence,  
may Hebrew and Arabic be woven taut in Jerusalem.

Here at the bay, I see my face in the shallows  
and plumb for the true self our Abraham sought in Jerusalem.

Open the gates to rainbow-colored words  
of outlanders, their sounds untaught in Jerusalem.

My name is Grace, Chana in Hebrew – and in Arabic.  
May its meaning, "God's love," at last be taught in Jerusalem.

## ROGER SEDERAT

### Dear Regime,

*After you've ground him into powder,  
you can burn this to a fine ash. His family feels  
it would be better off with nothing.*

My Father returned from Iran with everything but his bones.  
He said customs claimed them as government property.  
We laid him on a Persian carpet in front of the television.  
When I'd hold his wrist to his face  
because he wanted to know the time,  
we could see the holes made from swords in his elbow.  
His arm reminded me of kabob koobideigh.  
It was hard for him to look outside;  
he said the cumulus clouds  
were too much like marrow  
and he couldn't stand watching the dog  
sniff the backyard, searching  
for the rest of him. My sister and I put him to bed  
thinking that beside our mother  
he'd turn into himself,  
but through the door we only heard him crying,  
telling his wife he could never again make love,  
and through the keyhole we saw her shivering with him  
wrapped around her like an old blanket  
until he died one morning.  
She folded him into a rectangle,  
mailing him in a white shoebox  
back to his country.

## NICOLE COOLEY

### September Notebook

Like the magic porridge that takes  
over the town, pours through the village,

fills then empties the streets –

It swallows everything in September and it happens twice

First, in New York the burning  
seeped under our apartment door, into the window seams.

The sharp smell threaded through  
my daughter's hair for days.

I pressed  
my lips to her head.

Four years later in New Orleans  
water surges over, under,  
wrenches houses off stone foundations.  
The floodwall cracks,  
an explosion of gunfire.  
Water surges around my parents' house.

I read that story to my daughter because

once upon a time there were two Septembers in two cities:  
the one of the towers on fire  
and the one of floodwaters rising.

Someone else is reading me the story. I crawl up  
on her lap but she says:

Don't shut your eyes just because you can't watch  
TV: the jumping couples from windows of Tower One,

the families, attics split open, in the Lower Nine, waiting for rescue.

Once upon a time it was the end of August and the daughter,  
on the phone with her parents, begged them to leave the city.

Fast forward to the parents' repeated answer:  
this is our home.

The woman telling her parents to go to the superdome.

The mother saying: you are sending us to a watery grave.

Today's American History Lesson, the voice says:  
Once upon a time in 1927 white men blew up the Industrial canal.

With a loud crack, they breached the levees.  
They wanted to drive the black families out.

So when my daughter's class gathers at the flagpole for  
a "patriotic song" "in commemoration" of "the event" –  
the sky is a pure blue bowl  
capable of holding nothing.

Here is the weather, the voice says, New York's bright sky in both  
Septembers.

Ever since, a clear early fall day is 9/11 weather.

When the peasants run and the porridge blankets the streets  
who will save them?

My mother says, This is our home.

Today's History Lesson: It swallows and swallows and swallows

I'd like to sit with her, Our Lady of the Breach.

Our Lady of the Burning City.

Our Lady of Uncomforted.

I'd like to hold her hands down and whisper the lesson.

I'd like to force the floodwaters down her throat.

## THE UNIVERSITY

## CUNY sets policy – poorly

By BARBARA BOWEN  
PSC President

While many of the full-time faculty were away from campus during January, the CUNY central administration quietly moved to adopt two new policies that could have serious negative effects on our research and teaching. I question the good faith of a university that would push through a policy allowing secret surveillance of our computer records and a mechanism for undefined student complaints about “faculty conduct in the classroom” during the month when most classes are not in session. I also question – and this may be the more serious issue – CUNY management’s growing tendency to establish as much policy as possible with minimal input from faculty and staff, sometimes bypassing collective bargaining.

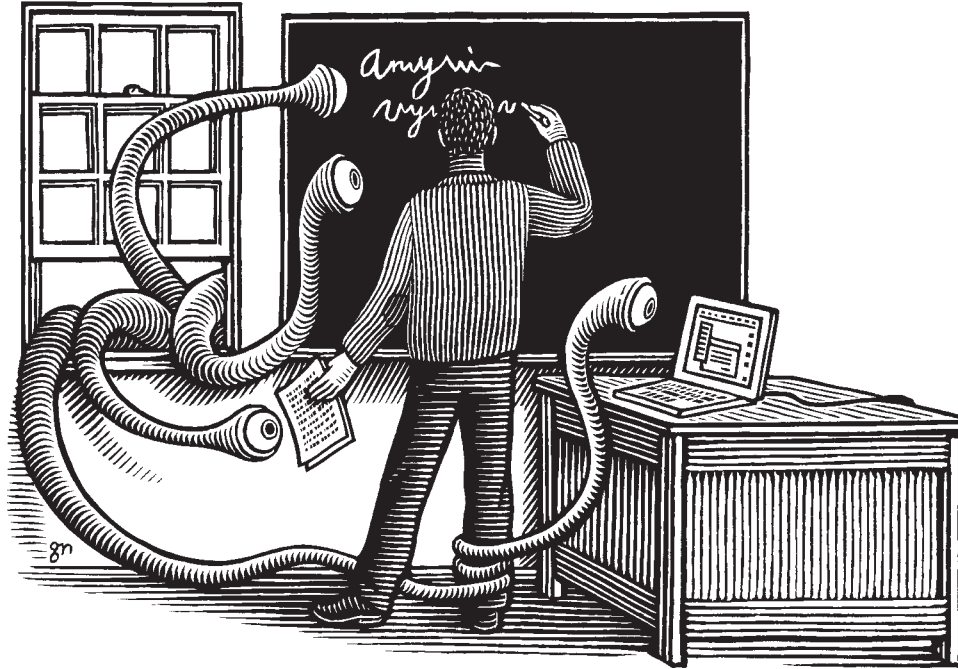
If you weren’t following the debate during intersession and haven’t yet read pages 6 and 7 of this issue of *Clarion*, a summary of the two initiatives might be useful.

## COMPUTER USE

“The City University of New York Policy on Acceptable Use of Computer Resources” is in some ways similar to policies on computer use at many universities. It covers basic questions such as use of licensed software, but goes on to grant broad powers of surveillance of all data on CUNY computers *without notice to the user*. The “Procedures for Handling Student Complaints about Faculty Conduct in Academic Settings” is more anomalous: it mandates a set of procedures for handling student complaints about “faculty conduct in the classroom,” but never defines what constitutes inappropriate conduct, never claims that such complaints are a problem at CUNY, and asserts (unconvincingly) that investigation of faculty conduct in the classroom will not interfere with academic freedom.

Both the PSC and the faculty senate believe that CUNY should have a computer policy and that parts of the new policy are helpful. Other parts, however, violate the contract. CUNY has refused the union’s demand to negotiate on those parts of the policy. In addition to granting management the right, in certain circumstances, to conduct secret surveillance of your computer files and on-line teaching, the policy denies the confidentiality of computer-based research; shifts liability for any legal violations involving computers onto the faculty and staff (whether or not they are responsible); and provides even fewer protections to professional staff than to faculty. All the liability falls on us, while all the power goes to management – which, incidentally, incurs no reciprocal responsibility for providing adequate computer facilities to the academic workforce. In a setting where many of us lack decent computers and 60 or 70 adjuncts often share one office and one computer, that is not a trivial issue.

While some changes were made in the policy in response to pressure from the union and faculty senate, its framework – and one might even say, its politics – remain unchanged. Faculty who testified at the Board of Trustees questioned the implications for free speech of the policy’s prohibition against using CUNY computers to



engage in “partisan political activity.” The faculty who spoke, all of whom called for changes in the policy, were especially eloquent about its implications for research. The policy states that CUNY offers “no guarantee of privacy during any use of CUNY computer resources or in any data in them.” Without a guarantee of confidentiality, scholars whose work must conform to federal standards on privacy of personal health information or use of human subjects may not be able to use CUNY computers.

## PRIVACY

But the chief concern is surveillance. Section 13 of the policy states that “CUNY may specifically monitor or inspect the activity and accounts of individual users of CUNY computer resources, including individual login sessions, e-mail and other communications, *without notice*” (emphasis added). Although the policy promises that “CUNY does not routinely monitor, inspect, or disclose” individual computer use without the user’s consent, the guidelines it provides for when this norm may be broken are not reassuring.

They include circumstances when “an account appears to be engaged in unusual or unusually excessive activity.” What constitutes “unusually excessive activity”? The policy is silent. Faculty and staff receive no assurance that our computer use, data and e-mail accounts will not be subject to secret surveillance by a college manager relying on overly vague guidelines while exercising considerable power.

## CUNY’s knee jerks the wrong way.

## Clarion FEBRUARY 2007

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that he has seen only a handful of cases that might be covered by such a procedure in six years at CUNY.

The procedure, then, addresses an undefined problem, and covers an area already handled successfully on many campuses either by existing campus policies or the actions of ombudspersons. Even more troubling is its claim not to interfere with academic freedom; the proposal asserts that it will address areas of faculty conduct “that are not protected by academic freedom,” but never says what they are. There is clearly a need for more assistance for our students, many of whom cope with everything from oversize classes to a shortage of counselors to the effect of living in a society still infused with racism. But this procedure will not provide that assistance. Its appearance at this moment must be motivated by something else.

However well-intentioned many of the people who wish to address genuine student complaints may be, there is nothing innocent about the context for this proposal. For the past ten years, far-right groups outside the academy have been organizing to police higher education and discredit progressive thought. The student complaint procedure is an invitation to politicize the classroom, an opening for such groups to intensify their activity at CUNY. It threatens to undermine one of the most remarkable things about the University: that despite terrible underfunding, punishing workloads, and substandard working conditions, we have managed to carve out a genuine shared academic life.

This initiative, like the computer policy, strikes at the fragile university-ness of CUNY. Its authors clearly do not value that as we do.

Assuming that the policy initiatives are adopted largely unchanged, the PSC will continue to press CUNY management to resolve the issues they raise, and we will use our whole grievance machinery to fight their misapplication. But we may never find out about the adjunct who was not rehired after a student complained about the feminist poem she taught in an introductory writing course, or the senior researcher whose research subjects withdrew because he could no longer guarantee them confidentiality. CUNY cannot afford such losses.

With these two initiatives – and others on the near horizon – CUNY management has announced its vision of the university. It is not an exaggeration to say that Chancellor Goldstein’s CUNY, for all its slick publicity, is a place where academic freedom is precarious, secret surveillance is allowed, and intellectual life is undernourished. If we want another CUNY, we will have to organize to create it.

# ¿Puede traducir este titular?

By DANIA RAJENDRA

According to the 2000 Census, 1.8 million New York City residents aren't proficient in English. For them, good interpretation can be a life-or-death matter.

As head of the translation service at Columbia-Presbyterian Medical Center, María Cornelio caught a lot of mistakes in English to Spanish translations. Some were not critical: on one form, the English word "homemaker" turned into the Spanish word for construction worker – a house builder. But other errors were more serious: instructions for an experimental medicine went from "take one teaspoon" in English to "take one tablespoon" in Spanish – a potentially dangerous overdose.

Now, Cornelio is putting her lifelong experience in translation and teaching to work at Hunter, running the college's BA program in Spanish-English/English-Spanish Translation and Interpretation.

## UNMET NEEDS

Untrained translators are common, Cornelio told *Clarion*. "A lot of native Spanish speakers think that because they speak the language, they can translate or interpret," she said. And non-Spanish speakers are often too quick to press a family member or co-worker into service. "As a result," she said, "we have a lot of poor-quality translations and interpretations out there. I've always been convinced that the only way to fix that is to have rigorous academic programs."

That's what drew her to Hunter's program, which is devoted to training professional translators and interpreters. New York City has a huge unmet need for both interpreters (who deal with spoken language, usually in real time) and translators (who deal with written documents).

"Since it's a Spanish major, graduates have to be very well versed in Spanish – not only in the me-

## María Cornelio teaches translators



María Cornelio in class in December.

chanics of the language but also in the literature and the culture," said Cornelio. "Moreover, Hunter requires that students complete a minor in English, so they are qualified to translate both into Spanish and into English." While many graduates go to work directly after graduation, others go on to graduate study in the nascent academic field of translation and interpretation. The major may also be combined with elective courses for the student who wishes to do graduate work in various other disciplines.

How is a class on translation or interpretation different from a general Spanish language class? "For this program, students must be proficient in both English and Spanish," Cornelio explained. "The language skills already have to be there. We focus on the skills needed to transfer meaning from one language to another." This means a lot of discussion of comparative grammar, questions of syntax and cultural issues – all with the aim of

making sure that the translation reproduces not only the gist of the original, but as much as possible of the layers of meaning that go beyond the literal definition of a single word.

"Expressions that involve figurative language, like 'it's raining cats and dogs,' often don't translate directly," she said. "Students also need to know the register of the original: is it simple, informal language, or a highly structured text? They need to know the style: is it very flowery, is it humorous, is it ironic? They really need to get into the text to be able to render it well."

## THEORY & PEDAGOGY

With an increasing awareness of the need for professionally trained translators and interpreters, academic work in this area has also grown. "There's a lot of publication on the theory of translation – the issues involved in transferring meaning, regardless of the language – and on the pedagogy of

translation as well," said Cornelio. "There are also quality control and assessment issues – practical questions of how you know whether good translation is being done."

Cornelio first began interpreting and translating the way many immigrant kids do – for her parents. She came to New York from the Dominican Republic when she was 11.

"I always wanted to learn English," she told *Clarion*. Growing up in the South Bronx, Washington Heights and Riverdale, she helped her parents communicate in hospitals, stores and parent-teacher conferences. "And whenever my parents bought a TV,

or a blender, I translated the manual," she recalled. "Instructions didn't come in two languages, the way they do now." Soon, her parents' friends were asking if she could translate for them, too.

But she also remembers running up against her limits: "One place I had difficulty was in the hospital. As a 12-year-old, you don't have the medical vocabulary in either English or Spanish."

Cornelio's parents wanted to make sure she didn't lose touch with her native language. "They were always correcting my Spanish, especially if something sounded awkward," she said. "They were really my first translation teachers."

After high school, Cornelio began working full-time with TransWorld Public Health and Hospital Services Ltd., putting her translation skills to work for the health consulting company. Enrolling as an undergraduate at Hunter, she majored in Spanish and minored in French. Cornelio graduated in 1976, and continued to work full-time for TransWorld, setting up health care facilities in rural areas of Latin

America and French-speaking Africa. She often helped clinicians on an ad-hoc basis – for example, leading classes on nutrition – and she found that teaching was something she enjoyed.

After her work abroad, Cornelio entered a doctoral program in international studies at the University of Denver. She completed her coursework, but set her dissertation aside to start translation programs and work on other projects, including designing and teaching a course on use of the mass media for literacy and development at the New School. "That was my first experience teaching in a university setting, and I discovered that I loved it," she said.

## LOVES TEACHING

For the last 9 years, Cornelio directed the Hispanic Research and Recruitment Center (HRRC) at Columbia-Presbyterian Medical Center, checking translations and providing interpretation to Spanish-speaking patients enrolled in clinical trials. At the same time, she designed and taught translation courses part-time in certificate programs at NYU and the University of Chicago.

She came to Hunter as a substitute lecturer at the beginning of the Fall semester, returning to her alma mater as a faculty member. "I was one of the typical Hunter students who work and study at the same time, so I know what our students have to go through," she told *Clarion*. "I know the drive that they have to succeed."

Cornelio is working on her own contributions to the field of translation: writing an introductory text on the subject, and surveying the quality of translation in the United States. Having worked as an adjunct faculty member, she appreciates the more consistent focus on her work that she says a full-time position makes possible: "I think my students benefit from that because I'm always focusing on my teaching, my research, and on this program that I want to expand and to grow."

## Questions of syntax & culture

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## 15-MINUTE ACTIVIST

# Look at the contract

Contract booklets were checked, double-checked, printed and mailed to members' homes in December. Take 15 minutes to read about your new rights under this agreement, such as sabbaticals at 80% pay (Article 25), and increased professional development money (Article 33). You can also take some time to familiarize yourself with long-standing provisions, for example, the classroom observation procedure (Article 18). Learn your rights so you can be active in your own defense. You can contact your campus grievance counselor with questions. It's your contract – and if you know what's in it, you'll have more control over your life on the job.