

Clarion

NEWSPAPER OF THE PROFESSIONAL STAFF CONGRESS / CITY UNIVERSITY OF NEW YORK



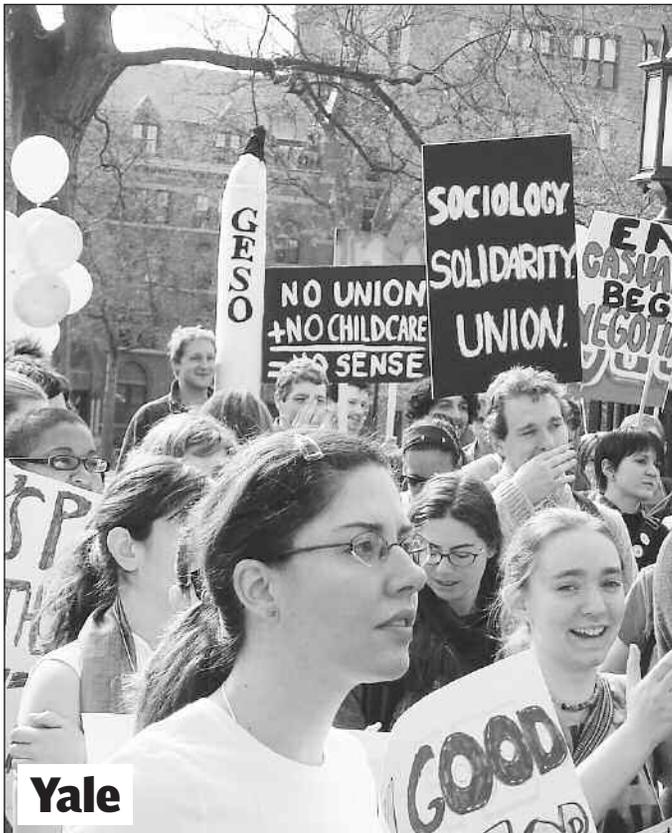
MAY 2005



CUNY



NYU



Yale



Columbia

PROTESTS & STRIKES ACROSS U.S.

ACADEMIC ACTION

At campuses across NYC, the tri-state area and the nation, higher education union members celebrated their solidarity. In New York, striking Yale and Columbia graduate teaching assistants joined the PSC rally for a fair contract. In turn, PSC supported them and NYU graduate assistants, who are fighting for continued recognition after the NLRB ruled that they are not protected under federal labor law.

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IRAQI UNIONS Oil workers want US troops to leave

Interview
with labor
leader

PAGE 10

COLLEGE SENATE

Inquiry on academic freedom at Hunter

The Hunter College Senate has formed a Select Committee on Academic Freedom to assess whether those who publicly criticize the Hunter administration have been the target of retaliation and intimidation.

PAGE 3



HEOs

CUNY pays \$1 million to settle lawsuit

CUNY pays big to settle a lawsuit by two employees of its John D. Calandra Italian-American Institute. The suit charged that two women were subject to retaliation for filing a discrimination complaint.

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DRUG COVERAGE

Shift for asthma & psychotropic drugs

As of July 1, psychotropic and asthma medication, previously covered under the City's PICA program, will instead be paid for by the PSC/CUNY Welfare Fund.

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LETTERS TO THE EDITOR | WRITE TO: CLARION/PSC, 25 W. 43RD STREET, FIFTH FLOOR, NEW YORK, NY 10036. E-MAIL: PHOGNESS@PSCMAIL.ORG. FAX: 212-302-7815.

Police and protesters at City College

● As a professor who taught at CCNY for 30 years, I was shocked to learn that the president approved of bringing police on campus during a union contract protest. I was shocked again by the arrest of students and a college employee protesting military recruiting of potential soldiers from the student body.

During past campus protests, former presidents of City College brought police on campus only when they considered the disturbances detrimental to the educational life of our students.

In fact, during the Open Admissions strike of 1969, President Buell Gallagher, a president with a great deal of integrity, resigned rather than approve of bringing police on campus. It was the acting president who succeeded him who eventually called the police.

In 2005, is it right for the president of City College to bring police on campus to oversee and restrict a peaceful union protest? Is it the president's responsibility to have members of our college community arrested for protesting recruitment of soldiers for a preemptive war that millions around the world protested against – and, in 2005, are still desperately trying to stop?

Or is it not the responsibility of the president of an academic institution to defend the right of its students, faculty and staff to express their views?

Martha Weisman
City College (emerita)

Health problems at CSI

● This letter is in response to Angelo Aponte's letter in the April 2005 *Clarion*. Since moving into the new campus many College of Staten Island employees have had health-related issues, ranging from respiratory problems to nosebleeds and rashes. Some of these problems occur on a daily to weekly basis to this day.

There have been many cases of individuals becoming ill in Building 6S. Testing in the building has revealed mold, but has also included levels of particular chemicals, such as formaldehyde, benzene, and TCE (tetra-chloro ethylene). Why are these chemicals found in particular rooms, such as offices that house secretarial staff? Why would formaldehyde levels be found at fairly constant levels throughout the building? Is there a possibility that the HVAC system is inadequate, or not designed properly?

Other problems that need to be addressed are:

- Why is the water from the water fountains not potable?

- Why are humidity levels in the building so low during the winter and early spring (humidity levels are often below 20%, at times below 10%)? Such low humidity levels increase the incidence of respiratory problems, due to a drying out of the mucous membranes in the upper respiratory system.

These problems have existed for years.

[The writer wishes to remain anonymous, "in fear of retribution from the administration of the College of Staten Island."]

Protest on faculty Counselors

● On April 22, the BMCC Chapter of the PSC unanimously passed the following resolution, expressing the members' outrage at the tentatively agreed-on giveback by PSC's leadership to create a title of HEO Counselor:

"The BMCC Chapter strongly decries the already existing tiering of the Counseling Faculty. We applaud

the elimination of the differences in working hours and annual leave between faculty Counselors hired before and after 1998. We oppose the creation of a title of HEO Counselors. We believe that such a concession is a danger to both the unity of the PSC and the rights and prerogatives (including the exercise of academic freedom) of all faculty and staff at the City University. We call upon the PSC negotiating committee to reject any and all tiering of the counseling faculty."

News of the tentative deal was belatedly shared with the PSC membership via e-mail from PSC President Barbara Bowen.

This agreement could signal the decline of academic departments: first Counseling, then library, eventually areas such as developmental skills.

The introduction of the HEO Counselor title into existing academic Counseling departments will eventually lead to the elimination of departments through attrition. What college president will hire faculty Counselors when they can hire HEO Counselors?

Beryl Duncan Wilson
BMCC

PSC President Bowen responds:

Earlier this year, the PSC and CUNY management reached a tentative agreement – not final until the entire contract is final – that would restore equity in annual leave and workload provisions for all faculty in Counseling departments, which had been given up in 1998 by the previous leadership. In addition, the tentative agreement provides that employees in the Higher Education Officer series with the appropriate advanced degree will be able to function as clinical psychological counselors for students.

The agreement was negotiated in response to the primary need articulated by faculty Counselors, for restoration of equity. While the negotiating team fully understands and carefully weighed the issues raised by Professor Duncan Wilson, we felt that the agreement met the demands of our members and represented, potentially, a real advance. Many colleges have consistently refused to hire faculty Counselors or have hired them primarily in Lecturer titles, with no opportunity for research or promotion.

I am grateful, however, to Professor Duncan Wilson and several other members of the Counseling faculty, who attended the April Delegate Assembly and contributed to a thorough, open discussion of the issue. In an environment like ours where faculty autonomy is under attack, it is always right to raise the question of the structural erosion of faculty positions and academic freedom, and the DA discussion will continue to inform the decisions of the negotiating team.

First PSC contract

● I appreciated the article on the first PSC contract and strike vote in 1973 (*Clarion*, March 2005). No doubt the strike vote put pressure on management to agree to a settlement, despite the onerous Taylor law. However, the Newt Davidson Collective's Crisis at CUNY (1974) called the contract a "disaster." While the membership gained monetarily, they argue, this was only accomplished by signing away other key provisions.

A key example is that the first PSC contract did not include an important provision for part-time faculty job security/seniority that had been part of the 1969 contract negotiated by one of the PSC's predecessor unions, the United Federation of College Teachers. The UFCT contract had a preferential rehiring procedure that took effect if an adjunct was fired due to CUNY's financial inability, insufficient enrollment, or changes in curriculum.

This historic wrong needs to be corrected. CUNY adjuncts need a seniority system to restore a measure of fairness and predictability to the unstable life of contingent academic labor.

Vinny Tirelli
Brooklyn

Honoring Belle Zeller

● I was vehemently opposed to the selection of a PSC non-member to the Board of the Belle Zeller Scholarship Fund. I believe that by doing so, the Trustees directly dishonored the memory of Belle Zeller. I concur with the decisions of Clarissa Weiss and Deborah Bell to terminate their association with the BZSF.

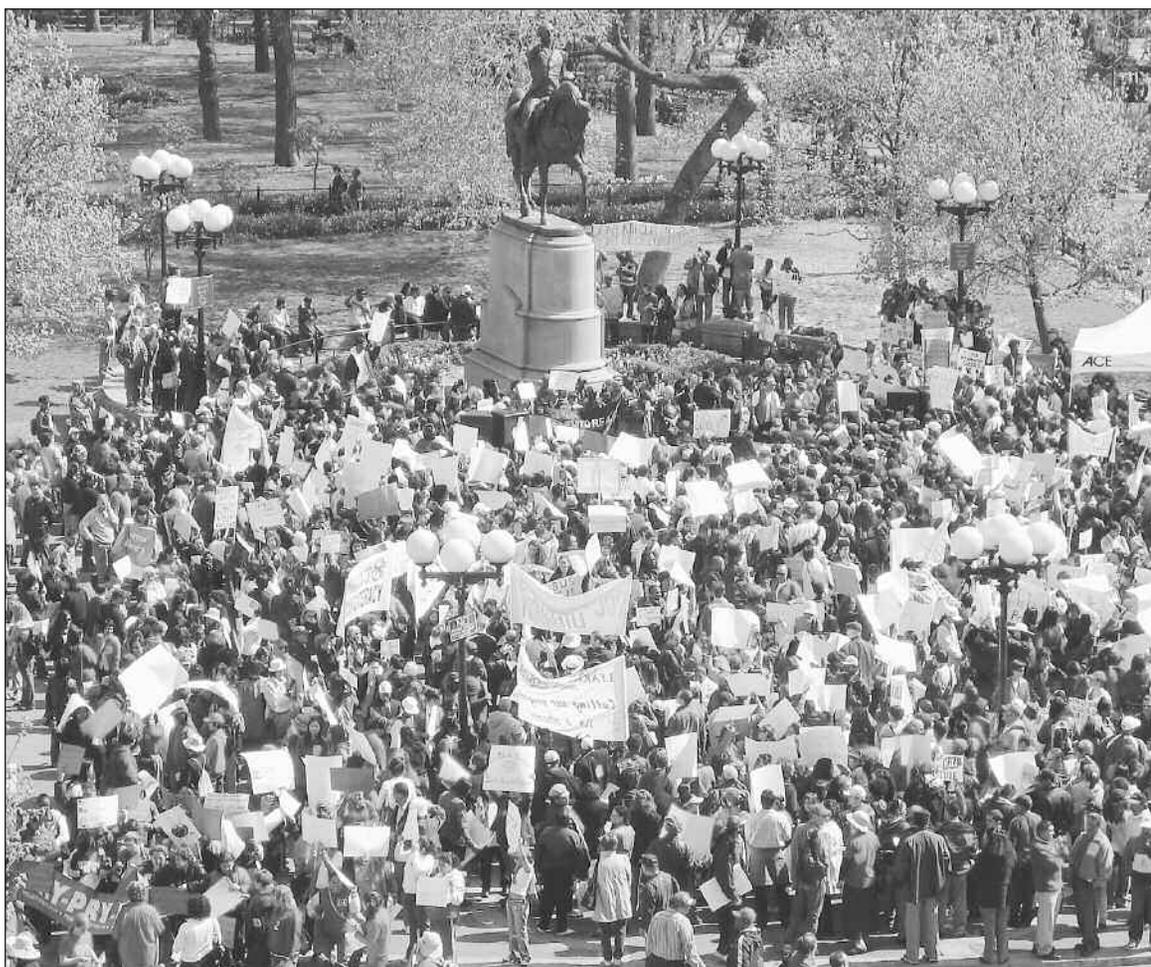
Therefore, it was with sincere, deep regret that after many years of faithful service as a Board Member, I tendered my resignation as a Trustee of the BZSF shortly before *Clarion* reported on this matter in its April 2005 issue.

My decision was influenced by all that has occurred to and in the BZSF over the past few weeks and years. I have been culpable in tolerating the negative attitude that the Chair of the BZSF Trustees took toward the PSC once Barbara Bowen's regime replaced Irwin Polishook's administration.

I am truly concerned about the future of the BZSF as a viable entity without the cooperation of the PSC. The Board must generate the confidence and enthusiasm needed for campus communities to provide us with the quality candidates we know they possess. The PSC, in turn, must supply the BZSF with the support services it deserves, recognize its existence in *Clarion* and back its Board and Officers at the Annual BZSF function.

Martin L. Kaplan
Queens College (emeritus)

Rally to stop adult literacy cuts



More than 2,500 adult literacy students, teachers and their supporters gathered in Union Square Park on April 22 to protest President Bush's budget proposal that calls for a 64% cut in federal funding for basic education, GED, and English classes. The PSC-endorsed rally was organized by the Coalition for Adult Literacy, made up of activists in the CUNY Adult Literacy/GED Program, along with activists in community-based organizations that provide literacy classes.

City College administration drops charges

By ELLEN BALLEISEN
Bronx Community College

DA also declines to prosecute protesters

The City College administration has dropped all administrative charges against the three students arrested on March 9 at a demonstration against on-campus military recruitment.

The students had also been charged with several criminal offenses, including assaulting an officer, but after examining the evidence in the case the Manhattan District Attorney decided to grant an "adjournment in contemplation of dismissal" (ACD). An ACD was also given to Carol Lang, a CCNY secretary and member of DC 37 who took part in the protest on her lunch hour and was later arrested on similar charges.

ASSAULTS DENIED

Each case will be adjourned for six months, after which all charges will be dismissed and the record sealed if the defendant has not been arrested on any new charges in the interim. The defendant does not enter a plea,

and the procedure is not an admission of guilt. Lang and the students consistently denied assaulting anyone; they and many witnesses said that in fact the protesters had been assaulted by campus security.

The students and Lang were suspended and banned from campus for almost a month after their arrests, an action that CCNY took without a hearing on the grounds that all four posed "a continuing danger." While the suspensions were lifted in April, Lang lost three weeks of income. "I want my back pay," she told *Clarion*. A Step Two hearing in her case has still not been scheduled.

Lang thinks that support from PSC members was one of the critical factors in CCNY's decision to end the suspensions and drop administrative charges. "The lawyer representing all four of us said that the mass action on campus was a critical factor in getting the college to back off," she said. "And faculty



Carol Lang, a CCNY secretary, wants back pay from her three-week suspension.

members were very active in the committee that formed to support us."

"This whole experience reminds me of *Alice in Wonderland*," Lang added. "The CCNY administration went around like the Queen of Hearts screaming, 'Off with their

heads, they're too dangerous to be on campus' – and then suddenly turned around and decided we weren't dangerous after all."

Yet Lang believes that uproar over the arrests has led to some positive changes at City College. "Back in February, when the students and

the PSC had a joint demonstration, the demonstrators were forced into metal pens and threatened with arrest if they didn't comply," she recalled. "But this didn't happen when there were demonstrations in support of the four of us who'd been arrested. Now I think it's much less likely that security will behave that way in the future."

PSC ON RECRUITMENT

In a related development, the PSC's April 21 Delegate Assembly adopted a resolution calling on CUNY "to insure the right of counter-military recruitment protesters' freedom of speech and freedom of assembly without harassment from security or other law enforcement personnel."

The resolution passed by the Delegate Assembly also calls on CUNY to, publicize students' right to keep their personal information private from the military, require that recruiters for all employers sign a non-discrimination pledge and guarantee that counter-recruitment efforts be welcomed "at all CUNY events where the US military recruiters are present."

Hunter Senate questions administration

By DANIA RAJENDRA

Academic freedom, governance issues

Mounting complaints of strong-arm management at Hunter College have sparked a formal examination by the College Senate of concerns about faculty rights and academic freedom.

The Senate has created a Select Committee on Academic Freedom to investigate charges that "retaliation and intimidation have been directed at individuals, departments and programs that disagree with, or question, the Hunter College leadership."

PATTERNS?

Hunter President Jennifer Raab and other top administrators have also been criticized for failure to share information and a lack of respect for college governance. On April 6, the College Senate declared that a presidential report on a proposed reorganization of the college was "unacceptable" because it gave incomplete and inaccurate information on basic questions.

The Select Committee on Academic Freedom was established by the Senate in December. In a March 31 statement, the committee asked to meet with any faculty, staff, students or alumni who felt they could "present substantive examples of what has been called a 'chilly climate' or 'culture of fear.'" Members of the administration were also invited to meet with the committee and share their views.

The chair of the committee is Stuart Ewen, a distinguished professor in film and media studies at Hunter.

"This is not a committee that's designed to adjudicate specific cases," he told *Clarion*, "but rather to try and figure whether or not there are certain kinds of patterns going on that infringe upon academic freedom."

The March 31 statement cites recent attacks on academic freedom at the national level as reason to be vigilant about any practices on campus that would "discourag[e] the open dialog and free exchange of ideas that are essential to a healthy academic environment." The committee will also examine potential external threats, and consider whether new measures are needed "to ensure that our college is adequately protected."

Ewen said that the committee has been meeting with people on an ongoing basis, and plans to continue its work into Fall semester and issue a report. Beyond that, he declined to comment on its work to date.

ANONYMOUS COMPLAINTS

The concerns that spurred the committee's formation have been talked about in private for some time, but public discussion has been rare. Last September an open letter from critics of cutbacks in ethnic and women's studies offered this statement in lieu of signatures: "Based on prior professional retaliation against our colleagues and peers by administration under similar circumstances, we have chosen to remain anonymous."

Several faculty members contact-

ed for this story expressed similar concerns. "My fear is that if I'm openly critical of the administration, my program won't get the money we need," one explained.

On the issue of accountability to college governance, the College Senate's budget committee issued a report in March stating that a lack of cooperation from the administration "has kept the Committee on the Budget from discharging its duties."

"We [are] still having extreme difficulties in getting the information that we need for our work," committee chair Manfred Kuechler, professor of sociology, told the Senate on April 6. He said the administration had ended the prior practice of giving the Senate copies of Hunter reports that are routinely generated for CUNY Central Administration, such as data on expenditures and tuition collection. The committee had to use New York's Freedom of Information Law to obtain some information, which was provided five months after the initial request.

At its April 6 meeting, the College Senate voted 38-23 to declare President Raab's report on her proposed restructuring of Hunter's School of Arts and Sciences to be "unacceptable." The resolution was proposed by Sandra Clarkson, professor of mathematics, who argued that the presidential report was "inadequate," "incorrect" and "ambiguous." Clarkson said that the report

left basic questions unaddressed, such as who decides the budget of the School of Arts and Sciences.

"The President's report and her answers to questions about it seem to indicate that curricular jurisdiction still needs to be determined, and the department chairs are apparently invited to discuss the matter," Clarkson added. "But curriculum is clearly a Senate responsibility."

The Hunter administration did not respond to requests for comment, either on the April 6 resolution or the formation of the academic freedom committee.

Raab has supporters as well as critics among the Hunter faculty. They credit her with achievements such as success in fundraising, bringing high-profile speakers to campus, improving student retention and making funds available for full sabbaticals and faculty research.

The former chair of the New York City Landmarks Preservation Commission, Raab had no experience in academic administration prior to becoming Hunter's president. Ken Sherrill, chair of the political science department and a member of the Select Committee on Academic Freedom, says that Raab's approach to management is more common in politics than academia. "For people who have not seen that method of operation, it's a shock," he said. "The priority is on getting things done, rather than on doing things perfectly.... There are times, in the interest of getting things done, when feet get stepped on."

A "culture of fear" at Hunter?

Critics argue that procedural issues are not simply a question of good manners. "Universities are not corporations or bureaucracies that should operate on a principle of hierarchy," wrote Senate President Joan Tronto in an August essay on the Senate's e-mail listserv. "To transform the collegial (same Latin root as 'college') way that we make decisions and judgments into a hierarchical form is, in fact, poisonous to the university's way of being."

NEW ASSERTIVENESS

Tronto's essay, however, did not specifically mention Raab, and mainly emphasized Tronto's view that Hunter faculty needed to take more responsibility for the future of their institution. "It is time for us...to stop waiting for a president, a dean, a new department chair, someone else, to make Hunter better," she wrote.

Since last fall, the Hunter College Senate has become more active in articulating its own views and in questioning some administration actions. The issues of academic freedom and the role of college governance have been raised in separate forums, but some faculty members argue that the two are closely linked. "Departmental governance is what CUNY is about," said one. "It's what guarantees academic freedom."

Hunter College Senate minutes are at www.hunter.cuny.edu/senate. The Senate Select Committee on Academic Freedom can be reached at acadfreedom@yahoo.com.

HEO lawsuit nets \$1 million

By CATRIONA STUART

Emelise Aleandri doesn't strike you as a likely target for a bully.

A scholar, producer and actor who holds a doctorate in theater, Aleandri is outspoken and confident. But that, she says, her index finger jabbing at the table, is exactly why she and her colleague Gloria Salerno were singled out for years of bullying and discrimination at the hands of their boss Joseph Scelsa, now an acting vice president at Queens College.

In March, these two PSC members settled their seven-year-long discrimination lawsuit against CUNY for over \$1 million. Both Aleandri and Salerno worked under Scelsa when he was director of CUNY's John D. Calandra Italian-American Institute; at least three other lawsuits involving former Calandra employees are pending.

Aleandri tells a story of psychological abuse that began in 1988 after she and Salerno participated in a women's history month planning committee. They wanted to become a support group, meeting on their own time, to discuss "dealing with Scelsa and improving the conditions for women at the Institute," she explains. But according to Aleandri, Salerno and a former supervisor, Scelsa was intolerant of what he considered disloyalty and ordered the group to disband. One woman testified that she was threatened with losing a promised promotion if she continued to attend. The lawsuit charged that Scelsa's suppression of this group was just one of several elements creating a workplace that was hostile to women.

COMPLAINTS FILED

In 1992 Aleandri and Salerno complained to CUNY that they faced a pattern of abuse and discrimination. Between 1995 and 1997 they filed grievances through the union and complaints with the EEOC and NY State Division of Human Rights, followed by the lawsuit. They say Scelsa retaliated with a campaign of obsessive control and bureaucratic maneuvers designed to humiliate and slowly choke them out of their jobs.

"There were a million little things that were constantly chipping away at my work," contends Aleandri, who served as a producer, writer and host for the CUNY-TV show, *Italics*. She describes being slowly stripped of her involvement with *Italics* and supplanted by one-time subordinates. The judge in the case noted that "after Aleandri complained to the CUNY administration about gender discrimination in 1992, Scelsa put [another employee] in charge of scheduling the editing or shooting of the program."

Relegated to an office without a telephone line for nine years, Aleandri asserts that Scelsa forced all her professional communications to be routed through his office in order to restrict her work and monitor what she said. Despite consistent out-

Harassment charged at Calandra Institute



From left, PSC Vice President Iris DeLutro with Calandra Institute plaintiffs Gloria Salerno and Emelise Aleandri.

standing evaluations in her 13 years at the Institute, she says, she was never allowed to move up from the lowest-paid title in the higher education officer (HEO) series.

Salerno details a similar pattern of work deprivation and obstacles to advancement. She holds a doctorate in clinical psychology, and served as Director of the Center for Italian American Studies at Brooklyn College before she was transferred to the Institute's central office in Manhattan. The daily stress of a hostile workplace was "debilitating," says Salerno, and often contributed to physical illness. But she says that taking sick time only sparked more harassment.

In 1996, after returning from a leave taken under the Family and Medical Leave Act, Salerno was stripped of her duties and for months was instructed to sit quietly at an empty make-shift desk constructed from a plank of wood placed atop two filing cabinets, with no access to a computer and no assignments to complete.

Salerno's and Aleandri's accounts were supported by testimony from former Institute employees. For example, a former aide said that Scelsa manipulated CUNY administrative rules to bully the two women, and searched Aleandri's office while she was on vacation to look for any information he might use against her.

CHARGES DENIED

Scelsa denies the lawsuit's charges and disputes the testimony of many witnesses. "When taken down to the bare facts, there is nothing there," he told *Clarion*. According to Scelsa, the problems began only in late 1995 when the Institute was reorganized. Unsatisfied with the "realignment of their responsibilities," he maintains, the two women became difficult to deal with and were absent from work with increasing frequency. Events that Salerno and Aleandri cite as bully-

ing, Scelsa describes as supervision; what the women call stress-related illness, Scelsa dubs absenteeism. CUNY's attorneys sought to get much of the evidence in the case thrown out, labeling it as hearsay, but Judge Naomi Reice Buchwald turned them down.

Aleandri and Salerno charged that Scelsa's hostility to women ranged from a lack of support for female staff to discrimination in promotions. While dissent from male employees was not welcomed by Scelsa, they say, disagreement from women was not tolerated at all. But in September 2003, Judge Buchwald ruled that there was not a clear enough pattern "to conclude that the work environment plaintiffs faced was made so due to their gender," and this part of the suit was dismissed.

The judge concluded, however, that there was significant evidence that Scelsa had retaliated against the two women for filing a complaint of discrimination – which is itself a violation of federal law. "A theme that emerges...from the evidence submitted is that Scelsa was fixated on 'loyalty' from his subordinates," the judge stated. Various witnesses described a pattern of illegal retaliation by Scelsa when employees engaged in protected activities such as seeking help from the union. According to one deposition, after Institute employees spoke with union representatives about a possible grievance in 1995, Scelsa said, "They got some nerve going down to the union. I will take care of them."

Judge Buchwald ordered a trial on the charge of retaliation, which opened last year on July 12. After seven days of testimony, CUNY offered to settle the case for \$1 million.

Scelsa's credibility had been dealt a blow by State Supreme Court Judge Joseph Giamboi, who served as the Institute's acting executive director in 2002. Judge Giamboi tes-

tified that he had witnessed an assistant director of the Institute shredding a large number of documents requested by the plaintiffs' lawyers; and that she stated this had been authorized by Scelsa. Judge Giamboi added that this assistant director, who had a close personal relationship with Scelsa, had also bragged about getting a counselor demoted for giving information in the lawsuit.

CUNY central administration hired the consulting firm KPMG to investigate the charges of document destruction and witness intimidation. That report has never been made public: when Salerno's and Aleandri's attorneys tried to get a copy of it, CUNY refused on the grounds that it was an attorney work product. When the PSC sought a copy of the report under New York's Freedom of Information Law, the union was rebuffed on the same grounds.

CUNY MUST PAY

Details of the settlement were finalized this spring. CUNY General Counsel Frederick Schaffer declared that this was "a settlement without admission of guilt," and declined further comment on the case. But Iris DeLutro, PSC vice president for cross-campus units, says that CUNY is ultimately to blame because University management allowed retaliation against employees who filed complaints. "When you have an entire group of people tell you that they are hurting and nothing is done, then you are part of the problem," DeLutro says. "Power should not be abused within the University."

While the US does need stronger laws (see sidebar), DeLutro says this case shows that employees can fight against harassment and win. "It is not acceptable to have to sit there and take this kind of treatment," she says. "You can challenge the administration if there are things that are just plain wrong."

NY teachers say stronger laws are needed

Workplace bullying has been in the news with the Senate hearings on John Bolton's nomination as US ambassador to the UN. "There are a lot of screamers in government," noted former State Department official Carl Ford Jr., but "I've never seen anyone like Secretary Bolton ...in terms of how he abuses little people." Ford told Senators that "it is out of bounds in the federal bureaucracy to let a bully run wild."

It might be out of bounds, but it's not illegal. With no US law against abusive treatment of employees, a hostile work environment is illegal only if it violates other laws, such as anti-discrimination statutes. And narrow interpretations by the courts can make group discrimination hard to prove, even when harassment is blatant.

DAMAGED HEALTH

But the problem is starting to get more public attention. Emelise Aleandri and Gloria Salerno spoke about their case on *Good Morning, America* on January 27, along with social psychologist Gary Namie of the Workplace Bullying and Trauma Institute (www.bullyinginstitute.org).

Other countries give workers stronger legal protections: Italy and other European Union nations, Australia and parts of Canada have laws that ban harassment of employees. On April 9, New York State United Teachers delegates voted to seek such legislation here (see page 12).

"Workers subject to a boss's bullying behavior can suffer severe physical and mental health damages," states the PSC-sponsored resolution. It cites a recent study that found that one in six US workers experiences bullying or harassment in a given year.

"We are pushing for legislation to ensure that no other CUNY employee ever experiences what happened to Salerno and Aleandri," said PSC Vice President Iris DeLutro. Such bills are currently being considered by state legislatures in Oregon and Hawaii.

TAKING ACTION

While US laws need to be strengthened, says PSC Director of Contract Administration Debra Bergen, there are often ways to take action under existing statutes. "These tools are limited, but there are various venues where they may be available," says Bergen – including anti-discrimination agencies, the union grievance process, and state or federal court.

If you face a hostile work environment, she says, talk to a grievance counselor: "The union can help you figure out your best option." — PH

Why I came to the April 19 rally

Our Roving Reporter asks about the contract protest



SHELDON WEINBAUM
Distinguished Professor of
Mechanical and Biomedical
Engineering
City College

When we get most of our support from the State, not the City, I don't see why we have to be under this City austerity policy.

The thing that upsets me is that we've made the most progress in a generation in bringing in new faculty. To offer such miniscule pay raises is a disastrous policy. The cost of living in New York City is so high, if CUNY's salaries are low then many of [these new faculty] will start to look elsewhere.



GABRIELA ARCILA
CUNY Language Immersion
Program (CLIP)
Hostos Community College

Most CLIP teachers came today. I'm here to support CLIP teachers and better working conditions for all CUNY workers. Immigrants really depend on our program to learn English and get a college education so they can move into the middle class.

It's very important that CLIP teachers' salaries be commensurate with the work that we do. We need full-time designation as lecturers. In order for CLIP to continue to be a quality program, we need to earn substantially more than we do now. If our conditions continue, a lot of teachers will not want to stay.



BENJAMIN LOOKER
Graduate Employees & Students
Organization (GESO)
Yale University

We came down from our own picket lines in New Haven to make sure you know that the PSC has the full support of the striking grad teachers at Yale. Your fight is our fight. If we're going to win a voice, organized academic workers need to cooperate, to stand up together. That's why, this week alone, there've been coordinated demonstrations, strikes, and walkouts on more than a dozen US campuses.

Our teaching conditions are our students' learning conditions. Your Chancellor's baffling disregard for CUNY's academic workers can only undermine the University's educational mission.



LOURDES ROSARIO
College Lab Technician
Biology, Bronx Community College

I came with five colleagues and two students to support the PSC and to get a decent contract settlement. The cost of living is so high, but CUNY management isn't offering anything close. How are we going to be able to support ourselves?

We are the backbone of the institution, and we need to be appreciated for the work we do. The way to show us that appreciation is to give us a fair contract. It's so frustrating! I would tell the Chancellor, come and see the work we do.



MARY O'RIORDAN
Assistant Professor of English
NYC College of Technology

I came to support my colleagues. I'm an officer in our chapter, and it's especially important for us to show CUNY management that we're maintaining pressure to settle a contract we can accept.

I was shocked at some of management's demands, especially the limitations on our ability to enforce the contract [by restricting reassigned time for union work]. I think they're outrageous.

I don't know how people live on the salaries we earn at CUNY. We need more money to live in this city.

All photos: Gary Schochet

— PH/DR

Week of academic labor protest in NYC

By CATRIONA STUART

"Another university is possible" proclaimed the signs carried by PSC members at their April 19 contract rally (see page 6). But while the slogan came from the PSC, the idea behind it is not limited to CUNY.

During the third week in April, unions in New York's newly-formed Voice@Work Higher Education Committee staged three protests in support of the right to organize and bargain in academia. This coalition of academic unions is fighting for "the right of all workers at institutions of higher learning to have a voice at work," said Susan Borenstein, an AFL-CIO field representative.

CUNY, COLUMBIA, NYU

In addition to the PSC rally for a fair contract at CUNY, there were demonstrations at Columbia and NYU, with speakers that included Reverend Jesse Jackson, AFL-CIO President John Sweeney and PSC President Barbara Bowen. The protests were part of a national week of action for labor rights in higher education. Graduate teaching and research assistants at Columbia and Yale staged a five-day

Part of national push for union rights

strike for union recognition, and actions were organized in a total of eight states.

"The protest linked local issues to a national 'Declaration of Principles for Collective Bargaining' as well. The Declaration addresses the right to organize and bargain, fair contracting and procurement standards and the need for steady employment," said Jim Perlstein, co-chair of the PSC Solidarity Committee.

On April 20, about 2,000 people rallied in support of graduate assistants at Columbia, then in the third day of their strike for union recognition. "I've been cheated out of money and I've been lied to," said Charles Walls, a PhD student. "Having a union is a way to address those problems with a measure of protection for our jobs."

LIKE WAL-MART?

Behind a blue police barricade, Ben Baer held a sign that read "Col-Mart" in bold, black letters. "It rhymes with Wal-Mart," Baer explained. "Wal-Mart is also a union-busting organization."

As a sixth-year PhD student in

philosophy who has guided hundreds of students through the rigors of required courses on logic and rhetoric and on contemporary civilization, Baer wants union recognition in order to bargain for an increase in his \$18,000 annual pay.

An election was held in 2002, but Columbia contested the vote and waged a drawn-out fight against union recognition. Signatures verified by New York State Attorney General Eliot Spitzer confirmed that the majority of graduate assistants support unionization. Before the election dispute could be resolved, however, the National Labor Relations Board ruled last summer that the law does not guarantee the right to union representation for graduate assistants at private universities.

The Republican-dominated Board decided that when graduate assistants at private universities perform teaching or research, it is not work but simply part of their training as students – a 180-degree reversal from an NLRB ruling in 2000,

in a case at NYU. Private universities can still voluntarily grant union recognition – which is what Columbia grad assistants and the Voice@Work coalition are demanding – but are not legally required to do so.

Before the NLRB reversed itself, graduate assistants at NYU had already won union recognition and a first contract, which expires on August 31. Now the graduate assistants' union at NYU, the Graduate Student Organizing Committee (GSOC), is demanding that NYU negotiate a second contract – but so far NYU won't say whether it will continue to recognize the union.

On May 21, close to 400 people rallied in Washington Square Park to support GSOC and its right to collective bargaining. "The Columbia and NYU struggles are linked, and it is necessary that we support each other," GSOC unit chair, Michael Palm told *Clarion*.

"I think [the graduate students] can prevail in spite of the NLRB decision by the very nature of the fact

that the labor community has come together on their behalf," said Steve Rechner, president of another NYU union, the Union of Clerical, Administrative and Technical Staff (UCATS). "NYU will lose in the court of public opinion."

The momentum generated by the city's higher education unions has not gone unrecognized in the public sphere. On April 18, the City Council committees on higher education and labor held a special joint oversight hearing on labor issues in NYC's public and private colleges, featuring testimony from the PSC and other unions in the Voice@Work Higher Education Committee.

CREATING CHANGE

"Something is happening in higher education organizing," PSC Treasurer John Hyland told *Clarion*. "We're starting to examine the ways that higher education functions as an industry. And as in the construction industry or the hotel industry, there are limits to how much you can improve wages or working conditions by pressuring just one employer – you have to figure out how to change the industry as a whole."

LABOR IN BRIEF

Bush increases union audits

The Bush Administration is targeting unions by imposing new reporting requirements and increasing the number of audits performed by the Labor Department, *The New York Times* reported. The move comes after reductions in other types of Labor Department oversight, including occupational safety and minimum wage.

Labor leaders say the move is political retaliation for union support of John Kerry in last year's presidential race. They point out that onerous additional requirements cost money and staff time, at a time when union resources are at a historic low. Administration officials told the *Times* more audits are necessary to prevent and detect corruption, and deny that other enforcement is lagging.

Governors eliminate union rights in IN and MO

Newly elected Republican governors in Indiana and Missouri rescinded state employees' right to organize and bargain collectively. The move affects 14,000 AFT members in Indiana, as well as workers represented by the UAW, AFSCME and SEIU.

"This union is not going away," AFT President Edward McElroy said after Indiana governor Mitch Daniels cancelled the executive order granting collective bargaining rights. The order dated back to 1989.

PEF fights privatization

The New York State Public Employees federation (PEF) kicked off their "Go Public: Invest in Public Employees, the Returns Are Better For New York Tax Payers" campaign in February. The \$1 million, 20-month campaign began with advertisements and a website (www.stopprivatization.org) targeting the public and policy makers.

PEF hopes to see state agencies provide full disclosure of the number of contract employees, as well as make mandatory cost-benefit analyses before services are contracted out.

CALENDAR

FRIDAY, JUNE 3 / 4:00 pm: PSC Part-time Personnel Committee meeting. At the PSC office, 25 W. 43rd St. Contact Marcia Newfield, 212-354-1252.

TUESDAY, JUNE 7 / 6:00 pm: PSC Women's Committee meeting. At the PSC office. Contact Norah Chase, 212-354-1252.

WEDNESDAY, JUNE 8: TIAA-CREF representative Vito Ruvulo will be available to discuss retirement planning. Call Linda Slifkin to make an appointment, 212-354-1252.



Retiree Renate Bridenthal at Columbia on April 20.

Distinguished Professors back union demands

A majority of Distinguished Professors – 58 so far – have signed the following letter in support of the PSC's contract demands; it was delivered to management on April 13. Distinguished or Presidential Professors who would like to add their names may do so by calling Rose Pignataro at the PSC, 212-354-1252.

To: Chancellor Goldstein and CUNY Board of Trustees

It is only under the most extraordinary of circumstances that the CUNY Distinguished and GC Presidential Professors feel compelled to collectively intercede in negotiations for a new contract.

It is our understanding that CUNY has made a revised salary offer of 6.5% over four years, a possible increase of 1% for productivity and a contribution to our Welfare Fund which is less than half what is needed. This offer is far be-

low the four-year 15-16% overall agreement between the State and SUNY, an agreement that also includes an increase in the "downstate differential" for the higher cost of living in the metropolitan area. This disparity is incomprehensible, unacceptable, and endangers the future of our great University.

We are fully aware of Mayor Bloomberg's pledge to obtain "austerity contracts" for municipal workers. We point out, however, that CUNY receives no support from the City for its senior colleges

and dwindling support (about 25%) for its community colleges. It is entirely inappropriate for CUNY faculty and staff to be held to austerity measures advocated by the City when the State, which provides the bulk of the CUNY funding, was able to reach a reasonable settlement with SUNY faculty and staff.

The academic integrity of the University is at stake and our ability to recruit and retain new faculty is being seriously jeopardized. The proposed settlement would endanger the recent steps taken to strengthen

Voicing concern that management proposals would hurt new faculty

and rejuvenate the University: the recruitment of 600 new full-time faculty and the 12 hours of re-assigned time for research during their first three years. This has led to the most important influx of new research faculty that CUNY has seen in a generation. If imposed, the proposed austerity measures will surely cause many of these new recruits to leave, reversing much of our recent progress.

As the academic leaders of this University, we feel it is our duty to write to urge you to arrive at a fair and reasonable settlement that will insure a brighter future for CUNY.

Little progress in contract talks

By CLARION STAFF

PSC and University management negotiating teams held a collective bargaining session on Tuesday, May 3. It was the first session in more than a month, despite requests from the union to meet more frequently.

There were no dramatic developments in the May 3 session, with CUNY management refusing to make any movement toward the economic proposal put forward by the PSC on March 22. (See page 6 of the April 2005 *Clarion*, at www.psc-cuny.org/communications.htm.) Management raised questions about various aspects of the union's proposal and suggested some possible new positions on one non-economic issue. But in the area where the gap between the two sides is particularly large, the overall eco-

CUNY refuses to boost economic offer

nomics package, management was unwilling to increase its offer.

Union representatives argued that the PSC's proposal offers the basis for a settlement that is both fair and achievable. The union's proposed package would provide for recurring funds – not just one-shot measures – to close the gap between expenses and employer contributions for the PSC/CUNY Welfare Fund, which has created the Fund's financial crisis. PSC representatives reiterated the union's unwillingness to sacrifice salary increases to maintain health care benefits.

NEW ISSUES

On other issues, the PSC bargaining team made detailed presentations on two points that had not

been fully discussed at the previous session. One was the need for equity in annual leave for library faculty, who saw their leave cut back to 6 weeks in 1988 but still face the same research and publication requirements as other faculty in order to achieve tenure. The other presentation focused the need to redefine the position of continuing education teachers who spend 900 hours per year in the classroom, yet are not classified as full-time. (See article, page 7.)

In trying to make the case for CUNY's current economic proposal, management representatives defended their 6.25% offer and insisted that it does *not* represent a pay cut relative to the cost of living. They pointed to CUNY's system of annual salary increments, and argued that the combination of increments and management's proposed salary increases (which under management's proposal would range from 0% to 2.75% per year over four years) is not so low.

But union representatives respond that this is a misrepresentation of the existing contract provision for annual increments. "This provision was negotiated and paid for many contracts ago, and it continues in the present contract just as other provisions do," said Barbara Bowen, the PSC's president and chief negotiator. "Increments are not a new part of the economic settlement." Bowen added that annual

increments are based on a recognition of the increased value that faculty and staff bring to their work as they gain seniority in their positions.

Union negotiators also point out that some of the PSC's most senior members do not gain from the increments at all, because they are at the top of their salary scale. This applies to more than 1,000 PSC members, while others work in titles where there are no increments or they are not annual.

EQUITY

"What PSC members need is a settlement that provides real salary increases across the board and brings CUNY closer to the competitive salary levels to which it was once committed," Bowen said.

The April 21 meeting of the PSC's Delegate Assembly saw debate over a tentative agreement that would give faculty counselors hired since August the same annual leave and workload as those hired earlier, and would allow employees in HEO titles with the requisite advanced degree to work as clinical psychological counselors for students.

Faculty counselors from BMCC were sharply critical of the latter provision as a danger to future hiring in faculty counselor positions, and drew some support from other delegates. Faculty counselors from some other colleges have strongly supported the proposal, but were not present for the discussion.



Pat Rudden of City Tech (center) and PSC First VP Steve London (in baseball cap)



Gary Schlichter

One rat and more than 700 people showed support for a fair contract at the April 19 demonstration at CUNY Board of Trustees Chairman Benno Schmidt's office.

'Give us a fair contract'

By DANIA RAJENDRA

More than 700 people – many decked in academic robes – turned out on April 19 for the PSC's biggest rally of the semester, outside the office of CUNY Board of Trustees Chair Benno Schmidt, Jr. Union members filled the block north of 43rd Street on Fifth Avenue, and they filled the air with chants, whistles and the beating of drums.

"People are here today because we care about our students," said Mary Alice Browne of City Tech. "We're here because we love what we do."

Members slammed management's current contract offer (see page 6) as a betrayal of the work that faculty and staff devote to CUNY every day. "The administration will sing our praises, but they don't give us the support we need," said Tony Nadal of Brooklyn College, a lecturer in Puerto Rican and Latino Studies. "The Chancellor likes to tout what excellent faculty CUNY has, but he knows what he's offering us is not adequate."

UNDERPAID

"Educators are not paid enough," said Browne, the chair of City Tech's Department of Radiologic Technology and Medical Imaging. "In my department, we graduate students who make more than we do!" she told *Clarion*. "We need the Trustees to support our efforts to educate students."

"It's time for Benno Schmidt and the management of City University

Big demo at Benno's office

to come to the table with a reasonable contract offer," said a PSC leaflet that explained the rally to curious passers-by.

It was a gorgeous spring afternoon, but unlike some protests, this one never lapsed into quiet conversation. The crowd's energy was high and its chants stayed loud, fueled by the Rhythms of Resistance drumming group (which includes several PSC members) and anger about management's inadequate offer.

A two-story tall inflatable rat, a familiar icon from other union protests, piqued commuters' curiosity. They didn't have to look too far to see what it symbolized: the rat bore a large sign around its neck, "CUNY bosses." Many of those heading home paused to fill out postcards, addressed to the Trustees, in support of a fair contract and real investment in CUNY faculty and staff.

Members of other higher education unions joined the PSC on the picket line, including graduate teaching assistants on strike at Columbia and Yale and labor activists from the New School and NYU. The contract protest was part of a week of protests organized with the Voice@Work Higher Education Committee, a new coalition of academic unions in NYC (see page 5).

Virtually every sector of the PSC was represented in the crowd, with a particularly visible presence from

teachers in the CUNY Language Immersion Program (see sidebar). CLTs and department chairs, adjuncts and distinguished professors all said they'd come for the same reason: to tell management it's time to make an offer that makes sense.

"It's been too long without a contract," said retiree Gustavo Archila, 89, a former assistant registrar at the Graduate Center. "I hope this effort today will yield some fruit."

The PSC had asked in advance for Schmidt to meet with a delegation of members on April 19, but was told that he was unavailable. During the rally, PSC President Barbara Bowen and members from different union constituencies tried to deliver a huge poster demanding a fair settlement, signed by hundreds of concerned employees, to Schmidt's office at the headquarters of Edison Schools, the for-profit company whose board he heads. The group was denied entry, and left after being told that only two of them would be allowed into the Edison office.

Another protest was organized the following week by junior faculty from across the University. About two dozen untenured faculty members turned out during spring break at the Board of Trustees meeting on April 26, holding placards that showed the number of junior faculty at each campus.

When Bowen stepped forward to ask the Board to address junior faculty's working conditions, Schmidt tried to cut her off and declared her statement "out of order." Junior faculty stood behind Bowen and began to chant, "Why do you want to cut our pay?" After a few minutes, they placed the placards on their chairs and marched out of the room, still chanting. Petitions for a better contract offer, signed by hundreds of junior faculty, were handed to Vice Chancellor Jay Hershenson.

WILL THEY STAY?

"My major issue is that they won't be able to keep young faculty unless they make conditions better," said Sundeep Bisla, an assistant professor of English at York, a concern that has also been raised by many department chairs.

"The administration has invested a lot in saying there's a 'new CUNY,'" said Penny Lewis, a lecturer at BMCC, "and in fact our new hires are quite impressive. But if junior faculty are questioning the quality of our working conditions, and speaking up about how this contract offer disrespects us, I think that's unsettling to the administration."

The account for the PSC's Union Defense Fund has now been established. One of the first contributors was former PSC President Irwin Polishook. If you would like to contribute to the Defense Fund, on a one-time basis or as a payroll deduction, go to www.psc-cuny.org/DefenseFund.htm or call 212-354-1252.

CLIP teachers mobilize

More than two-thirds of the 65 faculty in the CUNY Language Immersion Program (CLIP) attended the April 19 PSC contract rally. The impressive turnout resulted from a six-week organizing push from within their own ranks.

CLIP teachers e-mailed and phoned each other about the rally, and helped to build for it by organizing a sign-making party. They were interviewed about their program and the union contract struggle by the Spanish-language daily *Hoy* and the public-employee newspaper *The Chief*. They grilled mayoral candidates at a PSC forum in March, and they've been on the radio on WBAI.

TEN YEARS

The spark for all this activity was their determination to change the substandard treatment they get from CUNY. "Our starting salary has not gone up in ten years," said Laura Kaplan, a CLIP instructor at Hostos – annual starting pay remains at \$35,916 per year, just as it was in 1995 when the program began. New teachers who do not get a summer class earn less than \$30,000.

CLIP teachers say their employment conditions show that CUNY doesn't recognize the importance of their work. "We are absolutely necessary to the immigrant population," said Rhonda Liss, a CLIP teacher at Bronx Community College. Yet CLIP faculty are classified as hourly employees, even though they are in the classroom for 25 contact hours per week and spend many hours more preparing and evaluating student work.

At the rally, CLIP teachers' signs blasted the "part-time" designation. "CLIP Teachers Work 900 60-Minute Hours In Class – How Is This Part-Time?" asked one. "Part-Time Immersion Is An Oxymoron!" declared another.

FULL-TIME

"Our most important issue is full-time status and seniority," said Jason Davis, a nine-year CLIP veteran at Bronx Community College. Davis, an officer-at-large in the BCC PSC chapter, notes that hourly status also means teachers who do not teach in summers must pay COBRA to maintain their health benefits. "We're also upset about the Welfare Fund," he adds. "when we pay more for dental or prescriptions benefits, a reduction to our already low pay."

CLIP teachers know they will gain equity only if the PSC as a whole can win a good contract. "The more unified we can be, and the more pressure we can bring to bear on the administration, the bigger the pie will be for all of us," said Kaplan.

– DR

PSC plans to move downtown

By **DEBORAH BELL**
PSC Executive Director

Current lease expires October 2006

The lease on the PSC's current office space expires in October 2006, and the union decided in April to plan a move to 61 Broadway in lower Manhattan.

This tentative choice is the result of a year-and-a-half-long process that weighed many criteria and several locations, and concluded that 61 Broadway would be the best choice. Due to steeply rising rents in midtown Manhattan, staying put would be far more expensive than moving.

During 2003-04, representatives of the PSC Finance Committee interviewed potential real estate brokers and selected a team with extensive experience working with not-for-profit organizations. (The union pays a broker nothing; their commission is paid by the new landlord under terms of the successfully negotiated lease.)

In the spring of 2004, the PSC Executive Council and Delegate Assembly each met with this team to define what factors were most im-

portant in evaluating office space alternatives. Not surprisingly, cost and location/accessibility emerged as top concerns. Other priorities included: having enough space to hold several meetings simultaneously, for the work of grievance counselors and cross-campus chapters and for future staff growth; efficient use of space; light and air quality; good security, particularly at night; and a building with unionized staff. Delegates also requested that consideration be given to renting enough space so that Delegate Assembly and other large gatherings could be held on-site – a “union hall.”

PARTING WAYS

The PSC/CUNY Credit Union and the PSC/CUNY Welfare Fund sublease about one-third of the union's current space. The Credit Union Board has decided to lease separate space in the current building, but the Welfare Fund has worked joint-

ly with the union to evaluate space alternatives.

In fall 2004, the union issued an RFP for architectural consulting services for space planning and any design needs. The firm TEK (Thanhauser Esterson Kapel) was hired, and has helped assess the PSC's space needs over the next 15 years.

Since last fall, midtown Manhattan office rents have begun to rise. For affordability, our brokers advised looking at available space in lower Manhattan and the West 30s. (We investigated the idea of buying office space, but it did not prove to be viable.) PSC officers, Welfare Fund Administrator Larry Morgan, some rank-and-file members with experience in office relocation and I began visiting and evaluating available spaces.

In January 2005 the PSC's current building was sold, and soon after we began negotiations with the new

landlord. In March, PSC and Welfare Fund staff members and a committee of union activists visited and rated the two most viable alternative spaces, at 61 Broadway and 5 Penn Plaza at West 34th Street. Another alternative, in the same building as the United Federation of

Factoring location, cost and room to grow

Teachers at 52 Broadway, emerged later and was also examined.

In April the PSC Executive Council decided to recommend 61 Broadway as the best choice, and on April 21 the Delegate Assembly voted to negotiate with that building's management to seek a 16-year lease.

The decision revolved largely around the issues of cost and location, where there was the greatest variability between the different alternatives. The space at 61 Broadway was the least expensive and is close to a wide range of transit lines, with a parking garage one block away.

The quality of the space at 61 Broadway was also the best. In addition to space for a PSC meeting hall (which is convertible to smaller meeting rooms), it has the greatest amount of natural light and offers the most efficient use of space in terms of how offices could be laid out.

PREPARING TO MOVE

Security in the area is good, with a growing number of residences and restaurants that bring more life to the streets at night than in years past. The entire ventilation system has been cleaned and air quality in the building appears to be good, an assessment that the PSC will verify through independent testing.

The PSC would not pay rent at the new location until its obligation at 24 West 43rd Street came to an end. While the choice of 61 Broadway remains tentative until a lease is signed, if all goes well the PSC will begin design and construction of its new central office later this year, and will move in sometime before October 2006.

Chapter election results

By **PETER HOGNESS**

New names in 2/3 of posts

On April 22, ballots were counted in this year's voting for PSC chapter leadership. While all races were uncontested, about two-thirds of those elected were new to their positions. There was less turnover among chapter chairs; eight of the 11 chapter chairs elected this Spring were incumbents.

Voting was by mail, with ballots

returned by 2,117 out of 6,909 eligible voters, a participation rate of 31%.

PSC elections occur on a staggered three-year cycle: half the union's chapters had elections last year, with the other half voting this April. Union-wide elections will be held next year. Both chapter and union-wide positions have a three-

year term of office. (For more information on how decision-making in the PSC is organized, see page 2 of the November 2004 *Clarion*, at www.psc-cuny.org/communications.htm.)

The names of those elected follow below. Those who are new to their positions are identified in italics.



PSC staff count ballots cast in this year's election for chapter leadership.

Spring 2005 Chapter Election Results

Baruch College: Chairperson, *Peter Hitchcock*; Vice Chairperson, *Marilyn Neimark*; Secretary, *Trudy Milburn*; Officers At Large, *Sultan Catto*, *Gayana Jurkevich*, *Glenn Petersen*, *William Ferns, Jr.*; Delegates To The DA, *Peter Hitchcock*, *Jacqueline DiSalvo*, *Stanton Biddle*, *Gail Graves*, *George Hill*; Alternates To The DA, *Abdullah Tansel*, *David Tepper*, *J. David Lichtenthal*, *Sandra Mullings*; PSC-CUNY Welfare Advisory Council, *Terrence Martell*, *Jay Weiser*.

Bronx Community College: Chairperson, *Marianne Pita*; Vice Chairperson, *Nelson Reynoso*; Secretary, *Nicole McDaniel*; Officers At Large, *Joan Wilson*, *Thomas Brennan*, *Sharon Utakis*, *Jason Davis*; Delegates To The DA, *Marianne Pita*, *Benjamin Carney*, *Jacob Adekola*, *Leonard Dick*; Alternates To The DA, *Andrew McNerney*, *Claudio Mazzatenta*, *Kathy Savage*, *Neil Davis*; PSC-

CUNY Welfare Advisory Council *Byron Taylor*, *Virginia Mishkin*.

Brooklyn College: Chairperson, *Tibbi Duboys*; Vice Chairperson, *David Bloomfield*; Secretary, *William Gargan*; Officers At Large, *Cuthbert Thomas*, *CarolAnn Daniel*, *Joseph Wilson*, *Scott Dexter*; Delegates To The DA, *Tibbi Duboys*, *Alex Vitale*, *Jean Grassman*, *Kelly Moore*, *Nanette Funk*, *Stuart Schaar*; Alternates To The DA, *Harriet Tenenbaum*, *Janet Johnson*, *Joseph Entin*, *Samir Chopra*; PSC-CUNY Welfare Advisory Council, *Paula Whitlock*, *Ahmet Eskicioglu*.

City College: Vice Chairperson, *Susan DiRaimo*; Delegates To The DA, *George Brandon*, *Carla Cappetti*, *William Crain*, *Alice Baldwin Jones*; Alternates To DA, *Elizabeth Starčević*, *Herman Cline*, *Michael Green*, *Alan Feigenberg*.

College Lab Technician: Chairperson, *Sheldon Mendlinger*; Vice Chairperson, *Ellen Steinberg*; Secretary, *Lourdes Rosario-Moran*; Officers At

Large, *Louis Rivera*, *Keith Rowan*, *Thomas Shemanski*, *Robert Suhoke*; Delegates To The DA, *Sheldon Mendlinger*, *Barry Carr*, *Joy Johnson*, *Albert Sherman*, *Ellen Steinberg*; Alternates To DA, *Jacqueline Elliott*, *Marisa Rodriguez*, *Lourdes Rosario-Moran*, *Marion Saccardi*.

CUNY Central Office: Delegate To The DA, *Gregory Dunkel*.

Hostos Community College: Chairperson, *Norma Peña De Llorenz*, Vice Chairperson, *Henry Lesnick*; Secretary, *Lizette Colon*; Officers At Large, *Paul Italia*, *Lucinda Hughey-Wiley*; Delegate To The DA, *Norma Peña De Llorenz*, *Peter Roman*; Alternates To DA, *Gail August*, *Laura Kaplan*; PSC-CUNY Welfare Advisory Council, *Carmen Mondesire*.

Hunter College: Chairperson, *Carmen Hendricks*; Vice Chairperson, *Mark Goldberg*; Officers At Large, *Rosalind Petchesky*, *Tami Gold*, *David Winn*, *Steve Burghardt*; Delegates To The DA, *Carmen Hendricks*, *Mark Goldberg*, *Frank Kirkland*,

Kenneth Sherrill, *Jack Hammond*; Alternates To The DA, *Rosalind Petchesky*, *Tami Gold*, *David Winn*, *Steve Burghardt*, *Michael Pern*.

John Jay College Of Criminal Justice: Chairperson, *Jim Cohen*; Vice Chairperson, *Avram Bornstein*; Secretary, *Bonnie Nelson*; Officers At Large, *Andrew Karmen*, *Francis Sheehan*, *Carmen Solis*, *Carl Williams*; Delegates To The DA, *Jim Cohen*, *Avram Bornstein*, *Holly Clarke*, *John Pittman*, *Sung-Ha Suh*; Alternates To DA, *Anru Lee*, *Gerald Markowitz*, *Ernest Richardson III*, *Margaret Tabb*; PSC-CUNY Welfare Advisory Council, *Rulisa Galloway-Perry*, *Daniel Pinello*.

La Guardia Community College: Chairperson, *Joan Greenbaum*; Vice Chairperson, *Lorraine Cohen*; Secretary, *Michael Horwitz*; Officers At Large, *Michael Frank*, *Joan Heitner*, *Francine Egger-Sider*, *Samuel Farrell*; Delegates To The DA, *Joan Greenbaum*, *Daniel Lynch*, *Sally Mettler*, *Lorraine Cohen*, *Michael Frank*; Alternates To DA, *Carlos Hi-*

raldo, *Paul Abruzzo*, *Tim Coogan*, *Belkis Necos*; PSC-CUNY Welfare Advisory Council, *Terry Parker*.

Queens College: Chairperson, *Jonathan Buchsbaum*; Vice Chairperson, *Hester Eisenstein*; Secretary, *Charles Molesworth*; Officers At Large, *Richard Maxwell*, *Jeff Maskovskiy*, *Nancy Agabian*, *Diane Menna*; Delegates To The DA, *Jonathan Buchsbaum*, *David Kazanjian*, *Ann Davison*, *Roopali Mukherjee*, *Marci Goodman*, *François Pierre Louis*, *Stephen Pekar*, *Jack Zevin*; Alternates To The DA, *Bette Weidman*, *Alyson Cole*, *Cicely Rodway*, *John Maerhofer*, *George Priestly*.

York College: Chairperson, *Janice Cline*; Vice Chairperson, *Cindy Haller*; Secretary, *William Ashton*; Officers At Large, *Farley Mawyer*, *Coleen Clay*, *Conrad Dyer*, *Denise Agin*; Delegates To The DA, *Janice Cline*, *Shirley Frank*, *Steven Weisblatt*; Alternates To The DA, *Rosemarie Ruiz*, *Michael Flynn*; PSC-CUNY Welfare Advisory Council, *Sherrian Grant-Fordham*, *Stephen Barrera*.

PICA plan to change

By PETER HOGNESS

As of July 1, coverage for psychotropic and asthma medications will be discontinued by the New York City PICA program and picked up by the PSC/CUNY Welfare Fund. The City will continue to cover injectable prescription drugs and those used in chemotherapy, but there will be new deductibles and copayments.

The PICA program's name came from the initials of the four types of medication that it was established to cover. Essentially, the former program is being cut in half – Psychotropic and Asthma medications will now be covered by the Welfare Fund, while Injectable and Chemotherapy drugs will still be covered by the City.

"The City is sending out a letter that announces it will no longer cover psychotropic and asthma medication but is vague as to how this change will be handled,"

said Larry Morgan, executive director of the PSC/CUNY Welfare Fund. "It is important to understand that, due to the actions of the Welfare Fund, there will be **no loss of coverage**. The Welfare Fund will cover both psychotropic and asthma drugs for our members." These medicines will be covered with the same Medco prescription card that members already have for other drugs.

WHAT TO DO

The transition may mean some inconvenience for those who have active prescriptions for psychotropic

You may need new prescriptions

ic or asthma drugs filed through mail-order and extending past June 30, 2005. Persons so affected need to make sure that their prescription

YOUR BENEFITS

continues uninterrupted. "Our best advice now is to let your physician know that a prescription has to be on file with Medco as of July 1st," said Morgan. "This can be filed by a new paper script through you, or your physician can call Medco at 888-327-9791 for information on how to fax a new prescription. This is *only* for the psychotropic and asthma drugs and *only* for mail order. If your prescription is at a local pharmacy, you should face no disruption."

Psychotropic & asthma drugs to be covered by Welfare Fund

Injectable and chemotherapy drugs will still be covered by the City's special program (which has not yet been renamed), but as of July 1 there will be new deductibles and copays. Prescriptions placed at a retail pharmacy, for a supply of up to 30 days, will now require copayments of \$10 for generic drugs, \$25 for brand-name drugs on a preferred list (called a "formulary"), or \$45 for brand-name drugs not on that list.

Using mail-order is less expensive for members, because prescriptions can cover up to 90 days. Injectable and chemotherapy drugs

will now have mail-order deductibles of \$20 for generic, \$50 for brand-name drugs on the formulary list, and \$90 for non-formulary brand-name medications.

"We've made sure that Medco will give enhanced customer support during this transition," Morgan said. "They have a dedicated service center for PSC/CUNY Welfare Fund members, and its staff is being briefed on the details of these changes." The Fund is also working with college Human Resources offices to make sure that they are familiar with the terms of the revised program, Morgan said.

ROOTS OF PROBLEM

Five years ago, municipal unions pushed for the creation of the PICA program so that the City would pick up the cost of some of the most expensive, long-term and life-sustaining medications. But rising costs and increasing use meant that the program's expenses outstripped its income. In late 2004, the Bloomberg administration told the Municipal Labor Coalition (MLC) that the PICA program was headed for insolvency, and soon after, the City threatened to simply drop the program as of January 31. The MLC threatened court action and insisted on negotiations, and has been working to keep this coverage alive.

The two classes of drugs that the City will continue to cover, injectables and chemotherapy, represent about half the expenses of the former pro-



Adam Vanderhoof

gram. Injectable drugs are the single most expensive and the fastest-growing in cost of these four categories.

Union welfare funds will face a steep increase in expenses as they pick up coverage for psychotropic and asthma medicines. The MLC negotiated for temporary increases in management's per-capita payments to the welfare funds for fiscal 2006, worth about \$50 million. This will cover much of the costs for these

drugs – but only for one year.

"The timing of this change is not good news for the Welfare Fund," said Morgan. "Coverage of the additional drugs will add significantly to the expenses of our already beleaguered drug program."

The MLC is also trying to secure a portion of the revenues from the conversion of HIP to a for-profit insurance plan (see *Clarion*, February 2005) to offset these expenses.

Should you file?

Adjuncts & unemployment comp

By MARCIA NEWFIELD

PSC Vice President for Part-Time Personnel

When summer comes, adjunct faculty often find themselves out of work. No work means no pay – so can an adjunct collect unemployment compensation?

If you received a letter of non-reappointment indicating that you will not teach a class in the fall, you should be able to get unemployment insurance (UI) benefits without a problem. You can file a claim over the phone by calling the Telephone Claim Center at 888-209-8124. Benefits start two weeks after your claim is filed (check www.labor.state.ny.us for details). If your claim is denied, you have 30 days to ask for a hearing. Meanwhile, continue to call in weekly and claim your UI benefits, so that if and when you win the hearing, your benefits will be retroactive.

If, on the other hand, you were sent a letter of reappointment, the situation is less clear. CUNY main-

tains that this letter constitutes "reasonable assurance" of a job in the fall – though the letter acknowledges that that job's existence is "subject to sufficiency of enrollment, finan-

YOUR RIGHTS

cial availability and curriculum need." When a new term begins, many adjuncts are told – with little or no advance notice – that their classes have been cancelled or that they will be replaced by a full-timer or a different part-time instructor.

"REASONABLE" ?

For adjuncts, the issue of "reasonable assurance" is the question upon which the decision to grant or deny UI benefits will turn. If you got a letter of reappointment and file a UI claim, your claim will often be initially denied by the NYS Department of Labor. Jon Bloom, executive director of the Workers' Defense League (a nonprofit that advocates

for UI claimants), advises people to request a hearing right away. This must be done within 30 days of the date of the notice of denial. At the hearing, an administrative law judge (ALJ) will consider whether your letter of reappointment constitutes "reasonable assurance" of a job.

Various ALJs have made different determinations. If your claim is denied by the ALJ, you have a right to appeal that judgment within 20 days; if your claim is upheld, CUNY may appeal. The Appeal Board will either sustain the ALJ's decision or not. Even if your UI claim is ultimately denied, filing for a hearing may enable you to win retroactive benefits if you end up without a class for the next semester.

If you are granted UI benefits but this decision is later reversed, will you have to pay the money back? According to a 1998 modification of the UI law, the only reason the Department of Labor can ask a claimant to return monies is if he or she made factually false statements

or took benefits in bad faith (e.g., the claimant was working at another job but did not report it).

The Workers' Defense League can help you free of charge with advice, written materials and sometimes representation; they can be reached at 212-627-1931.

LOBBYING

Why are adjuncts treated differently from other workers who may experience seasonal fluctuations in employment? Current New York State law says that part-time employees of educational institutions

cannot collect UI benefits between academic years or terms "if they have a contract or reasonable assurance of employment in the period immediately following."

The PSC has been working to change the law so that part-time instructors will be treated like other seasonal workers, without having to win disputes over what is "reasonable assurance." A union-backed bill is sponsored in the Assembly by Susan John (D-Rochester), chair of the Assembly Labor Committee, and in the State Senate by George Maziarz (R-Newfane). NYSUT, the PSC's state affiliate, has also voted to support such legislation.

Adjuncts and other PSC members will be travelling to Albany later this month to lobby for this change. To help organize on this issue, contact Marcia Newfield at the PSC office, 212-354-1252.

Calling all adjuncts

Every adjunct should have received a letter notifying you of your reappointment or non-reappointment for the Fall by May 1. If you have been teaching for six consecutive semesters in the same department and are reappointed, you are entitled to a year-long appointment and should

receive your letter on or about May 15th. If you have not received a letter by the appropriate date, contact an adjunct grievance counselor at the PSC office at 212-354-1252. If you are non-reappointed, you may qualify for unemployment insurance and should apply (see article above).

UNIONS IN IRAQ

Oil, organizing & occupation

When New York teachers recently debated the war in Iraq (see page 12), some argued that occupation troops should stay because they would protect union activity. Many Iraqi labor unions would disagree. In the following interview with veteran labor journalist David Bacon, the general secretary of the Southern Oil Company Union, Hassan Juma'a Awad, describes his union's experience with British and American authorities.

Iraqi unions hold a range of political positions – for example, some called for participation in the January elections while others backed a boycott. The PSC does not necessarily endorse the views of any Iraqi union, but thinks it is important that they be heard. Hassan Juma'a Awad and other Iraqi labor leaders will visit the United States in June. For details see www.laboragainstwar.org.

Q How was the Southern Oil Company Union organized?

A Two weeks after the occupying forces entered Basra on the 9th of April, 2003, Iraqi activists in the oil industry met to reestablish the union. We organized the workers for two reasons. First, we had to deal with the administration put in place by the occupying forces. Second, we fear that the purpose of the occupation is to take control of the oil industry...It was our duty as Iraqi workers to protect the oil installations since they are the property of the Iraqi people, and we are sure that the US and the international companies came here to put their hands on the country's oil reserves.

Although we're under British occupation, we've been able to establish the first union in the oil industry in the Bergeseeya district since the time of Saddam's terror. We've gone on to form unions in other areas in Basra and the southern part of the country. Now we have workers' councils in 23 areas of southern Iraq, and we organized a small conference in Basra. We represent over 23,000 workers, and the oil enterprises in the south have about 90% of Iraq's oil reserves. It wasn't simple, or acceptable to the occupying forces to organize a trade union for oil workers. They tried their best to stop us, because they saw this as a danger.

Q Why didn't they want a union among oil workers?

A Because they're aware that organized workers would have power, which they'd have to face. They'd have to recalculate the plans they made at the start of the occupation.

Q What were the problems that the union had to overcome?

A Workers haven't received what they should. The occupying forces issued Order #30 setting wages for workers in the public sector. According to this order, the salary of a worker would be 69,000 Iraqi dinars a month, the equivalent of about \$35. That salary was extremely low, while inflation and the cost of living are very high.

Iraqi oil reserves are the second largest in world. We asked ourselves, in a situation like that, how can it be that the workers in our industry would be getting a monthly salary of \$35? We found that the American administration wasn't willing to cooperate with us about the scale, [but] after a short strike we managed to get the minimum



David Bacon

Hassan Juma'a Awad, general secretary of Iraq's Southern Oil Company Union.

salary up to 150,000 Iraqi dinars, or about \$100. This for us is the beginning of the struggle to improve the income of the oil workers. We were also able to get the American company KBR to withdraw its personnel from our installations completely.

Q Did the authorities refuse to talk with the union because of the 1987 law, which prohibits unions in the public sector?

A Yes. We had problems because they kept saying that according to the law we had no legitimacy – no right to represent workers in the oil sector. As far as we were concerned, we didn't need them to give us legitimacy, since we were elected by the workers. That's the only kind of legitimacy we need.

Q How did you get the government to talk with you then?

A It was the pressure of the strike that got the American administration to change its mind. In the end, they had no alternative but to revise the salary scale. We managed to scrap the two bottom salary levels, which effectively doubled the wages of many workers.

The standard of living went up, even compared to Saddam Hussein's time. Now a worker with 20 years of experience, gets about 420,000 Iraqi dinars, or about \$300. To give you an example, a chicken in the market would cost about 1500 dinars, or \$1.

Q How do the members of the oil workers union look at the occupation?

A From all the meetings we've had with workers all over the industry, we've heard from almost everyone that they want the occupation to end immediately, and the immediate withdrawal of all occupying forces from Iraq.

Q Are you concerned about your security if the occupation ends immediately?

A No, we are not worried. We don't have any problem with that because we are

able to look after ourselves and our own security.

Q If the occupation forces withdraw, isn't there a danger that there could be attacks on trade unionists by the insurgents, like those which have taken place in Baghdad?

A That could happen, but we have to solve our problems ourselves....

Q What attitude did members have toward the January elections? Did many workers vote?

A We didn't make any recommendation to them. It was up to each person whether they got involved or not. But there were large numbers of workers who did cast ballots. I believe about 80% of the workers voted. They voted for a number of different parties, sometimes depending on their level of education, or what each individual wanted.

Q How might it be possible for a popularly chosen government to come into power in Iraq?

A ...They'll have to write a new constitution, and the laws of Saddam Hussein will have to be abolished. The next government should not only ensure the security of the Iraqi people, but also oppose the privatization of industry. We oppose privatization very strongly, especially in the oil industry. It is our industry. We don't want a new colonization under the guise of privatization, with international companies taking control of the oil....

Q What kind of support do you want from unions in the US?

A We have gone through 35 years of Saddam's terror, so we need lots of support from workers in the US. We especially need training in organizing our union, since we don't have much experience in doing that. We also need support from American unions in opposing privatization. You are aware of what globalization brings to the workers of the third world....

Q How do you see the armed resistance to the occupation?

A We support all types of honorable struggle in Iraq, and we want the occupation to end immediately. But we are against acts of terrorism against Iraqi civilians, from certain terrorist organizations in Iraq. We do not support that. We oppose it as much as we oppose the occupation. If the occupying forces are withdrawn, we are capable of building a new democracy, one that will represent the interests of the Iraqi people, and not the US.

Q What are your relationships with other unions in Basra?

A We have very good relations with the other trade unions in Basra. Our struggle is one struggle, and we have to unite against the occupation. The Southern Oil Company Union is an independent union. We haven't made any decision about which union federation we will join....

We have very good relations with all three federations [whose leaders are aligned with different political parties, including the Iraqi Communist Party, Iraqi National Accord, Supreme Council for the Islamic Revolution in Iraq, and Workers' Communist Party]....We had members who voted for all these political parties. To us, they're all okay except the Baathists....

The coming struggle against privatization is more important than the struggle against the occupation, since the US is seeking to privatize all sectors of the Iraqi economy. The positions of Iraqi unions on this issue could be different. If only one union gets legitimacy from the Iraqi state, this could be a problem. The Baathist unions worked for government policy, and in this new situation, officially legitimate unions might also....

Q Tell us a little about your own history.

A I've worked in the Southern Oil Company for 33 years, as a technician. I was one of many people opposed to Saddam Hussein. I helped to organize against the regime in secret, and was involved in the uprising of 1991....I became president of the union after the occupation started. I had the support of other activists because I'd already been speaking out for workers' rights...

Q Are there attacks on unions in the Basra area?

A Yes, the attacks on trade unions in Basra are similar to those happening in the rest of Iraq. We recently had an attack on an electrical power worker by the administration of the plant.

I expect an attack will take place on myself, but I'm not afraid. I expect the terrorists will strike everywhere. Several of our sections in Basra have already been targets. They target both workers and machinery, although no oil workers have been killed yet. There were 3 or 4 workers killed trying to put out the fires, though, which were started by the bombs. When Hadi Saleh [international secretary of the Iraqi Federation of Trade Unions] was murdered in Baghdad, I thought the old Mukhabharat [Saddam's former secret police] could have been responsible. They seem to be able to operate freely.

“We don't want a new colonization.”

DON'T BELIEVE THE HYPE

Plain talk about the contract

By **BARBARA BOWEN**
PSC President

A sure sign that the real fight for this contract is a political fight is the increasing volume of e-mail messages about the contract sent by the Chancellor and his representatives. With two competing proposals on the table and both sides firm in their positions, the struggle shifts away from the bargaining table and into the public arena. That's where our real power is as a union, and I welcome the open discussion. But that discussion should be based on facts, not fables, and before the semester ends I want to clear up a few of the most persistent myths.

Myth #1: "The union has caused the delay."

Fact: The delay in settling this contract has been caused by one thing: CUNY's failure to produce an acceptable economic offer. The union is ready to negotiate a settlement the moment we get an economic offer that meets our needs. We waited two years for any offer at all, and then what we got was an offer of 1.5%. The offer on the table now is 6.25% over four years, an "increase" that doesn't even approach the increase in costs of living.

Myth #2: "Union demonstrations are a distraction."

Fact: The clearest evidence to the contrary is management's attempts to undermine them. Four days before the union's big demonstration on April 19 an e-mail message went across the University from the Chancellor's office opining on the uselessness of protest. Coincidence? This was a clear case of "protesting too much": if demonstrations were so ineffectual, there would be no need to invest such energy in dissuading members from participating. Every instance of progress we have experienced at the bargaining table has come in response to organized pressure from the members.

Myth #3: "The union is being unreasonable in its demands."

Fact: In an attempt to reach a settlement, the PSC has taken the lead in these negotiations in proposing viable solutions. The union's counterproposal represents a serious and achievable plan for reaching a settlement. It also demonstrates our willingness to find creative solutions to the issues we face. In formulating our position, we worked as closely as we could with the agreement reached between the State and the SUNY faculty union, United University Professions, while also responding to our

specific needs. We are acutely aware of the settlements reached by both the City and the State; our proposals draw on the strongest elements of each and extend them to meet our needs.

Myth #4: "The pie is only so big."

Fact: This little cliché, beloved of the Chancellor's representatives, is recited to us at least once each bargaining session – I assume to beat us down into accepting an unacceptable offer. In its homespun way, the phrase attempts to naturalize a reactionary, anti-labor political agenda and CUNY's apparent alignment with that agenda.

The truth is there is no shortage of funds to pay CUNY faculty and staff; on May 5 Mayor Bloomberg unveiled a City budget with a record \$3.3 billion surplus.

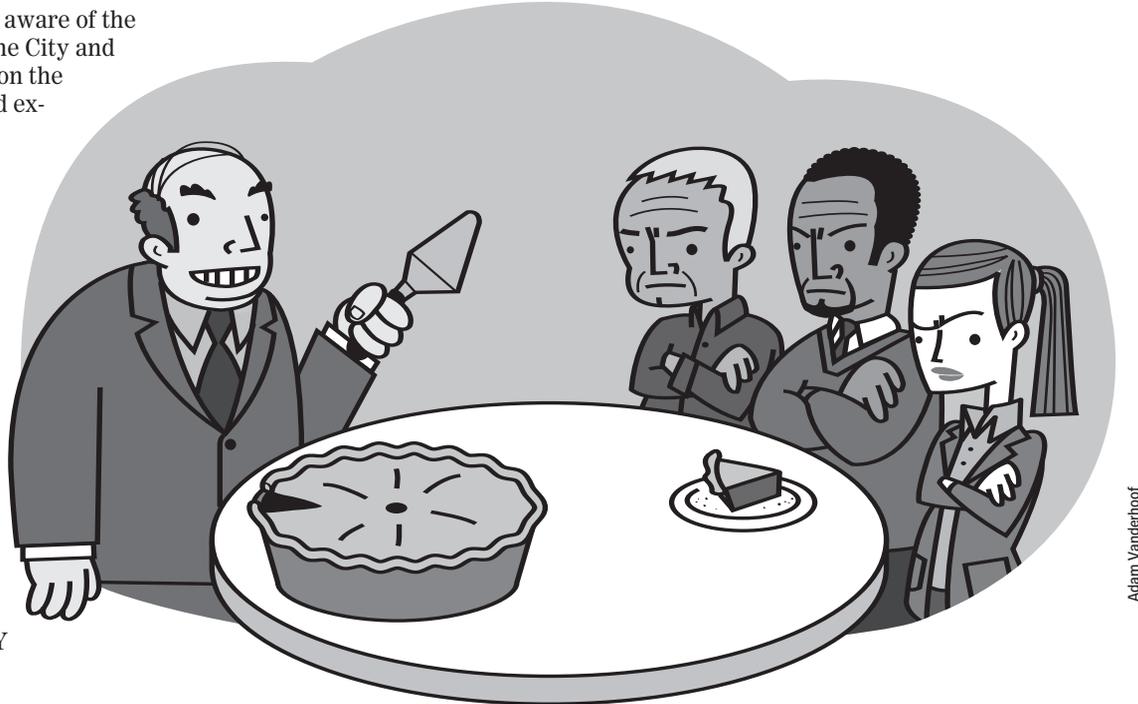
There seems to be money in that budget for everything – football stadiums, Olympic dreams, tax rebates, and (happily) increases in CUNY's construction budget – except raises or even cost-of-living increases for public employees. Firefighters, police, public school teachers, CUNY faculty and staff must all, according to the Mayor's plan, be disciplined into wage losses.

Myth #5: "The Welfare Fund is not under-funded."

Fact: The Welfare Fund is supported by contributions from the employer, CUNY, and the contributions are a negotiated part of our compensation, just as our salaries are.

The simple fact is that CUNY's contributions have not kept up with the costs of benefits. In the last decade, CUNY's contributions to the Welfare Fund have increased by 28%, while the cost of prescription drugs in the same period has increased by 300%. In 2002, the Welfare Fund Trustees undertook a major restructuring of benefits, which shifted substantial costs to the members and saved the Fund almost \$8 million a year. But even this savings, painful as it was for members, was not enough.

If CUNY wants to be a competitive employer, it has to offer decent benefits, and



CUNY management to PSC members: "Remember, the pie is only so big!"

the only way to do this is to pay for annual increases to the Welfare Fund. The stop-gap measures proposed by CUNY on March 17 are not enough.

Myth #6: "The union is misleading you about the value of salary increments."

Fact: This is a new twist: CUNY management has started to accuse the union of "misleading the members" when we say that an increase of 6.25% over four years represents a pay-cut relative to inflation.

This claim rests on a misrepresentation of the existing contract provision for annual salary increments – not to mention that it insults the intelligence of our membership. The salary increments, a provision negotiated and paid for many contracts ago, continue in the present contract just as other provisions do. They are not a new part of the economic settlement. Further, they are payment for the increased value we bring to our work as we gain seniority in our positions; they are *earned*.

Finally, many of us do not experience the increments at all, having reached the top of the salary range (well over 1,000 members are in this position), or being in titles where increments either don't exist or are not annual.

Myth #7: "It's better to settle now and wait till next time."

Fact: This is perhaps the most insidious fallacy being circulated by CUNY management. There is absolutely no evidence on the local, national and global political scene that the next round of bargaining will be more favorable for public employees or for public universities. Many factors – from the war to the mayoral race to the growing national assault on higher education – suggest that the climate may be worse.

More locally, the history of our own contracts shows that salary increases foregone in one contract are almost never recovered in the next. CUNY salaries have declined in real-dollar value by up to 40% in the past 25 years; that is not a history that argues for waiting till next time. The surest way to do *worse* in the next round is to show that we are willing now to accept a contract that undervalues our work.

Myth #8: "The union doesn't have the power to win anything better."

Fact: We have as much power as we can build through our own organizing. That's why the Chancellor's office has been trying so hard to win you to political resignation and discourage you from acting in your own interest. PSC members have shown over the last year that we can build a culture of organizing; we have begun to create a climate in which it feels normal to take action to advance our individual and collective interests – whether it's by calling the Chancellor or signing a letter or protesting at a rally. When the PSC has organized we have advanced; we are able to resist a concessionary contract right now because of the strength of our membership. I don't take that strength for granted, however, nor do I underestimate the forces we confront. The union leadership will continue to work throughout the summer, politically and at the bargaining table, to force CUNY to agree to a fair settlement. We will need your continued, active support to give us the strength to succeed.

Why 80th Street is sending you e-mail.

Clarion MAY 2005

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NY state teachers meet in NYC

By GREG DUNKEL
Central Office

New York State United Teachers (NYSUT), the PSC's state-wide affiliate, held its annual convention from April 7 to 9 in New York City. The event drew educators from kindergarten to post-doctoral programs, from Buffalo to Montauk and everything in between. PSC delegates won some votes and lost others, but played an active and influential role throughout.

NYSUT is a federation of local education unions in New York, with a total of about 525,000 members; its Representative Assembly (RA) meets each year to set policy and the federation's legislative agenda for the coming year. NYSUT includes large locals like NYC's United Federation of Teachers, medium-sized locals like the Yonkers Federation of Teachers and small locals like the Orchard Park Teachers Association, based in a suburb of Buffalo.

PROPOSALS PASSED

At the national level, NYSUT is affiliated with the American Federation of Teachers. The only other large group of organized teachers in New York, the state branch of the National Education Association (NEA), voted on April 16 to merge with NYSUT. Both groups hope this merger will be completed by September 2006, and NYSUT will then represent virtually all organized teachers in New York state.

This year's RA marked a transition between NYSUT President Tom Hobart and incoming President Richard Ianuzzi. Hobart originally came from an NEA local and was a leader in prior merger efforts. He had been NYSUT's one and only president for 33 years, serving since the group was founded. Ianuzzi, an alumnus of Brooklyn College, is an elementary school teacher who headed the NYSUT local in Central Islip.

The RA passed a large majority of PSC-sponsored resolutions, including those opposing the closing of GED centers; corporate tax loopholes; unilateral management efforts

Support for PSC on contract fight, but not Iraq



PSC delegates in a floor demonstration urging NYSUT to call for an end to US occupation of Iraq. The photo above appeared in NYSUT's daily convention report and on the NYSUT website.

to lengthen the time to tenure; the so-called Student Bill of Rights and its political litmus tests for faculty; John Jay College's attack on academic freedom in the Susan Rosenberg case; and war crimes in Darfur.

Also approved were PSC proposals in support of paid family leave; legal protection from workplace bullying and a hostile work environment (page 4); guaranteed access to reproductive health care; a universal health insurance system for New York state; limits on prescription drug prices; and exempting non-managerial

CUNY and SUNY professionals from the reporting now required by the state's Ethics Law.

Two PSC resolutions – one opposing the US government's policy of forbidding scholarly journals from editing articles from countries on which the US has placed trade sanctions, the other urging NYSUT to include adjunct equity in its model legislation on higher education – were referred to NYSUT's executive board for further study and possible action.

IMPACT

The two PSC-initiated proposals with the largest impact on this RA were "Ending the War and Protecting our Troops and Veterans," on the conflict in Iraq, and "NYSUT

Support of Locals in Contract Battles and Reaffirmation of Taylor Law Reform." The former was defeated after a spirited debate. The latter, as a special order of business, won wide support and was approved without opposition.

The special resolution in support of local contract fights was proposed by PSC President Barbara Bowen, with support from the UFT and United College Employees at the Fashion Institute of Technology, to spotlight the fact that all three of these locals have been working under expired agreements with New York City for more than two years.

RIGHTS REAFFIRMED

Bowen pointed out that New York's public employee labor law, known as the Taylor Law, penalizes workers and their unions "if they exercise their inalienable right to withhold their services" – but does not sanction recalcitrant public employers who stall contract negotiations. Invoking a basic union principle, "an injury to one is an injury to all," she asked NYSUT to give all possible support to its NYC locals in their contract fights, and to reaffirm its support for the right to strike and the need for Taylor Law reform.

Steve Frey, president of the Yonkers Federation of Teachers, took the floor to say, "Not only have

we been working without a contract for two years, 25% of our staff has been laid off." The president of the Orchard Park Teachers Association added that his local had been working under an expired agreement for three years. The resolution was amended to apply state-wide, and was unanimously approved.

The PSC resolution on the war in Iraq proposed bringing NYSUT into solidarity with the many national unions and labor councils that have passed resolutions calling for US troops to be brought home. The proposal was hotly debated in the RA's Civil and Human Rights Committee,

which voted by a 4-to-3 margin against it.

In a floor discussion of whether to accept the committee's recommendation, Bill Freidheim of BMCC spoke powerfully on how the costs of the war were absorbing money that should be spent on education and other human needs. The Iraq war is "fought by the poor and disenfranchised for the benefit of the rich and powerful," said Ben Carney of Bronx Community College. "Don't let our sons and daughters sacrifice their lives for a lie," he implored. "Vote to end the war and bring our soldiers home."

DEBATE

Leo Casey of the UFT, opposing the resolution, brought up the sacrifices of union activists in Iraq who were imprisoned and tortured under Saddam Hussein's regime. "Without our troops to support them," he contended, "an immediate withdrawal would mean instant death for these people." (See also page 10.) Other delegates argued that an end to the US occupation would lead to unrestrained civil war. In the end the RA voted to reject the PSC's resolution.

As the state's largest union, NYSUT always draws attention from politicians. Delegates heard speeches by State Comptroller Alan Hevesi, US Senators Chuck Schumer and Hillary Clinton, Assembly Speaker Sheldon Silver and New York Attorney General Eliot Spitzer.

New PSC legal director

The PSC has hired a new legal director, Nathaniel Charny, formerly of the labor law firm of Eisner & Associates. Charny comes to the PSC staff as a former member, having taught as an adjunct at the Queens College Labor Resource Center.

"I went to public school my entire life," says Charny, a native of Dobbs Ferry, NY. He graduated from SUNY Albany in 1987 and the law school of SUNY Buffalo in 1991. After clerking for two years in the

federal courts in Pittsburgh, he went to work for the labor law firm of Cohen, Weiss & Simon. He moved to Eisner's firm in 1997.

In 1999 he was hired by the Writers Guild of America East, where he worked on grievances, arbitrations, contract negotiations and member training. He returned to Eisner & Associates in 2001, but missed doing in-house legal work. After a month at his new job, Charny calls the PSC "a perfect match."



15-MINUTE ACTIVIST

No unilateral change to tenure

Just before the end of the semester, CUNY Chancellor Matthew Goldstein made a visit to Albany to lobby legislators to lengthen the time to tenure at CUNY. He made no effort to consult with or even notify the PSC or the University Faculty Senate of this initiative.

The last time the Chancellor tried to make a unilateral change to CUNY's tenure clock, in 2004, State legislators told him he had to first come to an agreement on the issue with the PSC – and that he shouldn't

try to do an end run around the faculty's collective representative.

The PSC has serious reservations about lengthening the tenure clock (see the March 2004 Clarion at www.psc-cuny.org/communications.htm for details). But the most important thing to tell your representatives is that such an important change should not be made unilaterally, without negotiation and public discussion. Go to www.psc-cuny.org and click on ACT NOW to send them a message.

Professional Staff Congress/CUNY

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