

Clarion

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FACULTY NOT CONSULTED

CHANGING THE TENURE CLOCK?

CUNY management says that its proposal to change the tenure clock from five to seven years is intended to help junior faculty get tenure. Yet the proposal, which CUNY has brought to the state legislature without consulting faculty, is deeply flawed. Inside, faculty reaction, plus an in-depth analysis of 80th Street's "Trojan Horse" by PSC President Barbara Bowen.

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ORGANIZING

LaGuardia RF vote



Research Foundation workers at LaGuardia are ready to vote to join the PSC.

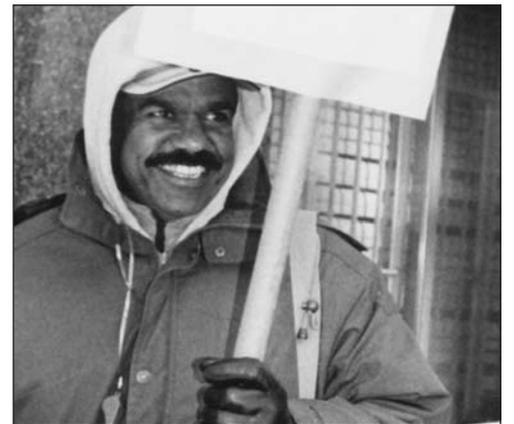
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COLOMBIA

Coke and labor rights in Colombia

PSC members joined a delegation to Colombia to examine reports of violence against trade unionists.

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EQUITY

Faculty and staff rally for City Tech

The weather was bitter cold, but spirits were high as about 100 showed up at 80th Street to demand equity.

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WELFARE FUND

Policy changes and the future of the Fund

Drug, vision, dental and CIGNA changes. Plus, the bottom line about the Welfare Fund's finances and future benefits.

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LETTERS TO THE EDITOR | WRITE TO: CLARION/PSC, 25 W. 43RD STREET, FIFTH FLOOR, NEW YORK, NY 10036.
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Wrong time to tinker with tenure

● CUNY central administration will soon propose legislation to extend the time that faculty members at CUNY serve before they are considered for tenure. I feel that this is a terribly inappropriate time to approach the State Legislature on a matter of such great import.

CUNY has been severely underfunded for many years. The issue of tenure changes, whatever its intrinsic merits or faults, needs to be handled with sensitivity by the Legislature and in a spirit of cooperation with and support for CUNY. One cannot look at the record of the current Legislature and Governor and believe that they have been supportive of CUNY.

I fear that a whole host of changes to our tenure system at CUNY may be enacted by the Legislature during the lengthy process of hearings and voting on this proposal, many of them having little or nothing to do with the CUNY proposals themselves. Once the proposal enters the halls of the Legislature all sorts of changes to the tenure system can be made, and we at CUNY – administration, faculty and staff – will have limited ability to influence them. This is not the time to approach the New York State Legislature on “tenure reform.”

David Kotelchuck
Hunter

Welfare Fund and SSNs

● Your article on identity theft in the December issue was compelling and important. So is the news about NYU’s inadvertent public posting of student social security numbers on the Internet.

Unfortunately the Welfare Fund contributes to this problem for us by forcing us to use our social security numbers as our ID for all medical and dental forms and procedures. As a start, why not change this dangerous system?

Dinah Moche
Queensborough

Estelle Giammusso, Assistant Administrator of the Welfare Fund, responds:

We have already raised this issue with two of the Welfare Fund’s vendors, and will be raising it with others soon. Every benefits program needs some system of unique identifying numbers for its members – but there is no reason why social security numbers must be used for this purpose.

Unfortunately, this is not a practice that the Welfare Fund can change all by itself. Social security numbers (SSNs) are used by the vendors that provide WF benefits such as prescription drugs, vision, dental, etc. and we must convince them to change this before we can stop using

SSNs ourselves. It will not be simple to get them to change, but we have started working on it.

In the meantime, WF members should know that we have very strict policies in place to protect the privacy of their personal information.

Savings with Guardian

● It’s always easy to find fault with administration when you’re a member of a group. So it is with the Welfare Fund when we as members complain about the benefits we receive. We overlook the good things, but good things do happen. Example: the new discount dental plan, known as Guardian DentalGuard Preferred, is in many ways a welcome improvement.

The Guardian plan includes over 6,000 dentists in the Tri-State area, and my personal experience has proven very gratifying. My wife and I had been visiting a periodontist for a maintenance treatment, called subgingival curettage, and paying \$110 each for every visit. Our periodontist belongs to Guardian, and under the Guardian discount plan the maximum permitted charge for the treatment is \$79. For two treatments a year, Guardian will also pay \$50 to the dentist, leaving a patient’s responsibility at \$29.

Where we had been writing a check for \$220 for the two of us, we now wrote a check for \$58. What a deal! For a third treatment within a year, we will each pay the full \$79 – but this still saves us \$31 apiece, a dramatic improvement.

We’re finding that routine procedures are similarly discounted. Here’s hoping you’ll find similar experiences when you try Guardian. Kudos to the Welfare Fund!

Lawrence J. Kaplan
Retirees Chapter, Chairman Emeritus

No threat to freedom

● Moustafa Bayoumi’s essay (*Clarion*, February 2004) gave an unrealistic view of Title VI and HR 3077. They endanger nothing about academic freedom. What the government seeks is academic diversity where neither freedom nor diversity have much existed.

How are we to react, forgetting anti-American and postcolonial labels, to the failure of Middle Eastern Arab studies departments to warn or foresee the rabid anti-Americanism in the Middle East and rise of jihadists? What are we to make of them opposing American foreign policy on Israeli-Arab peace?

These departments are funded to provide Arabic speakers to the government. Few have been produced. We might question whether these departments should be training grounds for the government, but it’s

absurd to promote the idea that they have the right to act against the wishes and policies of the government funding the program. HR 3077 was created to remove politics from the academy. Bayoumi makes support for the nation a political issue while anti-Americanism is accepted as being apolitical.

While castigating Stanley Kurtz et al., he lauds Edward Said, a man whose life was spent opposing world peace and supporting religious fanatics. Bayoumi may ask whether knowledge must serve power, but it’s pretty clear what ideals he serves.

Bernard Bilawsky
Queensborough

Bayoumi responds:

Bernard Bilawsky writes that it is “absurd” for academic departments that receive government funds to oppose their government. This is nonsense. In a democratic society, freedom from political intervention is a prerequisite for independent scholarly inquiry. And I’m not the only one who thinks so. Sixty prominent scientists, including twenty Nobel Laureates, recently charged the Bush administration with distorting science to support White House policy. This only underscores the fact that politicians and academics serve different functions, and no good can come from politicians meddling in our scholarship.

Bilawsky also charges that I make “support for the nation a political issue,” but it is HR 3077, and not me, that does just that. With its Advisory Board, populated by political and national security appointees and authorized to monitor the politics of scholarship, HR 3077 would establish its own patriotism police.

But surely the most added opinion in Bilawsky’s letter is his labeling of Edward Said as “a man whose life was spent opposing world peace and supporting religious fanatics.” Even a cursory reading of Said’s oeuvre reveals a lifelong devotion to secular criticism and the pursuit of justice. One might agree or disagree with Said’s political positions, but Bilawsky’s slander is simply absurd.

Disciple of Gandhi?

● Paul Wolfowitz recently told students at Georgetown, “If Palestinians...adopt the ways of Gandhi, they could make an enormous change.”

Stanley Kurtz of *National Review* and Stanford’s Hoover Institution, urged Congress, in HR 3077, to establish oversight of Title VI-funded international area studies by “an advisory board,” and recommended that Congress partially de-fund “postcolonial studies.” Kurtz derid-

ed scholars and writers in Middle Eastern, African and South Asian studies as “unpatriotic” and “anti-American,” naming Edward Said in particular.

What do these statements have in common?

Wolfowitz cites the iconic practitioner of *ahimsa* and architect of India’s triumph against British colonialism, to rebuke Palestinians on their resistance to neo-colonialism! A cynical manipulation of what Edward Said calls *The Other* to attack *The Other*. So now Palestinians can be persuaded to hate Indians and vice versa, and a wedge can be driven between them? Does Bush’s construct of the Axis of Evil, and DOD’s penchant for fire and brimstone, make Wolfowitz’s advice an instance of the Devil quoting the Scriptures? Invoking Gandhi alone earns him that appellation.

Kurtz targets all scholarship originating in or produced by the Global South. Again this can be framed within the Saidian concept of *The Other* (including me, a postcolonial sociologist), seen as dangerous, violent, unpredictable.

Chithra KarunaKaran
BMCC

Sit-ins and salaries

● Re “Silencing dissent” (December 2003): As a member of CCNY’s Class of 1938, I actively participated in the struggles for academic freedom as

part of the concept of democracy as a fundamental value in seeking social change. Together with Irving Howe, Donald Slaiman, Herbert Robinson, I was an organizer of the Young People’s Socialist League (Yipsels).

We participated in a sit-down demonstration in Lincoln Corridor of the main building demanding the reinstatement of Morris U. Schappes, the English professor who openly admitted being a Communist, but refused to name names of other Communists. The Stalin-Hitler Pact and the murder of Soviet Yiddish writers later caused Schappes to end his attachment to the Communist Party.

Oscar Shaftel, another victim of the witch hunts, was fired by Queens College in 1952-53. He later received a faculty position at Pratt Institute, which had a sub-standard salary structure. Shaftel came to the offices of the United Federation of College Teachers (one of the predecessor organizations of the PSC), asking the UFCT to stage a demonstration on the Pratt campus with placards calling for salary increases. The outpouring of faculty was spectacular. A woman faculty member, Estelle Horowitz, led a campaign that resulted in collective bargaining with a contract offering sizeable salary increase and back pay for women faculty.

Israel Kugler
PSC Deputy President Emeritus

Miller meets Delegate Assembly



City Council Speaker and mayoral candidate Gifford Miller spoke to the PSC Delegate Assembly on January 29. When asked about the need for city health insurance for part-timers at CUNY, Miller said, “If there’s anything I can do I’d be glad to help.”

Protesting City Tech's cold tactics

By PETER HOGNESS

PSC members picketed CUNY central administration headquarters on January 23 in a protest against contract violations at the NYC College of Technology (NYCCT). Management has refused to implement the 1-hour reduction in City Tech's teaching load that was won in the current contract.

"It was one of the coldest days of the year, one of those single-digit days," said Mary Bryce Jennings, a member of the Retirees Chapter. "I thought, 'Oh, it's so cold, no one's going to be there.' Well, it turned out *everybody* was there!" About 100 PSC members from 15 campuses joined in the protest. Along with a strong turnout from full-time faculty from City Tech, other groups within the union were well-represented.

SOLIDARITY

"This is a truly incredible show of solidarity," City Tech's PSC Chapter Chair Bob Cermele told the crowd. "We've got full-timers, adjuncts, HEOs, CLTs, retirees! When one group has an issue, if we all come out to support it, we'll have the kind of strength that is unbeatable."

NYCCT offers both two-year and four-year degrees, as do three other CUNY senior colleges. But under

Forced overtime at issue

the previous contract, City Tech was the only one of these "comprehensive colleges" with a teaching load of 27 contact hours per year. The labor agreement negotiated in 2002 reduced this to 26 hours, but College President Fred Beaufait refused to implement a reduced workload schedule. Instead, he paid faculty for the 27th hour at a non-contractual rate – unless they could construct a schedule of exactly 26 hours in a single year, which is hard to do.

Even though the union contract specifically provides for averaging workload over three years, Beaufait rejected this option. The PSC argued that this amounts to forced overtime, and is in violation of the contract.

The picket on East 80th Street was timed to coincide with a grievance hearing on the issue, and protesters made their presence felt inside the hearing room. "Forced overtime? That's a crime!" was among the many chants that filtered inside.

"I just think it's ridiculous that we don't have the same workload as other senior colleges," said Peter Parides of City Tech's social science department. The one-hour reduc-

tion is just the first step toward equity with CUNY's other senior colleges, he said, and faculty must insist that it be carried through. Former adjunct Gerald Singh, a full-timer since 2001, agreed. Singh said he came despite the cold because "I decided it was time to stand up and be counted."

PLEASURABLE PICKET

"It was great being in the picket line," Jane Mushabac of the English Department later told *Clarion*. "What a pleasure to picket with my chairman!" Mushabac said she was surprised at the rigid stance adopted by City Tech's administration. "It's much harder to do research with this teaching load," she said. "It seems against the college's own interest to take this position."

"I came to support my colleagues," said Linda Perry, an associate professor in York College's business department. "It's so important to enforce the contract provisions that we have." Perry said the issue of inequitable treatment touched a particular nerve. "York is also marginalized within CUNY," she said. "Management tries to separate the weak from herd – and we can't let them."

"You may be retired, but you feel the injustice," said Jennings, ex-

A large turnout despite freezing weather



L to R: Ezra Halleck and Zhao Chen, with Lloyd Carr, at center rear, at a January protest against illegal mandatory overtime for faculty at City Tech.

plaining why she had come. "And the reason you have unions is to stop people from being treated unfairly!" The unseasonably cold weather had her wondering whether to make the trip, she added: "It was so gosh-darn cold! But then you think, 'Why not give

an hour?' It's only an hour."

Chanting and clapping helped to keep the picketers warm. "This may be the first of many such actions," said PSC Treasurer John Hyland. "Wherever and whenever CUNY does not live up to the contract, we will be there."

Potential admissions crisis at CUNY

By STEFAN TRINES & ROBERT BOORAS
UAPC

On January 29th, Lester Jacobs, director of the University Application Processing Center (UAPC), announced that UAPC is likely to lose a grant that provides for two-thirds of its yearly budget. Jacobs, who is also dean of Enrollment Services for CUNY, stated that he did not know if UAPC would be able to pay employees past September of this year.

UAPC processes undergraduate student applications for all 17 CUNY colleges. For years, it has been mostly funded by grants administered by the CUNY Research Foundation (RF). Although CUNY staff manage UAPC, the RF employs over 85% of the workers there. A shutdown of UAPC would have grave consequences for the entire University: if its experienced workers are not retained, huge delays in application processing and a loss of students would be the result.

Jacobs's announcement left many questions unanswered, particularly

UAPC to shut down?

about UAPC's finances. "We process more than 160,000 applications per year, generating more than \$7 million in revenue from fees," said Mary Jane Brown, a freshman evaluator and member of the PSC bargaining team for UAPC. "We don't know where this money is going, and why it isn't used to pay for us."

DEVASTATING

Layoffs would be devastating for the RF workers at UAPC, who have been denied wage increases for the past four years and have worked to improve salaries by joining the PSC and negotiating a union contract. "It's very disturbing that 20 years of service is of so little consequence in the end," said Larry Maslansky, an admissions clerk. "Management seems to have a rather casual attitude in disposing of an essential service."

The core issue of the labor conflict at UAPC is the huge disparity in

salary between RF workers and CUNY workers doing similar jobs: RF workers at UAPC earn much less than their CUNY counterparts. After 85% of UAPC workers voted to join the PSC in December 2002, management reacted with a campaign of intimidation. In light of this open hostility towards the union, many workers suspect that the possible closure may be an attempt to bust the union. "Given the events of the past year," said Andrew Tiedt, an international evaluator, "I cannot help but believe that this is either a negotiation tactic, or an attempt by management to purge UAPC of the union."

Jacobs's announcement came just after the PSC presented its contract proposal for higher wages to the RF. Instead of offering a counter-proposal, management announced that UAPC jobs were in danger, fueling

widespread anger and suspicion among the workers. "In my whole time at UAPC, I met Les Jacobs twice," reflected transfer evaluator Gillian Anderson. "The first time, a year ago, he told us to vote against the union. Now, just last week, he told us we're getting laid off."

In response to the threat of layoffs, contract negotiations are proceeding with a new sense of urgency. Workers are currently demanding a contract that will guarantee job protections and value their years of service. Beyond these basic demands, the PSC is pressing both the RF and CUNY to pursue alternative sources of funding to ensure the survival of UAPC.

PSC President Barbara Bowen discussed the situation with CUNY Chancellor Matthew Goldstein immediately after Jacobs's announcement, and members of the union bargaining team at UAPC met with

Workers are suspicious of the sudden announcement during contract negotiations.

Goldstein on February 18. They presented him with a petition and asked how CUNY intends to respond to the looming crisis. Goldstein was quick to acknowledge the significance of UAPC and the know-how of its workers. Calling them an asset to the University, he pledged to do his best to save jobs. However, he did not offer any guarantees.

STRATEGIES

In addition to meeting with the Chancellor, workers are currently contemplating a variety of strategies to save their jobs and get a fair contract. Unlike CUNY employees, RF workers have a right to strike that is recognized under federal law, because the RF is a private employer. While most workers would prefer to resolve the crisis amicably, they are not ruling out any options if negotiations should fail. As transfer evaluator Teresa DeVito asserted, "I have worked at UAPC for almost 20 years, and I am prepared to do whatever it takes to save my job."

Contract campaign on the move

By TOMIO GERON and PETER HOGNESS

The PSC contract campaign is gearing up with a range of campus events planned for Teach CUNY Week in mid-March.

In February the PSC bargaining team began visits to every CUNY campus, to discuss what is at stake in the contract talks and respond to members' questions. This round of bargaining will determine whether CUNY develops into management's vision of a "corporate university" or the PSC's vision of a university that really supports teaching and research, union negotiators said.

"We're passing out pledge cards to ask people to do something for

CUNY Week starts March 15

themselves in this fight," said Michael Fabricant, co-chair of the contract campaign and member of the bargaining team. The cards offer a number of simple ways for members to get involved, from making some phone calls, to sending e-mails, to attending a demonstration. (You can also sign up online at www.psc-cuny.org/contractcampaign.htm or call 212-354-1252 to request a pledge card by mail.)

CARD SIGNING

"We had a meeting at our campus this week, and almost everyone signed a card," Steve Barrera of

York College said. "People want to help make a change."

At *Clarion* press time, meetings had been held at most campuses, with the remainder scheduled for later in March. Those still to come include BMCC on 3/17 at 2:00, CSI on 3/25 at 1:30, Hunter on 3/17 at 1:00, John Jay on 3/16 at 3:15, Queens on 3/10 at noon and KCC (date not yet set). Sessions will be held for the CLT chapter on 3/9 at 6:00 and the HEO chapter on 3/10 at 6:00. (For locations, see www.psc-cuny.org or call 212-354-1252.)

These sessions with the bargaining team are building toward Teach

light other contract demands, and some events on campus-specific issues. Teach CUNY Week will also feature voter registration and a union breakfast with City Council members.

This Spring the PSC is making a special effort to work with the nearly 1,000 new full-time faculty who

have started at CUNY in the last four or five years.

A junior faculty working group is organizing a March 12 event at Baruch on "how to survive and thrive at CUNY" (see Calendar, p. 9, for details).

The meeting will provide practical help on such

topics as tenure, research funding, publication and junior faculty's rights under the PSC contract, according to Penny Lewis and David Kazanjian, co-chairs of the working group.

CUNY Week, beginning March 15, when each campus will hold its own event. One of the key actions will be a petition campaign demanding that CUNY provide full funding for Welfare Fund benefits. "People are tremendously concerned about the Welfare Fund, and this petition can pressure CUNY to increase its contributions," said Nancy Romer, contract campaign co-chair. "We need to get every member to sign this petition: 'Don't kvetch, organize!'"

Tabling and events that week will also feature letter-writing to high-

There are many vital and simple ways for members to get involved.

"Excellent" adjunct fired

By PETER HOGNESS

Mohamed Yousry, a CUNY adjunct faculty member who was fired after his indictment in a controversial terrorism case, has lost a grievance that would have allowed him to continue teaching. The American Association of University Professors (AAUP) is investigating whether CUNY's actions in the case were a violation of academic freedom.

The PSC contended that the University should have treated Yousry as innocent until proven guilty. "Adjuncts, who teach the majority of courses at CUNY, need to have academic freedom," said Steve London, PSC First Vice President. "The union will continue to fight with every fiber of its being for academic freedom for all of CUNY's instructional staff."

Yousry had served as legal translator for attorney Lynne Stewart, who represented Sheik Omar Abel Rahman in his 1995 trial for conspiring to bomb New York landmarks. In April 2002 Stewart was indicted by US Attorney General John Ashcroft on a charge of helping Rahman pass messages to a terrorist organization called the Islamic Group. Yousry and a paralegal were indicted as well.

VAGUE

In July 2003 a federal judge dismissed the government's main charges, of providing material support to a terrorist organization and acting as its "quasi-employee," as "unconstitutionally vague." Judge John Koeltl said that the law was so broad that it could treat normal actions of a lawyer as criminal, making it impossible to defend a client. Last November Ashcroft tried again, re-indicting Stewart and the others on a similar set of charges.

Academic freedom at issue

Yousry had taught in York College's cultural diversity program since 1995. Immediately after his indictment, CUNY central administration directed York College to suspend Yousry with pay for the remainder of the semester. Chuck Coleman, the program's coordinator, says he told York's provost that "the University's decision was in violation of academic freedom and constitutional rights."

The suspension upset Yousry's students, who circulated a petition to York's then-President Charles Kidd asking that their teacher be allowed to return. Kidd told Coleman that he did not want to suspend Yousry, but had been overruled by 80th Street.

Both students and colleagues say that Yousry was an outstanding teacher. In classroom evaluations he was consistently rated "excellent," and praised for his "always balanced and fair" handling of volatile issues such as the Arab-Israeli conflict.

Yousry had been asked to teach two courses at York for the Fall of 2002; he was included in the Fall course listing and was asked to provide his syllabi. But in mid-August, again at the direction of CUNY central administration, Coleman was told that York would not employ Yousry for the Fall semester.

A doctoral student in Near Eastern Studies at NYU, Yousry had been scheduled to defend his dissertation in December 2002. Among the items confiscated from his house by federal agents was the computer containing his dissertation, which has still not been returned.

The PSC filed a grievance on September 2, asking that Yousry be re-

hired. In the grievance and arbitration hearings, the union cited the contract's statement that CUNY and the PSC "subscribe to Academic Freedom for faculty members" including "full freedom of inquiry, teaching, research and publication." The union argued that Yousry should not have been denied the ability to teach for reasons unrelated to performance in the classroom, and that CUNY did not give sufficient notice of non-reappointment.

"Yousry had a great record at York," said Marcia Newfield, PSC vice president for part-time personnel. "Why didn't 80th Street trust the judgment of York's own faculty and college president, who wanted to keep him? The federal courts continue to approve Mr. Yousry for work as a legal translator - yet CUNY dismissed him."

"NO REASON"

Since Yousry was an adjunct, management had the right to not appoint him "for any non-discriminatory reason, or for no reason at all," CUNY stated in its initial March 2003 grievance decision. The University said that it excluded Yousry from the classroom because "adjuncts serve as role models in their students' lives."

In a February 2004 statement. Vice Chancellor for Legal Affairs Frederick Schaffer insisted that "the University acted in response to a felony indictment, which in turn alleged criminal activity that was in no way related to protected speech or association."

The final arbitration decision, issued on January 16, 2004, concluded that the specific provisions of the contract do not bar CUNY from acting as it did. "Even though the PSC



Joan Scott of Princeton is chair of the AAUP's Committee A on academic freedom. She spoke at a recent CUNY UFS conference on the PATRIOT Act.

has developed this matter as a question of academic freedom and civil rights, the jurisdiction of this arbitrator rests within the terms of the collective bargaining agreement," the arbitrator stated, deciding the issue on a narrower basis.

"What the arbitrator decided was that the University had a legal right to do what it did," said Stuart Lichten, the attorney who represented the PSC's case in arbitration. "That doesn't mean it was the right thing to do." The case was a point of principle for the PSC, said London. "We felt we absolutely had to pursue it because this was an attack on academic freedom," he told *Clarion*.

ASHCROFT-ISM?

"The PSC Academic Freedom Committee will follow the AAUP investigation closely," said Steve Leberstein, committee chair. "If a well-regarded adjunct can be barred from teaching simply because he is indicted by John Ashcroft, this could portend a re-emergence of McCarthyism."

"In a time when a cabinet officer casually describes the nation's largest teachers' union as 'a terrorist organization,'" said Newfield, "we need to be particularly vigilant in defense of the rights of those

who teach." [See p. 6.]

The AAUP began investigating CUNY's treatment of Yousry in October 2002. An October 2003 AAUP report on academic freedom and national security since September 11, 2001, expressed concern about the "apparent breach of the adjunct faculty member's rights" in the Yousry case. An ad hoc investigating subcommittee of the AAUP's Committee A on academic freedom has been in communication with CUNY, and has asked to meet with University officials this Spring.

INVESTIGATE

CUNY has taken the position that since Yousry lost the grievance, there is nothing for the AAUP to investigate. Schaffer maintains that nothing in CUNY's conduct has been contrary to the AAUP's 1940 "Statement of Principles on Academic Freedom and Tenure."

In a February 6 letter, AAUP Associate General Secretary Jordan Kurland responded: "As we have consistently stated over the decades, the fact that an action may be contractually permissible does not determine its soundness under generally accepted academic standards. We shall therefore be proceeding with the investigation."

LaGuardia RF workers ready to vote for PSC

By MARIA DOHERTY and TOMIO GERON

After months of organizing, CUNY Research Foundation (RF) workers at LaGuardia Community College will get to vote for the PSC on March 16.

"I know my rights as a professional will be well represented and protected by the union," said Lucy Holland, who works at LaGuardia's Performing Arts Center. Elaine Merchant, who works at the Family Institute, agreed: "I'm voting 'Union Yes!'"

RF workers requested the election when they brought stacks of blue union cards to the National Labor Relations Board (NLRB) office in Brooklyn on February 3. With signatures from a strong majority of the roughly 400 RF employees at LaGuardia, they delivered a message that was loud and clear: We want the PSC.

ONE YEAR

This message has been one year in the making, as LaGuardia's Research Foundation employees teamed with PSC organizers to form the "I Want a Union" Committee.

The election date was set in a February 12 agreement, after Research Foundation management decided not to delay the vote with legal chal-

March 16 election set



Ian Smith, Julie Sterling and Henry Rodriguez, Research Foundation employees at LaGuardia

lenges. The RF has caused lengthy delays for the union vote at CUNY's Graduate Center, where a date for the election has still not been set.

The PSC is working to organize all RF workers at CUNY, and RF workers at the University Applications Processing Center, who voted

85% for a union, are negotiating for a contract.

"Our petition to the NLRB was a beautiful thing," said Julie Sterling, an RF employee since 1996 and member of the "I Want a Union" Committee. "It was wonderful to feel what happens when you've



Saray Simo

worked and supported a belief that is about to become real. We hope that in a year's time we can celebrate our own contract."

As non-union RF employees, the workers currently have no job security, seniority rights, tuition reimbursement or severance packages. "Having a union would allow me to study, to get an education and not have to fear that I will lose my job," said Henry Rodriguez, a telecounselor in the Student Information Center.

At LaGuardia, those who receive a paycheck from the RF and not directly from CUNY face substandard working conditions, even though

their jobs are often similar. "There is very little security," said Sterling. "Your job could be gone tomorrow. Then there's the practice of [employing people] less than 20 hours a week to get around paying benefits. There are RF employees who have been here eight years who have no medical coverage."

OUTREACH, TUTORS, ADMINISTRATIVE

The LaGuardia RF staffers, over half of whom are part-time workers, labor in three main areas: as tutors and adjuncts in many academic departments; filling a variety of positions in Adult Continuing Education; and as instructors for outreach programs aimed at "at-risk" youth or providing high school college prep.

Very little job security, despite years of work

The PSC chapter on LaGuardia's campus has pledged its support to its RF colleagues. They will be helping with the election effort, getting posters up and wearing buttons to show their support.

In the meantime, RF employees at LaGuardia are excited that their union election is close at hand. "A union is a collective, and there's less fear when you work together," said Rodriguez. "Having a union is like having a second home."

Union wins settlement on summer pay

By PETER HOGNESS

The PSC and CUNY management have reached a settlement in a dispute over summer pay for department chairs. At *Clarion* press time, department chairs were voting on the settlement by mail, with ballots scheduled to be counted on March 2. (Results will be posted on the union Web site, www.psc-cuny.org.)

The agreement specifies that summer work shall be paid at a pro-rated amount of chairs' regular salary; compensates chairs who were paid less than the pro-rated amount last summer; and clarifies the rights of chairs in discussions with college administrations about the amount of summer work their departments require.

"The settlement is a step in the right direction," said Michele Stern, chair of the department chairs' council at Bronx Community College. "Most of the chairs at my campus are pleased that it came through."

EXTRA WORK

The problems revolved around the contract provision negotiated in 2002 that states that department chairs must be paid for the work they do in the summer. The way this was implemented last summer was "an administrative bureaucratic fiasco," Glenn Petersen, chair of soci-

Dept. chairs voting by mail



Harold Sullivan of John Jay

ology and anthropology at Baruch, told *Clarion* last August.

Campus administrations across CUNY failed to implement this provision correctly. Many chairs were never consulted by their college presidents, as required in the contract, about what summer work their departments required. Some chairs worked during the summer but received no pay; others were paid but at a lower rate (the 60% non-teaching adjunct rate.) In response to these widespread contract

violations, the PSC filed both a grievance and an improper labor practice charge with the Public Employment Relations Board.

The agreement replaces the summer pay provision in the current contract with new language, specifying that department chairs shall be paid for all summer work done as department chairs as a pro-rated amount of their regular annual salary. Chairs who were paid at a lower rate in summer 2003 will get back pay for the difference. At campuses where there are existing arrangements for someone else to cover for the chair in the summer, that person will be paid a pro-rated amount of their own annual salary.

Perhaps most important, college presidents will no longer have the ability, as under the old provision, to require chairs to work a certain amount of time in the summer. Under the terms of the settlement, after a mandatory discussion with the president, each chair will have the right to discuss the amount of summer work for his or her department with college administration, and accept or decline the amount that the

college president is prepared to compensate. If the chair declines, she or he is entitled to contractual annual leave.

"The agreement recognizes the enormous amount of work that chairs do and provides a systematic way to pay them for it," said PSC President Barbara Bowen, who led the negotiations. "It does not, however, provide for a minimum threshold for compensated time." While the settlement is not perfect, she said, it "offers a better resolution than we could have won through the grievance or legal action."

Harold Sullivan, who heads the department chairs' council at John Jay, said that while the agreement is mixed, "it is certainly better than what management was offering at John Jay."

Chairs would be paid a pro-rated amount of salary.

"I think almost everyone is going to vote for it," said Edvige Coleman, chair of foreign languages and ESL at York. "The compensation is pro-rated, and that's good. Now the question is really local [discussions] with the college presidents about the amount of summer work - that's what we're concerned about."

Howard Ruttenberg, chair of York's council of department chairs, said that the council is proposing that all chairs be paid for at least ten

months, and more in certain cases. Coleman said there was a strong consensus: "We're going to stick together and say as a group that this is what is needed." The chairs' council at BCC is taking a similar stand.

Sullivan hoped that management would realistically assess the necessary amount of summer work. But the bottom line is that "if chairs aren't being compensated, they shouldn't do the work." When chairs hold to this position, he said, fair treatment is more likely to follow.

ACTIVE ROLE

Councils of department chairs played an active role in the dispute. The issue helped spark independent meetings of department chairs at several campuses where such bodies had not previously existed, including at BCC, CSI and Hunter. "We stuck together and were able to achieve something," said Stern. "I'm cautiously optimistic."

"Now that we have won the right for chairs to be fairly compensated for their summer work, it is in everyone's interest to support chairs' efforts to get fair offers from college presidents," said PSC First Vice President Steve London.

"It's nice to be paid, but no one goes into academia to get rich," added Stern. The issue wasn't just the money, but recognition of the vital work that chairs perform. "Department chairs here have a passion for their disciplines, and they're very dedicated to the students," she said. "That's why we do this job."

EDUCATION IN BRIEF

CA colleges threatened

The number of freshmen applicants to the University of California declined this year, for the first time in more than a decade. The overall 4.1% drop from last year was driven by a startling 18.2% decrease among international students. International students have had more difficulties getting visas to study in the U.S. after September 11. Those difficulties, as well as fee increases, were the likely reasons for the decline in student applications. UC students have faced fee hikes averaging 40% in the last 13 months. Meanwhile, the California State University system could raise fees as much as 40% next year due to Governor Arnold Schwarzenegger's proposed \$240 million, or 9%, cut to CSU's budget. Schwarzenegger's proposal would cause CSU to reduce enrollment by nearly 20,000 students, including 10% of incoming freshmen.

Dissent = terrorism?

Education Secretary Rod Paige called the National Education Association "a terrorist organization" in February for its stance on President Bush's No Child Left Behind Act. The NEA, one of the largest US unions, called on Paige to be fired, and the AFT also sharply criticized Paige. John Sweeney, AFL-CIO president, said, "The Bush administration would like to label all those who disagree with it as terrorists in order to cover up its policies, which are harmful to working families, and to divert attention from its inability to create good jobs." The Act, which calls for more standardized testing and raising student achievement, has been criticized by the NEA for not providing enough flexibility or money to meet its goals.

Washington governor wants race in admissions

Governor Gary Locke of Washington announced his support of a bill which would allow the state's public universities to use race as a factor in admissions. The bill would effectively overturn Initiative 200, the measure banning race-conscious admissions, which was approved by voters in 1998. Locke said the current bill is meant to bring Washington in line with last summer's Supreme Court decision that allows race to be used as a factor in admissions. Meanwhile, Colorado's legislature is expected to soon examine a bill banning the use of race in admissions.

Tenure plan panned

Faculty lukewarm or opposed

By PETER HOGNESS

CUNY central administration has asked the New York State Legislature to extend the University's time to tenure from five to seven years. Most early reaction from faculty and staff has been either mixed or strongly negative, and Albany's initial reception to the proposal has been cool.

There was no prior consultation with CUNY's instructional staff, and both faculty and legislators expressed concern about this unilateral approach.

"What I've told CUNY is that if the PSC has objections or concerns, before we proceed further on this, CUNY administration must sit down with the PSC and iron these differences out," said Ron Canestrari, chair of the Assembly's Higher Education Committee. "If some consensus can't be reached, then we have a problem and I will not be introducing a bill like this."

CUNY management's first public statement on the matter came in a January 23 letter from Vice Chancellor for Legal Affairs Frederick Schaffer. "The current time frame is often too short for faculty members to build a sufficient publication record," Schaffer wrote. "As a result, colleges may be forced to make the tenure decision based upon manuscripts accepted for publication, rather than published and reviewed works. Thus, tenure decisions may have to be made upon promise rather than performance."

Schaffer added that "such prestigious institutions as Yale, Columbia and the University of Michigan have probationary periods [that are] longer." He argued that a longer time "will also have a positive effect on women faculty... in their prime childbearing years."

At a University Faculty Senate plenary on February 24, there was no strong support for the administration's proposal and an outpouring of opposition.

"I have labored under a seven-year clock," said Kathleen Barker of Medgar Evers, who said she did not support it. The average for US public institutions, she said, is 5.48 years. "Is there empirical evidence that [a shorter clock] results in heightened academic excellence?" she asked. A white paper by the academic senate at USC found none, she said. "Or will it result in a new tier of fungible, disposable junior faculty?"

Anne Friedman of BMCC said that the proposal ignored the real issues affecting junior faculty. "How about a focus on reducing course loads, providing childcare for parents – not just women – on the campuses? How about reduc-



UFS Secretary Lenore Beaky

ing class sizes, and providing start-up packages for lab sciences?" She said it was ironic that Schaffer's letter, which stresses high-quality research, cites no research to support its claims.

"I'm mildly positive towards [the proposal], but I don't have strong feelings one way or the other," said Dean Savage, chair of the sociology department at Queens. "It does take time to get that research up and running, or to get that book out in the humanities."

Al Levine of College of Staten Island spoke in favor of the proposed change. "We have lost some excellent faculty because of our short period," he said. Levine added that seven years should be seen as "a maximum," with "the stigma for early tenure removed."

Gail August, a junior faculty member at Hostos, said that CUNY junior faculty do need conditions more like those at the University of Michigan, but not the tenure clock. "In their first three years of teaching, there is no committee work and no administrative work," she said. In contrast, August has two or more commit-

tee meetings a week, an administrative job and 33 students to advise. "Their teaching load is 6 to 9 hours," she said. "Mine is 27."

"We have not been consulted at all!" said UFS Secretary Lenore Beaky. On March 16, the Chancellor has called for a "Town Meeting" on the issue. But Beaky said that Goldstein has made it clear that "the topic will be 'implementation,'" not whether to go to the legislature.

At the February 26 PSC Delegate Assembly, Mike Fabricant of Hunter said that it was odd to call this a "town meeting," given that management had chosen to ignore the elected bodies of the PSC and UFS. New Englanders, he said, would consider this as "a bastardization of the language of democracy."

"It's not just the elite institutions that reduce junior faculty workload in the tenure period," said Shelley Weinbaum of CCNY. "It's also Rutgers, University of Indiana and others." There is no one solution that is equally good for all faculty, Weinbaum said. "That is why the details should have been talked about with faculty."

"I am a woman in the midst of my childbearing years," said an untenured faculty member who spoke at the DA. "A seven-year clock would either take me to the end of those years, or mean an incredibly problematic interruption." The argument that a longer clock helps women, she said to applause, "is completely specious."

The DA overwhelmingly voted for a resolution that opposes the Chancellor's proposal, and instead calls for "a conversation on what is needed at CUNY to make it possible for faculty to succeed."

"What we need is a discussion of how to get a contract that will deliver real research support, childcare and more reasonable teaching loads," said PSC First Vice President Steve London. "This is a fight that we can win."

Lack of consultation provokes sharp criticism

THE TENURE CLOCK

80th Street

By BARBARA BOWEN
PSC President

At first glance it seems benign, even welcome: the University's central administration seeks to extend the untenured period from five years to seven. Even the title of the proposal, issued by CUNY's legal counsel Frederick Schaffer on January 23, is seductive: "Modifying [the] Tenure Clock." Who among us isn't drawn to the almost mystical notion of slowing down the clock and creating *more time*? With our excessive course load and substandard levels of research support, CUNY faculty suffer from a chronic shortage of time. But the proposal from CUNY's 80th Street headquarters isn't about more time; it's about less tenure.

That response may at first sound like an over-hasty reaction. But when you consider the proposal fully I think you'll find the reaction justified. If you look at what's *not* there in 80th Street's proposal as well as what is, if you analyze it in light of what is happening to tenure nationally and to job security locally, you'll find that the proposal is far from being, as Vice Chancellor Schaffer contends, "in the best interest of the university and its faculty."

We might start by asking why, if the proposal is in our best interest, faculty were not part of its development. I am struck by the arrogance of a central administration that would bypass any discussion within the affected community (which includes College Lab Technicians as well as full-time faculty), and take such a radical proposal directly to the Legislature, as the Chancellor's Office has done this winter. Junior faculty were not surveyed, department chairs were not convened, faculty and staff representatives did not vote; in fact, the proposal doesn't come from the faculty at all, but rather from a handful of college presidents. There was no formal consultation in advance with the Faculty Senate and no negotiation with the PSC. Both governance and collective bargaining were circumvented.

Now, in a belated attempt to invoke the structures of democracy, the Chancellor has called for a "town meeting." But by describing meeting's purpose as a discussion of "implementation," Goldstein dishonestly creates the impression that his proposal is a done deal – even though at this point it has no sponsor in Albany.

DIFFICULTIES

As someone who had to meet the demands of the tenure clock myself, I am sympathetic to the argument that factors beyond our control make it difficult to complete preparation for tenure in five years (really four, given the timetable for making decisions). Academic publishing has become more profit-oriented and scholarly books much more difficult to publish. Complex scientific experiments cannot be hurried to fit an administrative timetable; it's clear that there are special issues for the lab sciences that we as a faculty should address together. And then there are the demands on all of us that come from excessive teaching loads and overcrowded classrooms.

Management is right about the problem – lack of time for research at CUNY – but



Steve London, PSC first vice president, at the UFS plenary on the tenure plan

Street's Trojan horse

wrong about the solution. *If management really wanted to enhance our ability to do research, then they would provide the conditions that make research possible: a reasonable course load, a full year of junior faculty leave, start-up funding for all lab scientists, fully funded sabbaticals, child care on campus and adequate parental leave. Let's start with some serious progress on that list – every single item of which has been proposed by the PSC and rejected by management – before we entertain a proposal to change the whole structure of tenure.*

The truth is that this is an attempt to align CUNY with a putative national standard while doing nothing to improve substandard working conditions. It's the familiar CUNY syndrome of "improvements" without investment.

Other models exist: when Stanford University decided to make it more possible for its

standard also unravels upon closer inspection. It's true that many US *four-year* colleges have seven years' probation, but this is not true for community colleges. The norm at community colleges is three to five years. The CUNY system is one of two or three in the country that fully integrates community and senior colleges; that is one of CUNY's great strengths. My own feeling is that CUNY's two-year colleges should even be reclassified as something like

"*university community colleges*" to signify their unique mission. Any discussion of time-to-tenure at CUNY must consider both community and senior college norms; in fact, CUNY initially had a three-year probationary period, in place from 1940 through 1968.

The 1940 law that established tenure at CUNY is one of the landmarks in the history of tenure in this country, won through organized student and faculty protest after the firing of 12 City College professors, including Morris Schappes, for their union activism and political positions. (Schappes was actually fired after his department chair, appointed by management, observed him teaching an essay by Shelley and mistook it for Marx.) Through this effort, CUNY became one of the first universities in the country to recognize tenure, and one of the very few to provide tenure by law, rather than by contract or bylaw. (That's why the Chancellor's Office needs a change in the law to extend the untenured period.) Understand, then, what tenure is: a response to persecution of academics for unpopular political views, a concept rooted in the

fast-disappearing idea that universities exist in the public interest. "The common good depends upon the free search for truth and its free expression," the AAUP wrote in its 1940 document, still the authoritative statement on the subject.

But the fundamental issue for us is that there is *no evidence to support the claim that lengthening the untenured period from five years to seven would help junior faculty in achieving tenure*. Although we may feel squeezed by the five years, the fact is that CUNY's rate of successful tenure candidacy is well within, perhaps slightly above, the national norm. The national average rate of successful tenure candidacy is between 85% and 90%, according to the US Department of

Education and Penn State University, and there is no indication that CUNY's rate is lower than that. (US DOE, *National Study of Post-Secondary Faculty, 1997-98*; Penn State, *Faculty Tenure-Flow Rates, 2003*).

Schaffer's January 23 memorandum also relies on the baseless claim that extending the probationary period would "have a positive effect on women." The US Department of Education study of over 500,000 full-time faculty nationwide clearly shows a gender gap at both two-year and four-year colleges, a gender gap that persists at institutions with a seven-year tenure clock. (*National Study of Post-Secondary Faculty, 1992-98*).

There is evidence, however, of what helps universities to close the gap: adequate research leave, manageable course loads, access to child care, ample parental leave ("Do Babies Matter?" *Chronicle of Higher Education, 12/5/03*). All these cost money and require an institutional commitment to women. What we have at CUNY instead is an administration that just approved over \$2 million a year in raises for top management and hasn't offered one penny for faculty child care – yet claims to be helping women.

ESCALATING

If management's tenure proposal is not about making it more possible for CUNY faculty to achieve tenure, then what is it about? Take another look at Vice Chancellor Schaffer's memorandum: it presupposes an escalating scale of tenure requirements. He speaks of needing to have manuscripts not only published but reviewed; he assumes that tenure is currently decided on "promise" rather than "performance."

We should indeed have the highest expectations of faculty and staff at CUNY; I have always argued that our students deserve nothing less. But high expectations should entail high levels of support. Otherwise, they simply provide an excuse for firing people.

Extending the probationary period extends the time during which full-time faculty and College Lab Technicians have very limited job security; it extends the time during which we feel compelled to accept every "volunteer" assignment even when we are already stretched too thin; it extends the time during which we experience more managerial control and feel less fully protected by academic freedom. Although we shouldn't have to wait for tenure to voice any criticisms we may have of management itself, many of us do feel silenced by the lack of job security. The Chancellor's tenure proposal would extend that period of silence. Full-time faculty could learn from our part-time faculty colleagues about the costs of a culture of silence in a university.

In labor terms, this is a proposal to diminish job security, decrease autonomy and increase productivity. Many of us don't like to think of ourselves in those terms, but you can be sure that management does. Remember, this is the same administration that announced its goals in the contract negotiations as "flexibility, accountability and

productivity."

The national context provides final, crucial information. It is not innocent to advance a proposal to extend the untenured period at a time of repeated assaults on tenure and dramatic decline of tenured positions nationwide.

The last few decades have seen a decline in the percentage of tenured higher education faculty. Nationally, only 35% of all college faculty are in tenured or tenure-track positions, and the trend continues downward (Ernst Benjamin, "Some Implications of Tenure for the Profession and Society," AAUP, 2/2/04). The percentage of US faculty who teach at institutions that offer no tenure at all is now fully 10% (AFT, *The Growth of Full-Time Nontenure-Track Faculty*).

UNDER ATTACK

Tenure has been under attack at a range of institutions. Faculty at the University of Minnesota resisted a 1996 attempt to undermine the entire tenure system. A bill recently introduced in the Illinois state legislature calls for creating an executive commission that would have final power over all tenure decisions in the state's public colleges.

Given current national trends and repeated calls from right-wing ideologues to abolish tenure altogether, many faculty members have questioned the wisdom of raising the issue of tenure at all in the New York State Legislature. Is this the time and the venue in which to open a legislative debate on any issue concerning tenure and academic freedom?

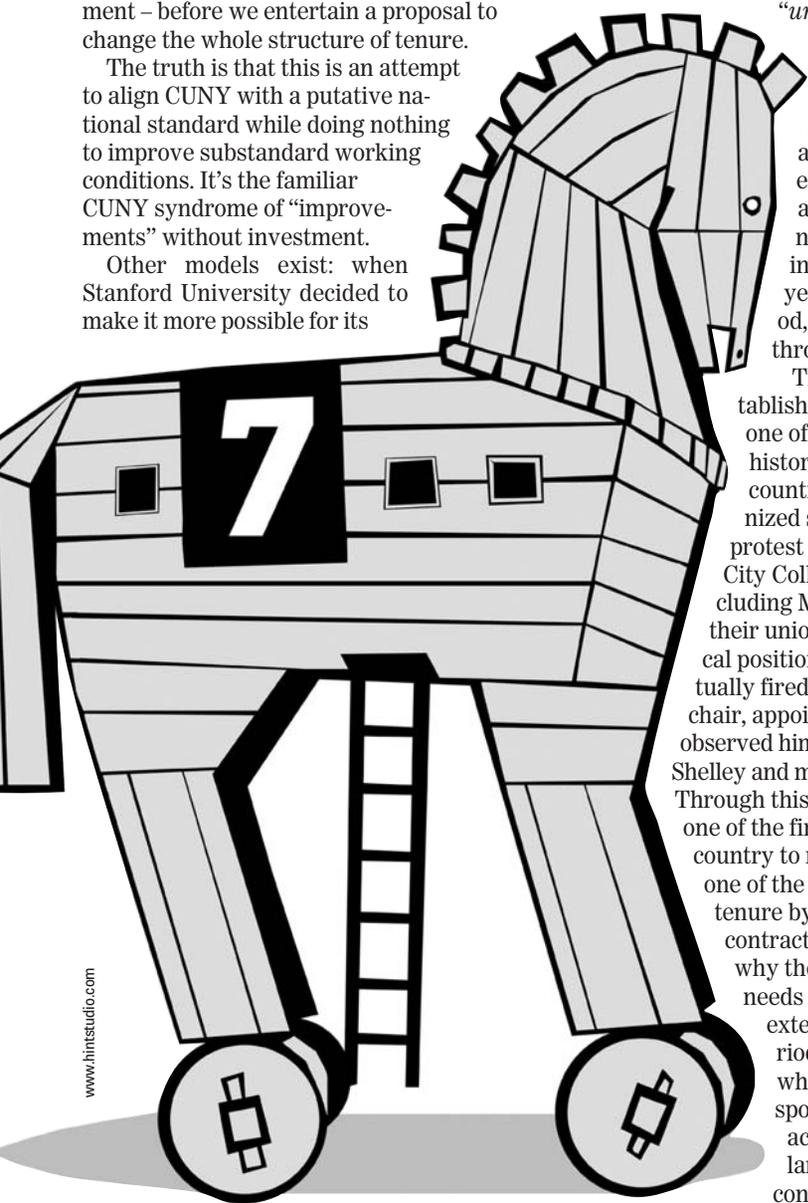
The local climate is also disturbing. We work in an institution in which management has systematically withheld job security from adjunct faculty, who now do most of the teaching. CUNY management's own contract proposals contain a clear agenda of reducing job security, especially for Higher Education Officers, who are not covered by the tenure legislation. It's telling to see what management proposes where they are not constrained by tenure law; the demands for the ability to demote, reclassify and fire HEOs should give faculty pause when we consider their agenda on tenure.

We can be grateful for one thing about management's tenure proposal: it has opened a conversation on what is really needed at CUNY to support junior faculty, and more broadly, to sustain a culture of research. That conversation may also help us to recall that achieving tenure is not only about research; it is equally about teaching, service, participation in the life of the college and the profession.

RIGHT MOMENT

This is the right moment for such a discussion, with a whole new cohort of junior faculty joining the University. If we are to be instructed and renewed by them, and not just absorb them into existing ways of thinking, we must be especially open at this moment to a discussion of what research could mean at an urban, public university and how it could best be supported.

I call on Chancellor Goldstein to drop this ill-considered proposal and instead join the PSC in pressing the legislature for more research support for faculty. The union has a proposal for research support before the legislature right now, and I believe it has a real chance of success. 80th Street should give its backing to that proposal and advocate for our needs as energetically as they advocated for their own raises last fall. To do anything less is to admit that the real agenda of their tenure proposal has nothing to do with "the best interest of the faculty."



junior faculty to achieve tenure, it added a year of junior faculty research leave at full pay and provided start-up support packages for lab scientists. When Smith College wanted to help women faculty to excel, it instituted generous parental leave and subsidized high-quality child care. Even the University of Toronto, whose administration has been trying for several years to change the untenured period from five years to seven, included a year of fully-paid research leave in its proposal.

But when CUNY wants to make a change in tenure, it provides nothing. Don't forget that the 12 hours of research time we currently have for junior faculty had to be *fought for* by the union in the last round of collective bargaining. It is still being withheld from faculty at BMCC, where the president wants to limit it to 6 hours in a semester.

The argument that seven years is stan-

No solution to the real problems

PSC opposes cuts to CUNY's budget

By TOMIO GERON

CUNY faces a mix of threatened funding cuts in recent budget proposals from New York State and City.

Unlike last year, this year Governor George Pataki does not call for drastically slashing State aid to the CUNY system. But Pataki's \$99.8 billion budget does propose \$5.6 million in cuts to the operating budgets of all but two of CUNY's senior colleges. Overall, Pataki's proposal would increase State spending on senior colleges by \$28.6 million, or 4.9% – but most of this goes to mandatory benefit increases and energy costs. An additional \$18.6 million in mandatory increases are left unfunded, according to CUNY.

"To celebrate CUNY's resurgence, as the Executive Budget does, and then propose cuts to the operating budgets of the senior colleges is a cruel joke," said PSC President Barbara Bowen at a legislative hearing in Albany in February. She urged legislators to go "beyond patching the worst of the budget holes" and make a significant investment in public higher education. "You have the chance to guarantee that the renewal at CUNY is deep and lasting," Bowen said. (For full text of the testimony, see www.psc-cuny.org/Budget2004/Testimony.htm.)

The PSC and CUNY both argued that a major boost in State funding is necessary to make up for last year's \$83.1 million cut in state support.

Operating budgets, base aid at issue



PSC President Barbara Bowen (at right) makes a point to Ron Canestrari, Chair of the Assembly Committee on Higher Education (second from left), in a meeting with Ellen Schuler Mauk, president of the Faculty Association of Suffolk Community College and Bill Scheuerman, president of United University Professions of SUNY.

CUNY community colleges face a 5% decrease in State aid per full-time equivalent student, from \$2,300 to \$2,185. Because of enrollment increases, Pataki's budget would still spend \$10.5 million more on community college aid, even as the amount per student is cut. The governor therefore labels this reduced aid rate as a spending increase.

SCRAPING BOTTOM

"This is totally unacceptable," said Anne Friedman, PSC vice president for community colleges. "We're already scraping the bottom of the barrel in terms of our funding."

In what is becoming an annual rite of the budget process, Pataki is trying to close a \$5.1 billion budget gap in part by cutting both SEEK and College Discovery by 5%, and by withholding one-third of a student's Tuition Assistance Program (TAP) grant until after graduation. Though the governor calls this an "incentive" to graduate, the PSC and student groups argue that this would actually make it harder for low-income students to get their degrees. "The governor is still playing games with TAP," said Cecelia McCall, the PSC's legislative coordinator. "Our message is: hands off TAP. Students need that money while they're in

school, not after." Low-income independent students with no dependents already receive little to no tuition assistance from the State.

CAPITAL BUDGET

The governor's budget also includes a \$1.1 billion, five-year capital plan for CUNY's senior colleges. While welcoming CUNY capital funding, McCall said that \$1.1 billion is far short of the \$1.9 billion that CUNY had requested to renovate and especially replace buildings. "That's for five years," she exclaimed. "We could use \$1.1 billion in one year." The proposed capital budget includes funds for renovation of the decrepit Marshak building, which is plagued by serious health and safety problems (see *Clarion*, Feb. 2004), and for a new science facility at CCNY.

Pataki also threw his support behind New York's private colleges in their effort to secure public funding for capital improvements. The governor's proposed Higher Education Capital Matching Grants Program, providing \$350 million over five years, would in theory be open to both public and private institutions. But since these funds would require a 3-to-1 match – that is, 75% of a project's cost would have to be raised elsewhere – the money is likely to go overwhelmingly to pri-

private colleges. The PSC opposes the policy, while CUNY administration has asked that the required match be more reasonable.

Meanwhile, Mayor Michael Bloomberg has called for a mid-year budget modification that includes \$5.4 million in cuts to City funding for CUNY, as well as a \$1.9 million increase to cover pension costs. His budget for next year recommends a net rise of \$1.3 million in the City's CUNY funding, again because of mandatory spending increases for energy and benefits. Bloomberg's budget includes significant cuts, such as eliminating the \$4.5 million "Safety Net" financial aid program, enacted last year to mitigate the impact of CUNY's tuition increase on community college students.

TAP, SEEK and College Discovery are threatened.

"That's completely outrageous," said Friedman, calling the proposal an "abdication of responsibility" to those students who are "poorest and most at risk." In separate budget items, Bloomberg also seeks to scrap the \$5.5 million Peter Vallone Scholarship Program and to cut \$124,000 from the Hunter Campus Schools.

The PSC is "moving full speed ahead" with lobbying to turn back all these proposed cuts, said McCall. The union will be testifying at City Council budget hearings, and lobbying trips to Albany are planned for March 8 and 9 and May 24 and 25. (To sign up, call Amanda DeJesus at 212-354-1252.)

New City Tech remedial policy criticized

By TOMIO GERON

A new policy at NYC College of Technology, pushed through by outgoing President Fred Beaufait, would exclude some students from the school's associate degree programs.

The policy, which takes effect in Fall 2004, would prohibit students who score poorly on CUNY Skills Assessment Tests (SKATs) from taking credit-bearing classes until their scores improve.

Since the Board of Trustees voted in 1999 to eliminate remedial classes at CUNY's senior college B.A. programs, students can enter them only if they score above a certain level on the SKATs (or meet equivalent criteria). Community colleges and A.A. programs at the comprehensive senior colleges (which offer both two-year and four-year degrees) continued to operate under an open admissions policy.

The new City Tech policy will allow students to enroll in its A.A. pro-

Pushed through by outgoing prez

grams if they pass two of the three skills tests and need remediation in only one area, or if they have near-passing scores and do not need low-level remediation in any subject. College Council delegate Peter Deraney estimates that the new policy will exclude 300 students a year. Their admission will be deferred while they take remedial courses elsewhere, for example at the Brooklyn Educational Opportunity Center (BEOC) or City Tech's University Summer Immersion Program (USIP).

VERY DIFFICULT

"They're really making it very difficult for remedial students to attend this college," said Mary O'Riordan, a College Council delegate and an assistant professor of English. She added that the policy, approved by the College Council last May, will disproportionately af-

fect ESL students and students of color.

Critics are concerned that City Tech's new policy could lead to restrictions on admissions to A.A. programs at all CUNY's comprehensive colleges, and eventually at the community colleges as well. "It's a major assault on open admissions," said Bill Crain, co-chair of the PSC Open Access Committee.

Crain faulted CUNY's Trustees for not inviting public comment on the change at City Tech. "City Tech's new admission policy for associate degree programs is a major change in policy and it should be treated as such by the Board of Trustees," he said.

While A.A. programs at CUNY's other comprehensive colleges have some admissions requirements beyond having a high school diploma (such as a minimum GPA), no oth-

ers require a certain score on the SKAT in order to enroll.

"Our college was spending a high proportion of its budget on remedial education – the highest percentage of any four-year college," said Pamela Brown, associate professor of chemistry and chair of the College Council subcommittee that supported Beaufait's changes. "We felt, why take students' money if we have statistics showing that students have a very poor chance of succeeding?"

TASK FORCE

However, according to Deraney, a task force charged by Beaufait with analyzing admissions at City Tech concluded that remedial students "have been retained and graduated at roughly the same rate, regardless of the amount of remediation they require," except for those needing low-level remediation in multiple areas.

When this task force proposed a change to A.A. program admissions criteria in 2002, it was therefore a

limited one: students could enroll if they passed just one of CUNY's SKATs. This would affect about 100-plus students per year.

The College Council's Committee on Students supported this proposal, but that did not go far enough for Beaufait. In an unusual move, the president, Provost Joann LaPerla and other administrators came to a meeting of the subcommittee so that they could press members to change the proposal.

A LOT OF PRESSURE

The Committee then submitted the Beaufait proposal, which barred students with a low score in any of the three tests from enrolling, to the full Council. This was slightly eased by the College Council and then adopted. "There was a lot of pressure, there's no doubt about it," said Deraney, a member of both the task force and the subcommittee on students.

Beaufait presented the change as necessary to cement City Tech's status as a four-year college. "The trouble is, the president really misled faculty and staff," PSC Chapter Chair Bob Cermele told *Clarion*. "He dismissed the financial impact on the college in order to get this done."

CALENDAR

FRIDAY, MARCH 12 / 1 – 6 pm: “How to Survive – and Thrive – in Your First Five Years at CUNY.” A workshop for junior faculty sponsored by the PSC. Learn about tenure, grants, publishing and contract issues for junior faculty. Lunch at 1 pm and reception at 5:30 pm. At Baruch College, Vertical Campus, Lexington Ave., between 24th and 25th St., 7th Fl. RSVP by e-mail mdickinson@pscmail.org or call 212-354-1252.

FRIDAY, MARCH 12 / 6 pm: Screening of “Portrait of Teresa.” PSC’s Labor Goes to the Movies series. Pastor Vega’s daring 1979 film examines the sexism of the “triple shift” of Cuban women in the years following the revolution. At the Center for Worker Education, 99 Hudson Street. Call 212-354-1252 for information.

MARCH 12 – 14: “The World Is Not for Sale: Rethinking the Common Good.” Socialist Scholars Conference. Speakers include Naomi Klein, Bill Fletcher, Frances Fox Piven, Barbara Bowen, Renate Bridenthal, and Tony O’Brien. At Cooper Union, 7 E. 7th St. For info call 212-817-7868 or go to www.socialistscholars.org.

MONDAY, MARCH 15 / 6:00 pm: PSC Solidarity Committee meeting. At the PSC office. Call 212-354-1252 or e-mail jperlstein@aol.com for info.

WEDNESDAY, MARCH 17 / 10 am – 3 pm: Adjunct pension counseling. Ellea Balleisen, specialist for TRS members. Also available March 23, 31. For an appointment call Linda Slifkin at 212-554-1252.

FRIDAY, MARCH 19 / 1:00 – 4:30 pm: “Women & Money: Problems & Possibilities for Personal Good and Social Good.” Speakers: Clarissa Gilbert Weiss, PSC Director of Pensions & Benefits, Zuzana Kelly, PSC/CUNY Credit Union, and Rosemary Markowski, TIAA-CREF. Sponsored by the PSC Women’s Committee. At 25 W. 43 St., 19th Fl. RSVP to 212-354-1252 or e-mail mnewfield@pscmail.org.

SATURDAY, MARCH 20 / 10 am: Global Day of Protest on the one-year anniversary of the Iraq War. PSC Peace & Justice Committee invites you to join us for sign-making and breakfast at the PSC office before the march. The actual march starts at 23rd St. and Madison Ave. For info go to www.unitedforpeace.org.

WEDNESDAY, MARCH 31 / 6 pm: HEO/CLT Professional Development Grant workshop. Learn more about how to apply. Applications for Summer 2004 grants are due by May 1. At the PSC office, 25 W. 43 St., 5th Fl. RSVP to Linda Slifkin at 212-354-1252 or lsifkin@pscmail.org.

WEDNESDAY, APRIL 7, 14: PSC and NY-SUT Lobbying in Albany. Make your voice heard with legislators on the needs of CUNY. Call Amanda DeJesus at 212-354-1252 to sign up.

Welfare Fund coverage changes

Drug, dental & vision options, CIGNA changes

By TOMIO GERON and STEVE LONDON

Several recent policy changes adopted by the PSC/CUNY Welfare Fund are described below. They include some new benefit options for dental, drug and vision coverage, and changes to the deductibles and coinsurance for the CIGNA major medical plan.

Details of all these changes are being mailed to all Welfare Fund (WF) members.

New retail pharmacy option

As of March 1, 2004, the Medco prescription drug card may be used in retail pharmacies for the second and subsequent refills. The co-payment for this option is higher than for refills by mail order.

Most members have become accustomed to using mail order, and many prefer it. But those who prefer to get regular refills at their local pharmacy can now do so. Since mail order costs are lower, the Fund is asking members who choose this option to bear the additional cost. Co-payments at retail pharmacies for the second and subsequent refills will be \$5 for generic, \$15 for formulary and \$30 for non-formulary prescriptions or 35%, whichever is greater. These rates are for a maximum of a 30-day supply of medication; refills by mail order can cover a 100-day supply.

CIGNA changes for GHI participants

This change to the CIGNA major medical plan will take effect on April 1, 2004. CIGNA covers a portion of out-of-pocket costs for those covered by GHI, mainly for out-of-network charges when GHI does not reimburse the full cost.

The WF’s CIGNA plan is unique among union welfare funds – it’s basically a supplementary health insurance plan. Because of skyrocketing costs, the Fund had to make some changes. Instead of capping total payments, which would impose the biggest burden on the sickest members, the WF will maintain the plan in a scaled-back form that still protects GHI participants against catastrophic expenses.

For an individual, the CIGNA major medical deductible will change from \$500 to \$1,000 for those who have the GHI Optional Rider, and from \$2,000 to \$4,000 for those who do not. Family deductibles will increase in a similar fashion. The coin-



www.hmtstudio.com

surance will change from 80% to 50%. The out-of-pocket maximum, however, will remain at \$3,000 (after

YOUR BENEFITS

deductible), and there is no annual maximum for benefits.

New voluntary dental insurance

A new voluntary, self-insured dental plan will be offered to active and retired Fund members in the near future. Under this plan, an enhancement of the Guardian Preferred Dental Plan, members can pay a higher fee for more extensive coverage, in particular to cover expensive procedures such as root canals.

The WF is arranging for active members to be able to pay for this plan via payroll deduction and with pretax dollars, and for retirees to be able to have the insurance premium deducted from pension checks. These details have to be worked out with the City and State payroll offices before the plan can go into effect. The WF will inform you as soon as this is done and the voluntary dental plan becomes available.

Adjunct vision benefits

All part-time instructional staff can use this new benefit, offered through General Vision Services’

Vision Pass. Part-timers at CUNY will be able to get an eye exam and a pair of standard glasses for \$60 to \$70, or an eye exam and contact lenses for \$80 to \$100. This benefit is also good for family members and can be used as often as you want.

To use Vision Pass, you must first obtain a six-digit referral number by calling 800-884-3332. Tell the Vision Pass representative that you are a member of the PSC/CUNY Welfare Fund Optical Program for Part-Time Instructional Staff, and give the program’s account number (4009).

Transparency policy

The WF trustees have adopted a new financial transparency policy that guarantees members’ prompt access to the WF’s financial information and benefit policies. A copy of the policy statement is being mailed to all WF members.

Correction

Due to a production error, last issue’s article on the Medicare drug bill wrongly stated that Medicare beneficiaries must join an HMO to receive the drug benefit. Here is the correct text as it should have appeared:

“Any Medicare beneficiary who wants drug coverage must either leave traditional Medicare and join an HMO, or buy a separate drug policy from a private company.”

PICA changes in the mail

Watch for mailings about important changes in the PICA prescription drug benefit program that will take effect April 1, 2004!

■ There will be CO-PAYMENTS for PICA drugs as of April 1.

■ There will be MANDATORY MAIL ORDER after two (2) retail fills. If you are on a maintenance drug, any refill after April 1 must be through mail order.

■ Certain drugs will require PRIOR AUTHORIZATION (a letter of necessity from your doctor). If you are currently taking one of these medications, you will receive a separate letter from NPA/Express Scripts, with instructions.

If you have questions, call Express Scripts’ Customer Service Department, 800-467-2006, or go to their Web site at www.express-scripts.com.

CUNY IN BRIEF

Students denied Hostos library access

Students have been denied access to the library at Hostos Community College, despite the CUNY policy that allows CUNY students to use the library at any CUNY undergraduate college. At least two students of Ali Zaidi, an assistant professor of Spanish at Bronx Community College, were denied entrance to Hostos. The students, who were going to look for Spanish-language materials, were told that the library was only for Hostos students. University Faculty Senate Chair Susan O’Malley, who spoke with William Barry, university director of security and public safety, said that students should have access to all CUNY libraries. If a student has any problem, she or he should e-mail O’Malley with the college, date, time, name of student and name of security guard, at susan.o'malley@mail.cuny.edu.

Beaufait, Regan step down

Two CUNY presidents, Ned Regan of Baruch and Fred Beaufait of City Tech, announced their resignations recently. Regan will step down in June 2005 and Beaufait will step down as soon as a new president is hired. After Regan steps down, he will be appointed a University Distinguished Professor by Chancellor Goldstein. According to former UFS chair Sandi Cooper, the position is a cushy five-year appointment commonly given to retiring presidents.

LABOR RIGHTS

Blood and Coke in Colombia

By SEGUNDO PANTOJA
BMCC

Segundo Pantoja, director of BMCC's Center for Ethnic Studies, represented the PSC on a delegation led by NYC Councilman Hiram Monserrate that visited Colombia from January 9 to 18. The group, which also included PSC member Dorothee Benz, investigated the state of labor rights in Colombia, including charges of anti-union violence at Coca-Cola bottling plants.

The moment I arrived in Bogotá, I was introduced to the tensions that surround the lives of unionists in Colombia. Upon exiting the El Dorado airport, we were swiftly escorted into a couple of vans with two armed guards in each car – a security detail provided by the unions. This became the routine procedure for our trips on land.

Colombian unionists have reason to make security a priority: in the last decade and a half, about 4,000 of them have been killed.

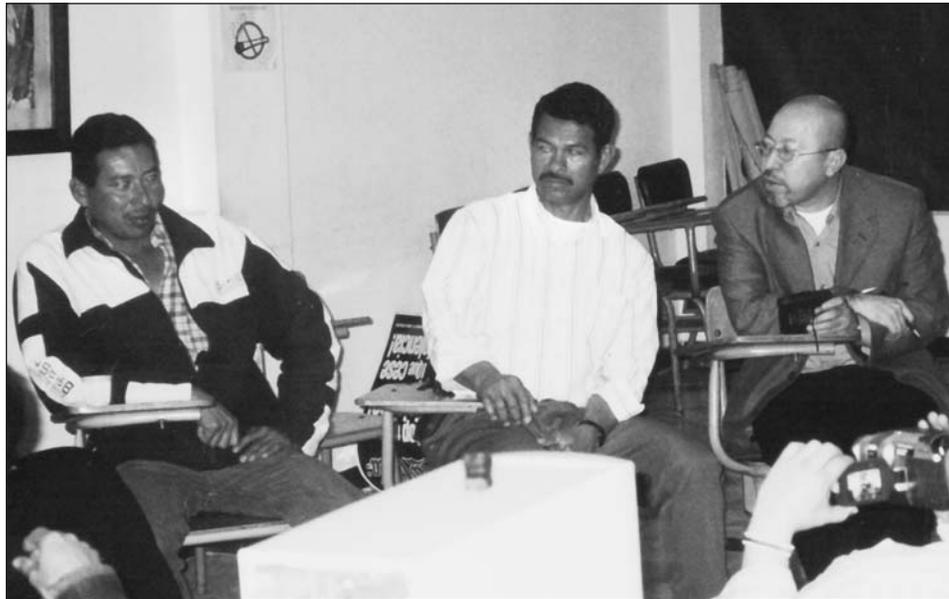
In Bogotá, we met with members of the National Executive Board of SINALTRAINAL (National Union of Workers of the Food Industries), which represents Coca-Cola workers. President Javier Correa, of medium build and soft-spoken, told us that transnational corporations like Coca-Cola have learned to take advantage of the current political violence. Attacks by death squads and firings and threats from employers have reduced SINALTRAINAL membership from 5,500 in 1996 to 1,400 today. SINALTRAINAL has seen the assassination of 19 members, 27 attempts against the lives of others, 67 death threats, 15 members unjustly incarcerated, several leaders forced into exile, and another 48 obliged to abandon their homes. These numbers do not include threats against family members, some of whom have been kidnapped.

Earlier that morning, we met with US Embassy personnel who offered an optimistic picture of conditions in Colombia and emphasized that violence against workers has declined. Mr. Correa responded that this was a misreading of reality, and that the 73 unionists killed during 2003 is still an unacceptable number.

MOTORCYCLE CONVENTION

On Sunday, January 11, our delegation flew to Barranquilla, a city spread out by the sea about 600 miles from the capital. In one of many strange contrasts, our hotel was full because of a convention of Harley-Davidson motorcyclists and the annual Barranquilla carnival. Other hotel guests were clearly concerned by the overt display of security on our behalf.

We had come to Barranquilla for a human rights assembly organized by several local unions affiliated with SINALTRAINAL, ANTHOC (health workers), and the national trade union federation CUT (Central Unitaria de Trabajadores). Oddly enough, many union leaders here had accents very much like the ones we had met in Bogotá, an Andean city where most people sound very different from those on the Caribbean coast. When asked about such similarities, work-



Bogota meeting at SINALTRAINAL with Oscar Giraldo, Hernan Manco and Segundo Pantoja.

ers explained that for security reasons unionists are often forced to move to Bogotá and other faraway places.

I asked the wife of the president of SINALTRAINAL's Barranquilla branch about her daily life. Does she feel fear? "Of course, I live afraid," she said. "We have to move every so often from one house to another throughout the city." She walks her two children to school down the block and back every day. These days she is more worried – her son will soon finish elementary school, and she is not sure how she will manage if he has to attend a school far from home.

VIOLENCE

Intimidation of workers takes many forms. Many just avoid affiliating with the unions for fear of reprisals, or resign after their jobs or lives are threatened. Union leaders who protest such intimidation receive threatening calls or visits from people who warn them and their families about forthcoming assassinations. CUT's membership on the Atlantic Coast has dropped from 35,000 in 1987 to 7,000 in 2003.

A recurrent complaint involved the macabre connection that workers say exists between the authorities, who plant evidence and imprison workers under false accusations, and the death squads. After the charges have been thrown out and workers are released from prison, paramilitaries follow up on the case and proceed to threaten and even kill those who have been wrongfully accused.

Back in Bogotá, we met with several workers who had been displaced from other provinces. We heard, for instance, from Oscar Giraldo and Hernan Manco, two union leaders who survived the extermination of workers in Carepa, in the province of Antioquia, in 1995 and 1996. The Coca-Cola bottling plant in this rural area of northwestern Colombia became famous for the vicious at-

tacks on the union and its members, events that are the subject of a lawsuit against Coca-Cola filed in US federal court. As Oscar and Hernan shared with us the tragedy they had witnessed, they looked more like peasants lost in the metropolis than veteran unionists defying one of the world's largest multinationals. They told us how they had left Carepa in response to death threats after other leaders were assassinated, their union hall burned and the union dismantled. It was at Carepa's Coca-Cola plant that paramilitaries gathered the workers and made them sign letters of resignation from the union under threat of death – letters that had been written and printed on the company's computers.

The two men and their families now live a precarious existence in Bogotá – middle-aged men doing odd jobs when they can, but mostly relying on union solidarity to survive. After seven years in internal exile, these Carepa survivors keep receiving death threats in Bogotá.

SOCIAL CLEANSING

We also met with Gloria Cuartas, former mayor of Apartadó, a town in Antioquia near Coca-Cola's Carepa plant. This petite, intense woman projects an authority that stems from having lived through the conflicts ravaging the region: she lost her husband to the violence too. Today she is Political Secretary of the Frente Social y Politico, a party of the democratic left born five years ago out of a social movement with a strong base in the Central Unitaria de Trabajadores.

Cuartas recounted the events during her administration in a particularly violent period, from 1995 to 1998. It was during this time that Alvaro Uribe Velez, now president of Colombia and then governor of Antioquia, implemented his vision of social cleansing on behalf of multinationals and private entrepreneurs. In the words of Ms. Cuartas,

the paramilitaries were legalized by the Uribe administration. The Antioquia government sponsored private security associations known as CONVIVIR, which soon became known as the legal face of the death squads. Available for hire, they carried out many massacres in the region.

These paramilitaries often conducted their assassinations and threats in broad daylight, Cuartas said. She noted that the Coca-Cola workers suffered the violence of paramilitaries even though a base for 3,000 troops and a police station were both nearby. Colombian unionists say that Cuartas took risks on behalf of several Coca-Cola union leaders, using her status and authority to take them safely outside the region.

Cuartas argued that it was in Antioquia that President Uribe's current national policy was first tried, with 1,200 persons assassinated in her jurisdiction alone. Uribe was elected in 2002 on his promise to apply the same design of "pacification" through force, known today as "Democratic Security," which is funded in large part by the US government through the \$2 billion "Plan Colombia."

We also met with representatives of PANAMCO/COLOMBIA, the local corporation through which Coca-Cola operates in the country. Personnel director Juan Manuel Arbeláez insisted that it is impossible to imagine contacts between managers at Coca-Cola bottling plants and the paramilitaries. He maintained that nothing of that sort had taken or will take place at Coca-Cola.

STONEWALLING

We asked if we could visit the Coca-Cola plant in Barrancabermeja, where we were going the next day, and speak to workers without management present. Company representatives made clear that this was out of the question. We left the meeting thinking that Coke's stonewalling was not going to change without some prodding. For Coke, the protection of its image and profits appears to trump concerns about the safety of its workers.

International pressure is needed to get Coke to correct its corporate misbehavior in Colombia. The PSC is taking part in a worldwide campaign to hold Coca-Cola accountable, and the union is assessing what steps should be taken next. For me, this is a moral issue. In my opinion, we should proceed now to take Coca-Cola products out of schools and college campuses.

You can contact Segundo Pantoja at segun@verizon.net. More information, including the delegation's report, is at www.killercoke.org.

Mailing changes

Among part-timers working at CUNY, campuses and departments tend to change more often than where they live. In order to distribute *Clarion* more effectively, we are now sending the paper to part-timers at their home address.

Any comments on this change? If so, e-mail phogness@psemail.org, or call 212-354-6231.

Union leaders assassinated and union hall is torched.

WELFARE FUND

What the numbers tell us

By **STEVE LONDON**
PSC First Vice President

The hardship endured by members during the Welfare Fund's painful restructuring has left many asking why benefits had to be cut. Now that the Fund is getting closer to financial stability and we begin planning how to enhance our benefits, it is important for members to have a clear appreciation of the causes of and solutions to the Fund's financial difficulties.

The fundamental reasons for the downward financial spiral of the Welfare Fund (WF) were threefold: 1) a national trend of skyrocketing increases in prescription drug and health care costs; 2) underfunding of the WF's benefits by CUNY; and 3) a benefit structure that took little notice of the economic environment.

The solutions to the Fund's problems are political and contractual. Together with the rest of the labor movement and concerned organizations, we need to reform and restructure health care delivery in this country. And, as a united union, the PSC must win a contract that increases CUNY's funding of our benefits. We have already done most of the hard work of restructuring the benefits and creating a solid and equitable foundation so that new resources will go toward maintaining and enhancing benefit levels.

It's not too early to begin a discussion with members about how benefits will be enhanced. Just as the Welfare Fund leadership engaged in extensive consultations with members before beginning the restructuring of benefits, we are committed to engaging and involving members as we rebuild our Fund.

The first step is for members to clearly understand that gaining more resources from CUNY is key to bettering our collective future. It's not surprising that some rumors and myths have circulated among the membership as to the causes of the WF's troubles. These common misconceptions cloud the real issues, and it is important to address them directly. If we aim our fire at the wrong target, it will weaken our ability to press management to pay for the benefits we need.

MYTH #1: PSC dues go to pay for Welfare Fund benefits. The Welfare Fund and the PSC are two separate legal entities; the WF Board of Trustees has fiduciary responsibility for the Fund (see *Clarion*, December 2003). Union dues support the union's activities – con-

tract negotiations, grievance, lobbying on the State and City budgets, supporting our state and national affiliates, organizing new academic workers, etc. The PSC budget for these and many more activities is about \$10 million, with the details reported regularly to the Delegate Assembly and in *Clarion*. Not one penny of union dues goes to the Welfare Fund.

So where does the Fund's money come from? The PSC negotiates with CUNY and the City to provide funding for Welfare Fund benefits.

The Welfare Fund gets most of its income from the per capita contributions made by CUNY – currently \$1,375 per year for active full-time members and \$1,550 per year for

sum contributions and recurring contributions to pay for adjunct health benefits, the latter currently at \$2.8 million per year.

Taken together, CUNY's annual contributions to the WF now total about \$24 million.

MYTH #2: The last contract did not put money into the Welfare Fund. This is untrue. In fact, in the last contract we added a total of \$253 per member, per year to already existing levels of funding. It was the previous contract (the 1996-2000 agreement) that actually provided poor financial support.

Most PSC members know that the 1996-2000 contract was a concessionary agreement with many givebacks, including two years of 0% increases in salary. Less well un-

derstood, but very consequential for our Welfare Fund, was that this contract also grossly underfunded benefits. As the chart above shows, the WF received only a \$76 increase per member, per year, precisely at the time when health care inflation was taking off like a rocket. The combination of underfunding and increasing costs meant that the Fund ran ever bigger deficits, and the Fund's reserves were rapidly depleted.

Benefit restructuring had to be part of the mix. With benefits on a firmer foundation, any additional resources won in the current contract negotiations can be used to enhance benefits.

MYTH #3: Benefits had to be cut to full-timers because of resources devoted to adjuncts. The Welfare Fund receives resources for three groups: actives, retirees, and adjuncts. In FY 2003, the adjunct account was the only one of the three accounts in balance – that is, with enough income to cover expenses – though it is projected to run a deficit this year due to rising health insurance costs.

There are about 1,100 adjuncts eligible for health and prescription drug benefits from the WF. They are only covered by the Fund for individual health and prescription drug coverage. Family coverage has to be purchased at the adjunct's expense. Adjuncts are not eligible for dental, vision, disability, or major medical benefits.

Prior to this contract and since the late 1980s, the Welfare Fund received \$1.3 million annually to fund adjunct benefits. This amount was inadequate to maintain CUNY's commitment to provide health insurance to eligible adjuncts. To continue this part-time benefit package, an additional \$1.5 million annual contribution was added in the last contract. Even though CUNY's adjunct contribution was more than doubled, it is still inadequate – as is the total package of benefits that adjuncts receive. One of the PSC's goals in this round of bargaining is to win eligible adjuncts the right to participate in the City and/or State medical plans. This will relax pressure on the WF's finances and will also give eligible adjuncts greater security, flexibility and family coverage.

Almost 20 years ago, CUNY made a commitment to provide health insurance to eligible adjuncts. This was the right thing to do then, as it is now. Our role is to see to it that CUNY keeps that commitment, either through adequate funding of this benefit or by working with the PSC to provide a State or City health insurance option.

The point of a union, like the point of health insurance, is that we are all in this together. Arguing about who to throw overboard will not make us any stronger. To get what we need, we must support each other.

The PSC is ready to work with CUNY management to press our claims with the State and City. But first, management must accept its responsibility to provide decent benefits for all CUNY employees.

Comparison of increased contribution to WF Last three contracts

Contract Years	Average # of Members Per Year	Average Value Of Increased Contribution, Per Year	Value of Contractual Increase, Per Member, Per Year	2002 Contract As a Percent Of:
1990-1996 65 Months	13,554	\$3,260,349	\$240.54	105.27%
1996-2000 54 Months	14,371	\$1,088,405	\$ 75.74	334.32%
2000-2002 27 Months	14,611	\$3,699,462	\$253.20	100.00%

most retirees. Increases in these management contributions are negotiated in city-wide "pattern bargaining" between the Municipal Labor Committee (MLC), a coalition of municipal unions that includes the PSC, and the City of New York.

The PSC plays an active role in the MLC, and PSC President Barbara Bowen sits on its Executive Committee. In negotiations between the City and the MLC the PSC has been a strong voice within the coalition for seeking big increases for the welfare funds. In January 2001, NYC management agreed to a significant increase in Welfare Fund contributions, and these figures were incorporated into the CUNY-PSC labor contract.

Beyond the amounts negotiated through the MLC, the PSC works to secure additional funds in direct negotiations with CUNY. These have taken the form of one-time lump

sum contributions and recurring contributions to pay for adjunct health benefits, the latter currently at \$2.8 million per year.

Soon after coming into office in 2000, the current PSC leadership's first response, before the Trustees considered restructuring, was to move to increase the contributions from CUNY and the City to the WF. By historical comparisons, we did quite well, gaining over three times more new funding than the 1996-2000 contract, and slightly more than the one before (see chart).

Should the PSC have devoted an even big-

Winning more resources from CUNY is key.

Clarion MARCH 2004

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The war over health care

By DAVID BACON

Southern California grocery workers strike

Today Mark Norton is one of 70,000 workers forced on strike, or locked out, in southern California. Soon he may be one of hundreds of thousands more facing the same difficult predicament.

Across the country, employer-financed health care benefits are being withdrawn, as managed care drives the cost of medical insurance through the roof. Some employers, like Safeway, which owns the Von's store in Los Angeles where Norton works, can pay the increases from rising profits, but it won't. Whether from greed or economic pressure, this growing crisis threatens to make 2004 a year of massive strikes and labor wars.

A NECESSITY

Over 40 million people in the US have no health insurance. That makes the benefit Norton is fighting to save not a perk or a luxury, but a vital necessity. Protecting it has already cost him three months on the picket line, and promises to cost even more.

Norton went to work for Von's 18 years ago. By last fall, when the strike started, he'd become a grocery manager. That gave him a full-time job, earning wages capable of supporting a family, in an industry where that's become a rarity. The retail industry nationally pays close to minimum wage for most workers, offering jobs with little security to an overwhelmingly young workforce. In this industry, union supermarket workers have been able to maintain a better standard of living than most, yet over three-quarters of the baggers, checkers and stock clerks who make LA supermarkets function have trouble accumulating the work hours they need to survive. In a fairer world, they would be striking for more full-time jobs, at higher wages. But when Norton walked out of Von's on October 11, it was over Safeway's demands to make life even harder.

The chain demanded for the first time that existing employees begin

paying for their health insurance. "They said they were just asking for \$5 a week, or \$15 for family coverage. When we did the numbers, it turns out it could cost as much as \$95 a week by the end of the contract," he explains. The average weekly wage for a Los Angeles supermarket worker is \$312.

In each of the last three years, the premiums charged by private health insurance plans have gone up 15%; the predicted future rise is 12-14% annually. Safeway wants to cap its contribution, which would leave workers paying for those hikes.

An even bigger threat was Safeway's proposal to begin hiring new workers at lower wages, with an insurance plan most wouldn't be able to afford. Safeway says it wants to pay \$1.35 an hour for their medical care. The company pays about \$5 an hour for its current employees. If new hires don't go into the existing plan, as the workforce it covers grows older, they will become more expensive to insure, and their premiums will rise for that reason also. Meanwhile, few new hires will be able to pay the difference between the company's contribution and the actual cost of health insurance premiums.

Safeway is offering no wage increases and proposes to pay new hires \$3 an hour less, at the top rate. "They want a two-tier system, where they can bring in new employees at several dollars less an hour with little to no benefits at all," Norton says. "A lot of us believe they'll weed out the rest of us once they hire these new employees. That's why I volunteered to go to northern California, to picket stores there."

Once Norton and his coworkers struck, the two other large grocery chains in southern California, Albertsons and Ralph's (a division of Kroger Stores), locked out their own workers in a common front with Safeway. Though this is a longstanding practice, California Attorney General Bill Lockyer concluded



Supporters demonstrate at a Safeway store in San Francisco in January in solidarity with grocery strikers in Los Angeles, who have been on strike since October 11.

that it violated anti-trust laws and filed charges against the grocery chains on February 2.

WAL-MART

The three chains say they need concessions in order to compete with the world's largest corporation, Wal-Mart. Not only does Wal-Mart pay close to minimum wage, but its health plan is so expensive that most employees can't purchase coverage. They get their medical care either through another family member working elsewhere, in the local emergency room, or not at all. Wal-Mart's lower wages and benefits have made the company one of the most important organizing targets of the UFCW and the AFL-CIO. Nevertheless, a union contract there is still a long way off.

Safeway and the other two grocery chains claim Wal-Mart represents an immediate threat to their market share. Yet most southern California Wal-Marts don't sell groceries, and even if the company carried through on its announced plans to build 40 "super centers" through-

out the state, it would only gain 1% of its grocery market, compared to the 60% held by the big three.

Norton and other strikers extended their picket lines to other areas of the state, where they say they've found a sympathetic public. Supermarket workers - mostly young, and often people of color - meet and talk with store customers all the time. Their predicament bears a familiar human face. But solidarity also has another source. This year workers in other unions, from hotel room cleaners to hospital nurses and dieticians, are going to face similar demands from their employers. "We're expecting a major confrontation with hotel chains over health care costs when our contract comes up this summer," says Mike Casey, president of San Francisco's Local 2 of the Hotel and Restaurant Employees. The Service Employees International Union will be negotiating with hospital chains in all major West Coast cities this year as well, and health care costs will be the number one economic issue.

SB-2

This fall California labor took a step toward a longer-term solution to the health care problem by pushing legislation that would begin to take health care costs out of competition. Just before being recalled, ex-Governor Gray Davis signed a bill, SB-2, which requires large employers to provide health care coverage for their employees. Another bill to establish a single-payer system, using the money now spent on health insurance premiums to extend care to all Californians, was introduced but didn't come up for a vote.

Unions, which supported the more limited SB-2, will have their

hands full this year just hanging onto it. Newly elected Governor Arnold Schwarzenegger, speaking for the state's largest employers, has already promised to place an initiative on the ballot to repeal SB-2, and is collecting millions of dollars in corporate campaign contributions. But the initiative could backfire. If unions and communities organize a coalition powerful enough to defeat him, the momentum could not only preserve SB-2 but put single-payer on the agenda.

LOSSES MOUNT

Meanwhile, the grocery chains are taking a large hit from the continuing strike. In February, Safeway posted a loss in its most recent quarter of \$696 million, saying that the strike had cost the company up to \$2.4 million per day.

The AFL-CIO has mobilized national support since January, with large demonstrations at Safeway stores around the country. In California, civil disobedience has become a feature of protests. And in New York City on February 5, PSC members joined hundreds of union members held a spirited rally on Wall Street, warning investors to avoid Safeway, Kroger and Albertsons stock. "Your support has kept us stronger day after day," Maria Patrice, a worker at Safeway store in California, told the crowd. "We are going to stay out there as long as it takes to win this whole thing."

Formal negotiations resumed on February 11, the first talks since December. Workers across the country will be affected by the outcome.

As Clarion went to press, workers and management reportedly reached a tentative agreement, which could end the strike.



15-MINUTE ACTIVIST

Act fast, act now

Some things are slow to change. Once again this year, the governor is trying to cut CUNY's budget (page 8). But happily, the ways of sending a message that this is wrong have changed. Through the PSC's ACT NOW Web feature, you can easily send a fax to tell Governor Pataki and the legislature that CUNY needs increased support, not cuts, after years of underfunding. Simply go to www.psc-cuny.org and click on ACT NOW. It really is that easy.

Professional Staff Congress/CUNY

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