

# Clarion

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



FEBRUARY 2002



**HEOs SPEAK**

**How it feels to be "drowning in work"**

**PAGE 2**



Stephen Lovkin

## FUND THE FUTURE OF NYC!

For some it was the first rally they'd ever attended. Others had been to more than they could count. But everyone felt a fresh energy at Borough of Manhattan Community College, when over 500 students, PSC members and other labor activists came together to say that it's time to invest in CUNY. They

told Congress to give New York City the money that it was promised. They told the Mayor and the City Council not to cut the community college budget. And they linked arms in front of BMCC, to show their support for the City's University.

**REPORT ON PAGE 3**

### RETIREMENT

#### Which plan is the best for you?

The 403(b) tax-deferred annuity has long been available at CUNY. Community college faculty and staff now have a new option, the 401(k). Which retirement plan is your best choice?

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### CITY CONTRACTS

#### Negotiations: UFT, PBA & PSC

The UFT waits for a fact-finding report, while the PBA prepares for arbitration. PSC contract talks continue, while the union charges CUNY with violating labor law.

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### MOVING ON

#### Segarra leaves CUNY for cop museum

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# What are HEOs' concerns on the job?

Higher Education Officers tell our Roving Reporter what's on their minds.



**AUDREY BERMAN**  
Office of Educational Services  
Hunter College

I sent a wish list around to Hunter HEOs on email and the responses were pretty consistent. People want to see substantial salary increases in the contract, of course. But there are other issues that are quite pressing as well.

We're incredibly vulnerable in terms of job security – basically, there is none, since a 13.3b is not tenure. A HEO could work at CUNY for twenty years and in a case of retrenchment, he or she would be given just a few months until termination. We've seen this happen here at Hunter and we need to make sure it can't happen again.

This is a basic labor issue. Job security is fundamental to all other concerns that HEOs share – concerns like salary and especially, the lack of promotional opportunities.



**ANN BATIUK**  
Associate Provost's Office  
Graduate Center

I do like the benefits that the PSC has won for us and I've always appreciated working at CUNY. Still, I've been in the same position, Assistant to HEO, since 1985. In that time, the job has increased in its responsibilities, but I haven't received a promotion because there's no structure in place for that to happen. So for me, the most important addition to the contract would be a promotional series for HEOs.

Here at the Graduate Center, I think that faculty and staff are uniquely positioned to work together on union issues, since we're all literally under one roof now.

Because many of our doctoral students are teaching adjuncts, one important issue has been to support the inclusion of adjuncts in the PSC.



**IRIS DELUTRO**  
LEAP Program  
Queens College

All of the issues are connected. Workload for HEOs is constantly increasing – as times get tougher and tougher, and people leave and are not replaced, we get more and more on our plates. And our commitment to the students and the university makes it hard to say no. We're now drowning in work, so we don't have a chance to talk to our co-workers about our shared concerns. This hurts our ability to organize and effectively address issues like workload – it's a Catch-22.

However, we're working now to form campus-based HEO associations that will begin to push forward our agenda and change the culture of acquiescence that's fostered by the vulnerability of our jobs. I mean, we make the university run. We have to understand that we have that power.



**CARINA QUINTIAN**  
Career Advisement  
John Jay College

'Promotion' is not a word that exists for HEOs. There are guidelines that cover how one can move from one title to another, but these have always been easier for the administration to get around than the contract. HEOs have never been adequately protected, either – with every contract negotiation, they threaten to take away 13.3b, the little job security we do have. And HEOs often don't know what their rights are. I became involved with the union because I was paying union dues anyway and for years, I never felt like I was getting my money's worth. I became a delegate, and although you can't turn these entrenched problems around immediately, I am very hopeful about what we can accomplish.



**AL FINGERHUT**  
Bursar's Office  
LaGuardia Community College

First of all, I want to say that I love my job and the people I work for. The problems that I see HEOs facing have to do with the way our jobs are structured, not with our bosses – mine are great, really regular guys. And working with the students is just incredibly rewarding. I know that most HEOs feel the same way that I do.

As far as the problems I see, I know that the issue of overloads is a big one for people. Lots of HEOs love teaching but some have found it hard to teach a class – there's a prohibitive amount of paperwork to fill out, for instance. Also, the fact that we have to wait five years and then another two years for the last two-step raises is just really too long. Those last two steps should come much sooner.

By Kristin Lawler



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

## Pataki's tuition proposal: waging war on the poor

● In his budget proposal, Governor Pataki asks that one-third of Tuition Assistance Program (TAP) grants for poor students tuition be held back until they graduate. This neatly illustrates the hypocrisy of so-called fiscal conservatism.

Students are supposed to make up the difference by taking out yet more loans. The prospect of getting deeper into debt, even with the promise of eventual reimbursement, is hardly an incentive for graduation. In practice, this policy will ultimately force many students who depend on TAP to suspend their studies.

An interesting mind experiment is to apply the same principle to the funding of other endeavors. Would we hold back one-third of cancer research grants, to be paid upon the discovery of a cure for

cancer? Or one-third of the military budget, pending the capture of bin Laden?

There is nothing inherently wrong with offering a reward for the completion of a task, but to take that money out of the baseline funding necessary to complete the task itself must be viewed as deliberate sabotage. This proposal is not simply a misguided attempt to encourage prompt graduation – it is a conscious effort to drive the poorest students out of college. It will decrease, not increase, the number of students graduating from CUNY.

It's time to stop the war on the poor.

—Christopher Day

[The author is a student at Hunter College and a member of the Student Liberation Action Movement (SLAM).]

### "Union": what it means

● I'm always glad to see *Clarion* arrive and read accurate, dependable news about the union. On the other hand, it is quite irritating to receive the so-called "Patriot" in our college mailboxes. I find it puzzling that an individual can gain access to college labels and distribute a personal rag such as that.

Perhaps the most bewildering thing about "The Patriot" is the way it is riddled with errors and seems quite unconcerned about the facts. To take one of countless examples, it wrongly states that the PSC endorsed Alan Hevesi for mayor – despite the fact that when the union's Delegate Assembly voted on endorsements, Hevesi got exactly zero votes and no one spoke on his behalf.

But even more disturbing is that the editor of "The Patriot" seems to have no notion about the meaning of the word "union." His individual actions, are just that – actions by one person, signifying nothing.

I find dissent within the union useful, as the pages of *Clarion* and Delegate Assembly debates show. I wonder why the editor of "The Patriot" chooses to be a lone wolf? Could it be he doesn't really believe in the most basic idea of a union – the idea of working together?

—Joan Greenbaum  
LaGuardia Community College

### To strengthen solidarity

● The PSC faces the urgent but relatively undeveloped task of strengthening our union's relations with our sister unions, with our

students, and with the families and communities to which they belong.

The PSC's Solidarity Committee and individual chapters have both done some work towards this end, but they need a way to coordinate.

What if each chapter Executive Board assigned one of its "At-Large" reps the "Solidarity Portfolio"? That person would concentrate their union work on solidarity issues on the campus and to coordinate with the central union's Solidarity Committee.

—Jim Perlstein, BMCC  
Co-Chair, PSC Solidarity Committee

### Write to Clarion

Letters should be no more than 150-200 words in length and are subject to editing.



# BMCC rally demands funds for CUNY

## Union scores against Giuliani's budget cuts

By PETER HOGNESS

The dust and smoke from the World Trade Center were still rising in lower Manhattan when then-Mayor Rudy Giuliani announced that City agencies would have to cut their spending by 15%. Police, Fire and the Board of Education were slated for reductions of 2.5%, but City funding for CUNY got hit with the full 15% cut.

Meanwhile an effort to secure the full \$20 billion that President Bush had promised to New York City was turned back in the House by a five-vote margin on November 28.

On December 6, over 500 people came to Borough of Manhattan Community College to respond, in a rally organized by the PSC.

"Stop the nonsense! Give us an education!" Jose Peralta of the NYC Central Labor Council led students, faculty and staff in a chant that echoed in the courtyard at BMCC's front entrance. "We, the students of BMCC, are tired of being treated with constant disrespect!" said former student government treasurer Anthony Worgs. The crowd exploded with applause and Worgs responded, "Hell yeah!"

Students, faculty and staff from BMCC talked about how the destruction of the World Trade Center, just blocks away, had affected them – and how they now felt abandoned and betrayed. "We saw the planes ram the buildings, the bursts of fire, the bodies falling out of windows," said PSC Chapter Chair Jane Young. "For nearly three weeks, our building was taken over as a staging area for rescue efforts. When we came back on October 1, the area looked like a war zone." What sense did it make, she asked, to cut BMCC's budget now?

"Invest in the people of New York," urged PSC President Bar-

bara Bowen. "That means invest in CUNY, now!" State Sen. Tom Duane and others noted CUNY's crucial role in providing the education that laid-off New Yorkers needed more than ever. "We can't just rebuild bricks and mortar," said Duane.

"It's been hard down here," student Sherry Arthur-Harriott told *Clarion*. "With the smoke, the bad air." But while her family in Trinidad begged her to come home after September 11, Arthur-Harriott said she could not leave BMCC. "I'm so glad I came to this college!" she said. "I came in with very low self-esteem. But now my grades are up, and I feel like I can do anything."

With a big smile, Arthur-Harriott added, "This is my first time at a rally. I'm so excited!" And that positive feeling was everywhere. One of Arthur-Harriott's professors, Anne Friedman, described it later: "Seeing my colleagues from throughout the University, standing on the plaza and ringing my campus – my home,

at CUNY's Ground Zero – really moved me."

The high point of the rally came when participants linked arms in a symbolic defense of the campus and of CUNY, stretching arm-in-arm down Chambers Street and around the corner. "They can't cut the budget," said Mohammed Islam, head of the Student Association of Bangladesh, as the human chain assembled. "Students are very upset. We need to fight this."

"When you leave here, don't forget the things that are being said," Iris DeLutro, vice chair of the PSC's HEO chapter, told the crowd. "Form delegations, meet with your representatives. It's up to us – let's do it!"

And they did. In the end, the combination of protest and lobbying changed the City budget. The budget approved by the City Council on December 19 reduced Giuliani's 15% cut to 4.2%. More funds were added in a trade-off with the state, with the net result that City support for

CUNY was reduced by only 3.9%. *The Chief*, NYC's newspaper for civil service employees, credited the PSC and CUNY with "an intensive lobbying campaign" that had made a difference.

Another point of pressure was a lawsuit brought by student leaders at Hostos College, charging that Giuliani's cuts violated the state's maintenance-of-effort law on community college funding. Though similar suits had been brought in previous years, this was the first time that the PSC had joined the case. The suit was put on hold after the City indicated to the judge that it would increase community college funding to comply with the law.

Meanwhile the State Legislature decided the last details of its "bare bones" budget in January. Funding for CUNY's Centers for Worker Education was reportedly restored, but efforts to add more funds for SEEK and campus childcare were not successful.

On the federal level, the PSC is continuing to work with the AFT in Washington to press for federal funds for CUNY, as part of the overall effort to make sure the federal government makes good on its commitment to NYC.

"We've made ourselves known as a group that's vital to the survival of this city," said PSC Legislative Committee member Eileen Moran of Queens College. "Now we're going to keep the pressure on."



Demonstrators march along West Street outside BMCC.

## CUNY NEWS IN BRIEF

### Queens center in WTC laborer study

In mid-January the Queens College Center for Biology of Natural Systems began medical examinations of clean-up workers in the area around the World Trade Center. The World Trade Center Mobile Medical Monitoring Unit, also sponsored by the Latin American Workers Project and the New York Committee for Occupational Safety and Health and funded by the September 11th Fund, focused on respiratory problems, physical exams and education for the workers, many of whom are undocumented day laborers.

The state Attorney General is investigating labor law violations by cleaning companies in the WTC area. Many companies hired workers to clean potentially toxic dust without providing safety training or protective equipment.

"We are aiming to help the most neglected, least protected workers, who might otherwise receive no medical care for occupational health problems," said Queens College's Dr. Steven Markowitz, an occupational medicine physician who is directing the CUNY team.

### New Asian/American Institute

The CUNY Board of Trustees has approved the establishment of a CUNY-wide Asian American/Asian Research Institute sponsored by Queens College. The institute's executive director is Thomas Tam, a former member of the CUNY Board of Trustees. An opening reception will be held at the Institute's office, at 25 W. 43rd St., on March 22, from 2 to 5 pm. The Institute also plans a speaker series and an Asian American Leadership Conference on May 10.

### Hit-and-run death

Douglas Dibble, manager of the Hunter MFA building, died after a hit and run accident on November 30 at 40th Street and Dyre Avenue, near the MFA building and the Lincoln Tunnel. Hunter College President Jennifer J. Raab has offered a \$1,000 reward for information leading to the arrest of the person responsible for Dibble's death.

At the time of the tragedy Dibble, a Hunter MFA graduate, was preparing to redecorate and rebuild his new apartment. When Dibble's wife Kirsten Westphal returned to their apartment after visiting family out of town, she found that students had finished all the work on the apartment for her, a gesture of their appreciation for Dibble's life and work.

# Pataki proposes flat 2003 budget for CUNY

By TOMIO GERON

On January 22, Governor Pataki proposed an \$88.6 billion budget for New York state.

CUNY senior college funding would remain the same as this year, at \$1.033 billion. State base aid to CUNY community colleges also remains the same.

By not adjusting CUNY's appropriation for inflation, Pataki's budget actually represents a cut. No action is proposed to increase the number

## Asks 1/3 holdback of TAP loans

of full-time faculty lines.

"We are nowhere near the University's stated goal of 70% of instruction by full-timers, and CUNY now risks losing academic accreditation in several areas because the ratio of full-time to part-time instructors is so low," PSC Secretary Cecilia McCall told the State Assembly's Higher Education Committee in mid-January.

The biggest change for CUNY

would be Pataki's proposed alteration in the Tuition Assistance Program (TAP). He calls for cutting the amount of TAP money available to CUNY students by one-third, holding it back as a "performance" award and releasing it to the student only after graduation. Students will be told to finance this cut through federal loans.

While Pataki argues that this would provide an "incentive" for

students to graduate, critics charge that it would in fact prove to be an obstacle. Though Pataki contends that CUNY's graduation rates are low, they are in fact above the national average for public colleges when measured over a longer period of time, notes Bill Crain of CCNY. "Our students take longer to graduate because they must fight poverty and work long hours," says Crain.

The state legislature will respond with its own budget plan in the coming weeks.



## PSC presses contract enforcement

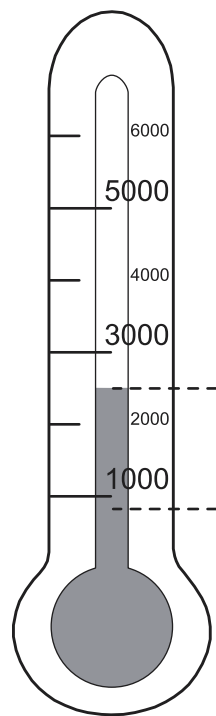
The PSC has stepped up its campaign to make sure that management strictly follows the existing contract. For the first time, the union has formed a Contract Enforcement Committee to coordinate its efforts, to make strategic decisions about how to attack the most pressing issues and then track the results.

Negotiations, grievances, labor-management meetings, in legal or political action – all of these are places where contract enforcement issues can arise. Good coordination between PSC activists in these different arenas will make success more likely. “There has never been a body to both consider how best to handle a contract enforcement issue and then track its progress toward resolution,” said Steve London, PSC First Vice President and the new body’s chair. “This committee will do that.”

Issues now on the committee’s agenda include violations of the contract’s salary schedule [see article, right], excessive workload, ensuring that management meets contractual deadlines [see p. 8] and preventing unilateral policy decisions by management on issues where it has a duty to bargain with the union [see article, right].

– PH

## Adjunct organizing Membership rising



Ramon Ferreira

*Catch the fever!*

# Confidential bargaining sessions continue

## PSC presses charge against CUNY at labor board

By PETER HOGNESS

Confidential contract bargaining sessions continued in January. At the end of the month, talks were serious enough that the PSC team asked management to be available over the weekend, should that prove necessary.

While this does not mean that a settlement is at hand, the new phase of negotiations has continued to be productive, according to the PSC bargaining team. The stepped-up, closed-door talks began three months ago. Although the two sides have agreed to keep the details confidential, the PSC team reported that CUNY management had “entered into serious discussion about economic issues” at the end of the Fall semester.

### REAL CONSEQUENCES

“Like other city unions still in negotiations, we recognize that the changed economic outlook has real consequences,” said the union’s chief negotiator, President Barbara Bowen. “But the PSC still remains determined to begin the restoration of our professional lives and the rebuilding of the University with this contract.”

Meanwhile in early January, meetings on two Public Employment Relations Board (PERB) charges brought by the PSC began to put the brakes on CUNY management’s attempts to impose new policies without first negotiating with the union, and to bargain individually with faculty over economic terms. “The issues raised in these cases go to the heart of our ability to negotiate a new contract,” said PSC First Vice President Steve London. “CUNY is trying to implement the changes they want without addressing the needs of faculty and staff as presented by the union.”

One case dealt with CUNY management’s attempt to implement one of its main contract demands, the ability to hand out individual salary increases above the established rates as it sees fit. Three and a half years ago, the PSC negotiated an agreement with CUNY management called the Recruitment and Retention Initiative (RRI), under which some employees could be paid an additional \$10,000 or \$20,000 above the top pay for their title. That agreement expired in July 2000, but CUNY management continued to



PSC bargaining team members Stanley Aronowitz (left) and John Hyland confer after the January 23 bargaining session.

Peter Hogness

hand out RRI supplements without bothering to notify or seek the agreement of the PSC.

### PSC General Counsel Arthur Schwartz told the judge that CUNY was “in flagrant violation of the law”

Meanwhile, Business School management at Baruch was moving to implement a plan to give extra pay to chosen individuals with no discussion with the union whatsoever. CUNY’s instructional staff have chosen the PSC as their bargaining agent – but here management moved to set up a parallel structure, a committee of elected faculty and administration appointees to supplant the union’s role. When the union objected, management responded that it was alright because the money would come from the Baruch College Foundation.

PSC General Counsel Arthur Schwartz argued at the PERB settlement conference that CUNY was “in flagrant violation of the law.” Schwartz said that it made no difference whether the money came from a foundation, tax money or tuition – CUNY’s conduct was a blatant attempt to “bust the PSC” and bargain instead with individual faculty members. CUNY responded with a motion to dismiss the PSC’s charge, which was denied. Over CUNY’s objection, the case has been set for trial in February.

“We’re ready to be flexible, but management can’t just make up the rules as they go along,” said London. “CUNY has to learn that this union leadership will not be sidestepped when it comes to negotiat-

ing the basic terms of faculty compensation. CUNY cannot be allowed to only raise the salaries of a few, leaving the rest of the bargaining unit begging.”

The second case involved management’s refusal to bargain over the terms of CUNY’s policy on intellectual property (IP). CUNY’s IP policy can affect such matters as financial compensation, workload, and other subjects on which negotiations are mandatory. “This is a question of whether faculty own what we produce,” said bargaining team member Stanley Aronowitz. “It’s very basic.” Yet over the summer, management declared that “the University is not required and does not intend to bargain with the PSC on this issue” as it moves to update its Intellectual Property policy.

### CUNY AGREES TO TALK

However, at the January PERB conference, CUNY management agreed to hold direct talks with the PSC on IP issues, and the PSC agreed to suspend its PERB charge for 60 days while those talks proceed. “While management did not concede that the law requires it to do so, it did agree to meet,” said London. “We hope that those talks will be productive.”

## The CUNY Index

CUNY salaries are far below those of many other public universities. For example, the salary range for assistant professors at CUNY is \$32,700 to \$60,600. Compare this with University of North Carolina/Chapel Hill, where the AAUP puts the average assistant profes-

sor’s salary at \$58,500. But even at schools where the average is lower, your salary will usually buy you a lot more. At UNC/Greensboro, the average assistant professor’s annual wage is \$46,600 – and here’s some of what it can buy:

Reporting by Nicole Halsey

New York	ITEM	Greensboro
\$1,000	Monthly Rent on a Studio Apt. (NYC: Park Slope/G'boro: Hidden Lakes Apts.)	\$445
\$2,400	Monthly Rent on a 3 BR Apt. (NYC: Park Slope/G'boro: Yorktowne Apts.)	\$700
\$3,024	Leather Sofa (Model: Thomasville “Ashby”)	\$1,536
\$67.99/day	Avis Car Rental (Midsize Vehicle)	\$52.99/day
\$1.35	1 Gallon Regular Gas	\$1.09
\$59	Deluxe steak dinner (NYC: Peter Luger/G'boro: Longhorn)	\$30
\$29	Barbecue dinner (NYC: Virgil's/G'boro: Stamey's)	\$9
\$5.25	Dry Cleaning for 1 Shirt	\$1.69
\$10.00	Movie Ticket	\$6.50
\$5.19	Big Mac Value Meal	\$3.30
\$13.99	Box of Pampers	\$11.97
\$3.19	1 Gallon Whole Milk	\$2.97



## Arbitration, negotiation and a new administration

# Police, teacher, firefighter contracts: the endgame?

By **MANNY NESS**  
Brooklyn College

One of Rudy Giuliani's legacies to incoming Mayor Mike Bloomberg was the poisoned state of labor relations with the United Federation of Teachers (UFT) and the Patrolmen's Benevolent Association (PBA). Frustrated at the lack of progress in negotiations, each union had declared an impasse in bargaining last summer.

Within days of taking office, Bloomberg met with city labor leaders and declared that he wanted to get the police and teacher talks going again. But the two declarations of impasse had already triggered procedures for fact-finding and arbitration, which are setting the context for any negotiations with the Bloomberg administration.

The UFT and PBA have both emphasized the sharp disparities in pay between teachers and cops in New York City and those in surrounding communities. For that reason, they balked at Giuliani's insistence that they accept the pattern of the City's settlement with DC 37, the largest municipal workers' union, which provided raises of 4% a year in a 27-month contract. The PSC has also argued that such a pattern does not address some of its own most urgent needs, such as restoring competitive salaries and workload, and creating equity for adjuncts and others.

Fact-finding hearings, at which

the UFT and the Giuliani administration made their cases, began in late November and concluded in early January. Final briefs were due by February 1, and the panel has 30 days to complete its non-binding conclusions. Teachers' union officials believe that serious negotiations are not likely until the panel issues its report – although formal contract talks resumed in late January, for the first time since March of 2001.

### CITY LOSING TEACHERS

To bring New York City teachers closer to the wages of suburban districts, the UFT has demanded a 22.7% wage increase. Union president Randi Weingarten told the panel that it would be a mistake to force teachers into the same pattern as the members of DC 37, since the school system is losing so many qualified teachers to the suburbs.

Witnesses for the Giuliani administration denied that there is any teacher shortage in NYC – despite the fact that 42% of all teachers hired this school year were uncertified. But the City's main response, voiced by Giuliani's Deputy Mayor Robert Harding, was that with the combined effects of September 11 and an economic downturn, the city

simply could not afford what the UFT was asking. Harding said it would cost \$1.2 billion, a figure the UFT disputed.

Mitchell Moss, professor of urban policy at NYU and one of Mayor Bloomberg's eclectic circle of advisors, testified on behalf of the UFT that the City can afford a substantial wage increase. "The current recession is already about half over," he said. "The end of the world is not coming to New York. In fact, we are rebounding."

Nevertheless, the City's budget deficit is real, and in a January letter to UFT members, Weingarten wrote that although a substantial raise for teachers is warranted and necessary, economic conditions could delay its final realization. "The city may not be able to provide the raise we are seeking right now, but they'll have to do it over the long term," said UFT spokesman Michael Spielman. Otherwise, "the quality of teachers will continue to decline as qualified teachers move out of the city and into other industries," he said.

The UFT may accept a smaller increase now and press for a larger raise to take effect next year. A 27-month contract, retroactive to November 2000, would expire in Febru-

**The UFT and PBA have both emphasized the sharp disparities in pay between New York City and the suburbs**



UFT President Randi Weingarten (fourth from left) meets with members before she testified at a fact-finding hearing

ary 2003, and negotiations for the next contract will likely begin as soon as this one is settled.

Like the UFT, the PBA has reached an impasse in negotiations with the city. But unlike the UFT, the PBA has the option of binding arbitration, and these hearings are expected to begin soon. "We are setting up a schedule for arbitration hearings right now," said PBA spokesman Joseph Mancini in January, estimating that the entire process would take up to four months. According to Mancini, "the PBA is seeking a market adjustment that would raise wages to those of Newark, NJ, which has a lower per capita tax base than Nassau and Suffolk counties." Despite this lower tax base, the PBA says that Newark cops make 23 percent more than those in New York City.

PBA negotiator Bob Linn told *Clarion* that while the union is not closing the door on negotiations with the City, it is prepared to let arbitration proceed and accept the results.

The Uniformed Firefighters Association had tentatively accepted a settlement, which calls for a 10% wage increase over 30 months – but it is currently in limbo. "The contract was negotiated before the events of September 11," said Tom Butler, a spokesman for the Uniformed Firefighters Association. "Obviously things were slowed down and we were unable to go ahead with the ratification process as planned."

### AFTER SEPT. 11

In the wake of September 11, when firefighters sacrificed so much and received so much public support, some in the union called for re-opening negotiations. Butler noted that since the tentative contract would expire this summer, a larger increase could be sought in the next contract negotiations, which would begin right away. At *Clarion* press time, firehouse delegates were reviewing the proposed agreement; their vote will determine whether it is submitted to the membership as a whole.

## The PSC at New York City Tech

Health and safety, workload, class size, organizing new members – these are some of the key issues for the PSC chapter at New York City Technical College. And the chapter is taking them on by finding new ways for members to get involved.

"We labor in some very decrepit classrooms, including some that are unhealthy in terms of mold growth in the ceiling and so on," said Walter Dufresne, an adjunct who teaches photography. Chapter Chair Bob Cermele says a newly-formed health and safety committee has begun to tackle these problems.

"We created a form for reporting health and safety problems and sent copies to all chapter members," said Sharon Swacker, the committee's chair. "The college administration has often been co-operative," Cermele said. "After all, they have to work here, too." Of course, the ad-

ministration may not be as sympathetic in cases where they're not personally affected, he added. "So the union has to come down and push to make clear just how real the problem is."

### CLASS SIZE ISSUE

The chapter now has a grievance committee, and almost all members are newly active. "I'm the only 'seasoned veteran,'" grievance counselor Pat Rudden said with a laugh. The chapter recently filed a grievance over the steady escalation in class size. Academic departments and City Tech's College Council have taken up the class size issue as well.

Though City Tech has been a four-year college for 22 years, full-time faculty still have a 27-hour teaching load. This makes it hard for City Tech to compete for faculty,

## CHAPTER FOCUS

and for faculty to do research and publish. While the college administration supports a reduction in workload, Cermele said, they have not yet been able to convince 80th Street to move in that direction.

PSC membership at City Tech shot up last year, from 282 in December of 2000 to 437 a year later. The newly-formed membership committee, chaired by Rhona Noll, identifies non-members and signs them up.

"We've started having regularly scheduled chapter meetings with published agendas," said Swacker, and attendance varies from 30 to around 75.

Not everyone at City Tech is impressed with the new level of activi-

ty. "The Unity Caucus on campus is waiting for something to happen – but nothing happens," said former Chapter Chair John Donoghue, who lost last year's election to a New Caucus slate. Donoghue contended that the class size grievance and recent grievances on promotions have little odds of success.

### "THEY ARE ACTIVE"

But nursing department head Kathryn Richardson, who also ran on the Unity slate, said, "I really am not displeased with what's been happening inside the chapter. I think they are active, and I think things are working out OK."

"Member involvement in the chapter has been growing," commented Cermele, "but we don't expect instant success. It's a gradual process." Some special events are in the works for the Spring: a health and safety training workshop and a PSC-sponsored breakfast meeting with Brooklyn elected officials (see p.10).

The chapter's new newsletter symbolizes the hopes that some

members have for the future. "We have a lot of power if we're united," said Bob Holden, its designer, "but people in one department don't always know what the other one is doing. The newsletter can help make people aware that their problems are not unique, and that together we can get them solved." – PH

## City Tech in Brief

**Number of members:** 437

**Biggest issues:** health & safety, class size, workload

**Biggest success:** "Beginning to really function as a chapter," says Chapter Chair Bob Cermele.

**Next chapter meeting:** February 14

**Who to call:**

**Chapter Chair:** Bob Cermele / 718-260-5009 / rjcnyc@sunysb.cuny.edu

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# CUNY employees lost at World Trade

## Our co-workers, our colleagues: how they are remembered

By TOMIO GERON and PETER HOGNESS

*[It has taken some time for a complete accounting of members of the CUNY community who were lost in the World Trade Center's collapse, as the official WTC toll shifted from over 5,000 to about 3,000. In addition to the co-workers who are remembered here, the tragedy of September 11 also cost dozens of students their lives, and scores of CUNY students and employees lost friends and relatives. A list has been posted on the Web at [www.cuny.edu](http://www.cuny.edu).]*



**Andrew Fredericks**

Fire Service Hydraulics is "one of the more difficult classes to teach," says Glenn Corbett, assistant professor of fire science at John Jay. "It's 99% math." But Andy Fredericks was a natural at teaching the theory of firefighting. "He could put the theoretical side together with the practical, and students appreciated that," Corbett says. "They loved him." Fredericks was a member of the NY Fire Department's Squad 18, and a volunteer firefighter in Suffern, NY, where he lived.

Those who care about firefighting theory develop special interests – "and what Andy was into was putting the fire out," Corbett says. Fredericks's interest in hoses and water application led to writing articles for *Fire Engineering* magazine and speaking at conferences.

"He was really into nozzles," says Corbett. "He went back and researched their development, and interviewed some of the pioneers who developed water application techniques in the '40s and '50s. It was a service to the entire field – a lot of these guys were passing away."

"Here at John Jay we've been pushing for more resources to be put into analyzing the WTC's collapse," Corbett said. "That's the kind of thing Andy would be pushing on." Andy Fredericks knew the value of knowledge. "He'd say, 'We have to learn from this.'"

Fredericks is survived by his wife Michelle and their children, Andy and Hayley.



**Charles Lesperance**

Charles Lesperance "was the happiest man I ever had as a boss," says Maria Vazquez of Hostos College. "He was always a person to come in the morning with a Danish or cookies for others, with fresh news in his mouth about what was going on in the world."

"Every so often we had a little quarrel," says Vazquez. "And he would make up by putting the radio on Spanish music and saying, 'OK, Maria, let's dance!' And we would dance!"

Charles Lesperance was Director of Information Technology at Hostos. "He was very strict about the quality of the work," says computer programmer Felix Galindo. "But he listened well to suggestions, and always treated people with care."

On September 11, Lesperance was working at the WTC as a systems analyst with the State Department of Transportation. He is survived by his three daughters and his fiancée, Renee Alexander.

*[A PSC member, Charles Lesperance filed a grievance for wrongful termination after he was separated from his position at Hostos. The grievance is still active, and if successful may benefit Lesperance's family.]*



**Charles Mauro**

Charles Mauro was "quiet, down to earth, with a big heart," says Prof. Julia Jordan of NY City Tech. "Charlie was good people." Mauro taught Food and Beverage Purchasing as an adjunct at City Tech – and was also director of purchasing for Windows

on the World, where he was working on the morning of September 11.

A graduate of Tech himself, Mauro "made students feel comfortable – and challenged them to learn all they could along the way," Jordan says. He had a strong interest in connecting local farmers with restaurateurs, and helped shape conferences on sustainable agriculture in the Northeast.

Mauro began in the restaurant business as a kid in Bay Ridge, says Larry Aridas, a close friend since the two were students at City Tech. And he went far. Mauro was "incredibly knowledgeable" and always a lot of fun, says Michael Lomonaco, who was executive chef at Windows on the World and has just joined City Tech as a Distinguished Professor. "He took full advantage of the education CUNY offers, and came back to CUNY to share his knowledge and enthusiasm," Lomonaco said.

As one student said, "We'll all miss Professor Charles."

Mauro is survived by his wife Barbara. A scholarship has been created at City Tech in Mauro's honor. Donations may be sent to the Charles J. Mauro Scholarship Fund, Hospitality Management, NYC Tech, 300 Jay St., Brooklyn, NY 11201.



**Kathy Mazza**

Kathy Mazza was an operating room nurse for ten years before she joined the Port Authority police, where she rose to the rank of captain. She attended LaGuardia Community College's EMT program so that she would be able to teach EMT courses at the Port Authority.

Mazza interned as a student instructor in the LaGuardia program in 1997, and later came back to work with colleagues at LCC to set up an EMT training center at the Port Authority. "She cleaned up a very rudimentary system and made it state-of-the-art," says John Violante, an EMT instructor who taught some of Mazza's courses. "She was very easy to get along with. She's sorely missed."

Kathy Mazza was the first female commanding officer of the Port Authority police academy. She was last seen trying to save people in World Trade Center Tower One.

Mazza is survived by her husband, Christopher Delosh.



**Shawn Powell**

Helping people was Shawn Powell's "life mission," says Carmen Griffin, Powell's former supervisor and a Technical Coordinator at the LaGuardia Community College Performing Arts Center. Griffin first met Powell when he was 14 years old, working after school at Henry Street Settlement. "[He] always had his head on his shoulders," says Griffin.

After returning from service in the Army, Shawn Powell worked as a theater technician at LaGuardia, arranging lights, sound and stage management for the Center's events and shows.

Griffin recalls how quickly he picked up the work. "He excelled at it. He started as an usher. Then veteran techs like me took him under their wing and started furthering his skills. He always wanted to learn as much as he could learn and do as much as he could do."

But more than that, Powell wanted to use his skills to help people. "He was always there for the team and always there to work with people. That's why going into the fire department was so natural a progression."

Powell was a member of the NY Fire Department's Engine Company 207 in downtown Brooklyn. He is survived by his wife, Jean, and their son Joshua.



**Paul Zois**

Many CUNY departments depend on adjuncts to do far more than their job description requires. Paul Zois, an adjunct lecturer in the Department of Tourism and Hospitality at Kingsborough Community College, did so eagerly since the department's

founding 17 years ago.

"He was an active force in the department," says Stuart Schulman, chair of the department. "He was not only a teacher but gave much more of himself," connecting students with internships and mentoring. "He was always cognizant of what was the latest in the field," says Schulman, "and was able to translate that for students so that they could absorb it and master it."

Zois taught airport and aviation management, transportation, and related computer courses. He also helped students with one of his other passions: soccer.

"He was an avid soccer player," says Schulman. "He helped [students] find semi-pro teams if that was their interest."

Zois, a consultant for American Express, was working at Marsh & McLennan in WTC 1 on September 11. He is survived by his wife, Dorothea, and their children Stefania and Theo.



**Andrew Zucker**

A man with a passion for teaching, Andy Zucker "really brought the class alive," says his friend Abe Tawil.

Zucker taught criminal law as an adjunct in continuing studies at Baruch. Tawil, a full-time faculty member at the school, says he pushed his students "not only to learn the material, but to think about how to apply it, what it meant in terms of everyday life."

Tawil, who knew Zucker since they were both students at Cardozo School of Law, describes him as "an advocate, a very persuasive guy," active with several Jewish community organizations. Andy was a staunch Zionist and a man of "stern democratic values," his brother Stuart writes on a memorial Web site. Others recall Andy's "booming laugh," his love of an argument that was just right – but most of all, that if Andy Zucker decided to do something, he made it happen.

Zucker was an associate at the law firm of Harris Beach, and was working on the 85th floor of WTC 2 on September 11. His wife, Erica, is expecting a baby in March. A scholarship fund has been created in Zucker's memory. Donations may be sent to: The Andrew S. Zucker Memorial Fund, P.O. Box 1494, N. Massapequa, NY 11758.



# Opposition to tuition hike for undocumented immigrant students

PSC and community leaders join together

By PENNY LEWIS  
BMCC

Voices of outrage against CUNY's tuition increase for undocumented immigrants are getting louder. January saw a hunger strike and a lawsuit against the policy change, after a broad coalition assembled by the PSC spoke out in December.

"A lot of my friends will be directly affected," said Marita Pereira of the Hunter Indian and Pakistani Student Club, two formerly separate clubs that united last fall. "On a personal level, this feels like an attack." Pereira questioned why CUNY felt it had to review its policy in the wake of September 11: "It's like profiling. It seems as if anyone from South Asia is now considered a potential terrorist."

In December the PSC organized a public statement sharply criticizing the change as a betrayal of CUNY's stated mission to "educate the children of the whole people." The open letter to Chancellor Matthew Goldstein was signed by Jewish, Korean, Mexican, Puerto Rican and South Asian community leaders, City Council Speaker Gifford Miller and 19 other elected officials, state and city leaders of the state AFL-CIO and NYC CLC, the presidents of NYC's hotel and transit unions, and many more.

On January 15 nearly two dozen faculty, students and supporters began a three-day hunger strike to protest the new policy. Standing outside the Board of Trustees' offices on E. 80th Street each day, the hunger strikers and friends chanted "CUNY, educate! Do not discriminate!" The action was covered by WABC-TV, *Newsday*, the Associated Press, the *Amsterdam News* and others.



Hunger striker Gerry Dominguez of the Mexican American Workers Association

Lawyers for the Puerto Rican Legal Defense and Education Fund are among those representing CUNY students in the lawsuit filed in January. The suit charges that the tuition increase violated CUNY's own rules, which require that the Board of Trustees review and vote on all changes to tuition.

Until November 5, CUNY followed a 1989 Executive Order signed by Mayor Koch and charged in-state tuition to undocumented or out-of-status students who met state residency requirements. After the September 11 terrorist attacks, CUNY General Counsel Frederick P. Schaffer undertook a review of University policies and concluded that this was in violation of a federal law adopted in 1996. That law states that out-of-status or undocumented students cannot get higher education benefits on the basis of residency, if those benefits are unavailable to American citizens from other states.

Thousands of CUNY students have received letters informing

them of their new tuition rates – \$676 more per year at community colleges, \$3600 more at senior colleges. On some campuses the letters did not reach students until early January, barely three weeks before the start of the new semester.

## ABRUPT DECISION

The PSC-sponsored letter objected to the abrupt and unilateral nature of the decision, made without consulting either the CUNY community or NYC's wide range of experts on immigration law. Critics argue that there are different interpretations of what federal law requires, especially since there are still no implementing regulations. They point to Texas, which continued to charge undocumented residents in-state tuition after 1996 and was never penalized.

More recently, Texas and California adopted legislation tying in-state tuition to graduation from a state high school or GED program. Thus, non-citizens can qualify without using residency as the criterion. Similar bills have been proposed in New

York, and the PSC-sponsored letter called on CUNY to suspend its new policy and support passage of this legislation.

CUNY Vice Chancellor Jay Hershenson told *Clarion* that once Schaffer's review concluded that CUNY was in violation of the law, "you have to follow the law, rather than continue to violate it." Hershenson pointed to steps CUNY has taken "to ameliorate the impact of the change." Affected students can get free legal advice from a number of centers around CUNY. Campuses were also advised to offer an extended tuition payment schedule or help students seek privately-funded low- or no-interest loans or grants. The Chancellor has also stated his support for legislative remedies – though, this was announced only after the PSC's open letter.

Susan DiRaimo, a City College ESL instructor who joined the hunger strike, said that these actions are just a band-aid on a deep wound that was caused by CUNY in the first place. "My students are being affected immediately," DiRaimo said. "They are being forced out of school now."

## Federal study on WTC impact at two CUNY campuses

By DAVID KOTELCHUCK  
PSC Health & Safety Officer

At the request of PSC-CUNY and four other unions, the National Institute for Occupational Safety and Health (NIOSH) has agreed to conduct a research study on the health effects of the World Trade Center (WTC) disaster on CUNY faculty and staff and other New York City workers. NIOSH is the chief research arm of the federal government for occupational health and safety.

The study will be the first large-scale investigation of potential physical and psychological health problems beyond Ground Zero. "That it was initiated by unions and includes CUNY shows how labor – and the PSC – has taken the lead on workers' health since September 11," said PSC Health and Safety Officer Joan Greenbaum.

In a December letter to NIOSH, PSC President Barbara Bowen asked "for assistance in helping us evaluate the health and safety concerns of our members" arising from the September 11 attack. Similar letters of request were sent by the United Federation of Teachers, District Council 37 of AFSCME, Local 100 of the Transportation Workers Union and two NYC locals of the Communications Workers of America, all members of the New York Committee for Occupational Safety and Health (NYCOSH).

NIOSH will distribute a questionnaire to all employees on two college campuses, two high schools and two office buildings in NYC – one of each near the WTC area, and the other more distant and upwind from the site. The two colleges will both be CUNY campuses, BMCC and York College.

NIOSH representatives will meet with faculty and staff to explain the study and answer questions. The questionnaires should take about 15-20 minutes to complete and can be filled out anonymously. If participants choose to sign their names, NIOSH will treat this information as confidential and use it only to send those participants an analysis of their answers, including whether they may have a condition that warrants medical attention.

"We'll all benefit from participating in this study," said Jane Young, PSC chapter chair at BMCC. "It's a chance to air previously unaired problems. This study will be an important part of assessing the consequences of September 11."

## A hunger striker's story

*Clarion* interviewed José, an undocumented student who joined the hunger strike against the new tuition increase. Some details have been changed to protect his identity.

### When did you come to CUNY?

In 1995, with the CLIP program. But I came to the US when I was 15 years old – by myself, without really knowing anybody. I slept on the subway for two days and finally found someone from my town. I had to work to help my family back in Mexico, but I also wanted my educa-

tion. So I worked 6 days a week from 7 am to 7 pm, then I would study ESL in a class from 7-9, then go home and study for my GED 'til midnight. Saturdays I studied GED all day.

### What are you studying at school now?

I started at [a community college] with computer programming, and then I transferred to [a four-year campus] in 1999, also to study computer science. Sometimes I'm in school full-time, sometimes part-time – it depends how much I have

in my pocket. I work as a deli-man, a sandwich maker, usually 8-12 hours a day, 6 or 7 days a week. Most jobs pay the minimum wage, but some even less.

### How will this tuition hike affect you – what will you have to do?

I know I will be affected personally. I haven't yet received that letter, but my college can change my tuition at any time. I registered full-time this semester to try to get 12 more credits before I get the letter. I'm scared that if I get it in the middle of the semester I won't be able to drop my courses and get the refund – I worry about it a lot. If they change my tuition it will probably take me two or three years more to graduate.

### When did you first hear about this new policy?

I was reading *The New York Times* in October, and saw [State Sen.] Frank Padavan's comment about CUNY, about it being an insult to let undocumented students come and get a higher education, that it's a national security issue. I first read about the policy change in the paper, too – so then I went to the CUNY website to read the memo from Schaffer.

I was devastated. I did take it personally, but also as a bigger issue, thinking about the thousands of students who will drop out of school. So I was in the hunger strike since the first day, and I would do it again.

– PL



# Justice delayed is justice denied

By DEBRA BERGEN

PSC Director of Contract Administration

If we let the union contract be ignored, it would just be another piece of paper. What gives our contract teeth is how we use it, and how we use the grievance procedure to make sure that it is enforced.

The grievance procedure has three steps: if an issue is not resolved at one level, it is appealed to the next. For this process to work, the time limits at each step must be respected.

But too often they are not. Many bargaining unit members wait over a year for their case to work its way through the procedure, due to consistent delays by management at all levels of the process.

After the union presents its case at Step One, college management is required by the contract to respond with a decision within 15 working days. But this decision is issued late on many campuses, and sometimes it is not issued at all. When the PSC complains about this foot-dragging, management's answer is the stock bureaucratic response, "You know what you can do" – that is, the union can move the grievance to the next step.

## MANAGEMENT DELAYS

With no response at Step One, the grievant is at a disadvantage: management has heard the grievant's case, but not vice versa. This is both unfair and keeps Step Two from functioning as it should.

Unnecessary delays create resentment. They hurt morale. They are unfair, and they constitute bad management. Union members may not win every single grievance that is filed, but they have a right to expect management to do its job.

The chance to resolve cases at Step One can also be hindered by a college's failure to respond to a member's academic appeal after a denial of promotion or reappointment. There are no contractual timeframes by which a college president must respond to an academic appeal, so the aggrieved member may wait six months before the president responds. If an appeal is denied, reasons must be given with-

## YOUR RIGHTS

in ten working days if they are requested – but this deadline is often ignored.

The problem of management delays and non-responses is worse at some campuses than others. BMCC, CCNY, COSI, Hostos and Queens have been the worst offenders.

The union is now addressing this issue on many fronts. We are seeking changes to the grievance procedure in our contract negotiations, to make the process work better and make the University more accountable. On the local level, chapter representatives have discussed the issue at their monthly contractual meetings with college presidents. The PSC's leadership brought the problem directly to the attention of Chancellor Goldstein at their labor-management meeting in December, and received his assurance that the inordinate delays would end.

The PSC Grievance Policy Committee has encouraged chapters to establish campus grievance committees. The union has also offered a series of training workshops. With renewed activism and vigilance on the part of the chapters, the last year and a half has seen a University-wide increase in grievance activity. In the 2000-2001 academic year, the union initiated a total of 102 grievances at Step One.

Since the beginning of this academic year, the PSC has filed forty grievances at Step One, including seven grievances for denial of promotions and eighteen that challenged improper denial of reappointment, both with and without tenure or CCE. Other grievances challenged improperly conducted annual evaluations, improper salary rates, failure to follow time limits and issues of discrimination such as failure to provide reasonable accommodation to a disability. So far, the union has so far moved eight of these grievances to Step Two.

Union members are using the grievance procedure, and the PSC is doing its part to make the process work. Management must do the same.



In November, the PSC held its annual Belle Zeller Scholarship awards ceremony at the Russian Tea Room for outstanding CUNY students. Pictured are (from left): Marlon Palha, Imran G. Chowdhury, Robert Gerardi, Tamara Herrera, Moah Son, Lidija Markes, Moira E. Egan, Isorys A. Dilone, PSC President Barbara Bowen, Melissa Anne Shea, Amelia Toledo, Randolph Cosme Palha, Ilana Roza Ausubel and Sherley Abraham. The awardees' diversity of achievement includes Dilone, a government major at John Jay who is former US Department of Education White House Fellow and captain of her school's women's volleyball team; Chowdhury, an anthropology major at Hunter who worked on the International AIDS Vaccine Initiative, and Gerardi, a professional musician who returned to school at Lehman College to become a music teacher.

# Discussion of war shows diverse views in PSC

## More agreement on civil liberties, opposing discrimination

By PETER HOGNESS

When the PSC Delegate Assembly (DA) met little more than a week after the attack on the World Trade Center, agreement on certain points was quickly achieved. Delegates voted to express their solidarity with those who had lost loved ones, and to support relief efforts of other unions. They condemned the attacks and called on CUNY faculty and staff to take part in on-campus memorials and forums, to reflect on September 11 and its aftermath. And they urged PSC members to help make CUNY "a safe harbor for people and ideas," free from threats or discrimination.

But there has been no clear consensus on what position, if any, the PSC should take on the war itself. The union's Executive Council asked delegates to express their views and has tried to craft a resolution on the war and its effects that would command support from a clear majority of the union. So far, it has not been able to do so.

One of the resolutions adopted in September stressed the need to "respect the diversity of views that our membership holds," and this is something that the union can fairly claim to have done. What stands out about the discussions in the Delegate Assembly is both the range of views and the respectful way that disagreements – often passionately held – have been expressed.

Some delegates have argued that the PSC should not adopt stands on broad political issues. "The union should not take a position on the current global crisis," Amy Nicholas, chapter chair at the Brooklyn EOC, told the November 29 DA. "We need to focus on the contract, on working

conditions." This did not mean that we should only care about ourselves, Nicholas added. "This union has taken real and positive strides in undertaking collaboration with other unions," she said, "but we can go too far afield."

### UNIONS AND POLITICS

Others responded that unions take political positions all the time, as the PSC had just done in the elections for Mayor and City Council. "We are in the tradition of unions that have fought for social justice," said Miriam Thompson, delegate from Queens. "A union is not just

contracts," she argued; union members also gain from progress on such issues as civil rights or fairer trade.

Several delegates argued against the PSC's adopting a position on the Afghan war because it might divide the union. "The whole University is not unified on the war," warned delegate Jane Young, chapter chair at BMCC. "And we're in the middle of negotiating a contract." Michael Barnhardt, delegate from Kingsborough, said, "If we went out and took a position on this, we would alienate vast swaths of our campus."

Some delegates argued for taking an anti-war stand because they saw it as intimately connected to other union concerns. "We cannot sit back and let tax dollars that should be spent on CUNY go to bombing working people in Afghanistan," said Susan DiRaimo of CCNY. "If there's a reinstatement of the draft, they'll take away our students," argued HEO delegate Carmen Vasquez.

Others saw an anti-war position as a matter of basic principle. "As an adjunct I'm very interested in my

pocketbook," said Harry Cason of COSI, "but I'm also interested in knowing who I am as a human being and where I stand in the world."

A resolution categorically opposing both terrorism and war was voted down in September; another that expressed skepticism about US military action did not come to a vote due to a quorum call. Some delegates indicated they did not agree with a blanket rejection of military action. For example, Jay Appleman of Queensborough questioned the statement from another delegate that the US was moving towards a war "without clear targets."

### DEMOCRATIC DISCUSSION

The American Federation of Teachers passed a resolution in October giving unqualified support to US military action. PSC President Barbara Bowen, a member of the AFT Executive Council, cast the only vote in opposition. "There are parts of the resolution I strongly support – especially its condemnation of the attacks, its sympathy for the victims and solidarity with the workers," Bowen said. "But I couldn't vote for it because I felt its analysis was false to the complexities of history and its support for militarism was too extreme." Bowen noted, however, that after her vote several AFT EC members said it was good she had stimulated discussion. AFT leaders reaffirmed their support for the PSC, particularly as it seeks federal money for CUNY.

There was wide agreement that the PSC should take a firm stand in defense of civil liberties and due process. EC member Blanche Wiesen Cook and Hunter delegate Dave Kotelchuck both said that if the Bush administration decided to widen the war to attack Iraq, they thought that a majority of PSC members would agree that this must be opposed.

## EDUCATORS' INCOME TAX GUIDE

To: Membership Dept.  
Professional Staff Congress  
25 West 43rd Street  
New York, N.Y. 10036

Enclosed is a check in The Amount Of \$ \_\_\_\_\_ Made Out To PSC  
For \_\_\_\_\_ Copy(ies) Of The Educators' Income Tax Guide @\$5.00 Per Copy.

Name \_\_\_\_\_

Address \_\_\_\_\_

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



# 403(b) and 401(k): The similarities and differences

By **CLARISSA GILBERT WEISS**

PSC Director of Pension and Welfare Benefits

Starting this January, some CUNY faculty and staff have a new option in retirement plans. In addition to the 403(b) voluntary tax-deferred annuity savings program that has long been available to all CUNY faculty and staff, community college employees can now invest in a 401(k) plan sponsored by the City of New York. But it's important to look at the details of these plans, and fig-

ure out what decision is best for you.

403(b) and 401(k) plans both offer the same basic advantage: tax deferral. Contributions to these plans, as well as any earnings, are not taxable to employees until they begin receiving income from them. This allows employees to enjoy compounded growth on money they would have otherwise lost to taxes, as well as postponing taxes until some time in the future.

The voluntary tax-deferred annuity savings programs previously

## YOUR BENEFITS

(and still) available through CUNY – through the TIAA-CREF SRA, HRC or TRS – are 403(b) plans. If you are a community college employee and now want to decide between CUNY's 403(b) and the newly-available 401(k) plan from New York City, you should be aware of some of their differences:

**Contribution Limits** – The Economic Growth and Tax Relief Reconciliation Act of 2001 gave both 403(b) and 401(k) plans the same basic tax-deferred contribution limit. But the 401(k) has more limited provisions for additional “catch-up” contributions. A 403(b) plan may allow employees who have worked for

CUNY for 15 or more years to contribute up to an additional \$3,000 per year, up to a lifetime maximum of \$15,000. A separate “age 50” catch-up provision is available in both 403(b) and 401(k) plans, permitting employees who are age 50 and over to contribute an additional \$1,000 in 2002 and more in later years (see chart).

Another difference is that you may be allowed to contribute more under a 403(b) plan, because CUNY's contributions to this plan are not counted toward the annual limit (see chart).

**Minimum Distributions** – Federal law requires participants in 401(k) and 403(b) plans to begin receiving benefits or making withdrawals by April 1 after the year they attain age 70½. Those who continue to work

after age 70½ generally do not have to make withdrawals until April 1st of the year after they retire or separate from service. The minimum distribution rules for 403(b) plans offer an advantage over those that apply to 401(k) plans. Account balances credited to a 403(b) plan before 1987 may not be subject to the minimum distribution requirements until the year participants reach age 75, or the April 1st of the year after the year in which they retire, whichever is later.

These differences aside, 401(k) and 403(b) plans are both among the best ways to save for retirement. Both plans offer the advantages of immediate tax savings on contributions, plus compounded growth and tax deferral on any investment earnings – a combination that few alternatives can beat.

### COMPARE THE PLANS

	401(k)	403(b)
Employee salary reduction (pretax) contributions	Yes	Yes
Total overall contribution limit <sup>1</sup> (employer + employee)	Your overall 401(k) annual contribution plus CUNY's retirement plan contribution to the Optional Retirement Program (ORP) cannot exceed the lesser of \$40,000 or 100% of compensation.	Your overall 403(b) annual contribution cannot exceed the lesser of \$40,000 or 100% of compensation. CUNY's retirement plan contribution to the ORP is not added to your 403(b) contribution to determine your overall limit. This may give some employees an additional tax-deferral opportunity.
Employee pretax contribution limit <sup>2</sup> (not including any catch-up contributions)	\$11,000 in 2002; \$12,000 in 2003; \$13,000 in 2004; \$14,000 in 2005; \$15,000 in 2006; \$500 indexed increments after 2006	Same
Age 50 or older additional catch-up contribution (pretax)	\$1,000 in 2002; \$2,000 in 2003; \$3,000 in 2004; \$4,000 in 2005; \$5,000 in 2006; \$500 indexed increments after 2006	Same
15+ years of service additional catch-up contribution	Not available	Up to \$3,000 more per year (\$15,000 lifetime maximum)
Minimum distribution requirements	Applicable to entire accumulation at the later of the April 1 of the year following age 70½ or retirement.	Applicable to post-1986 accumulation at the later of the April 1 of the year following age 70½ or retirement; on pre-1987 accumulations, applicable at the year you attain age 75, or retirement, whichever is later.
Loans	Not currently available to CUNY employees	Available to CUNY employees

1 Internal Revenue Code Section 415 limit  
2 Internal Revenue Code Section 402(g) limits



## Welfare Fund to tackle deficit

### Reserves falling for last five years

By **PETER HOGNESS**

The PSC-CUNY Welfare Fund has formed a strategic planning committee to ensure the fund's stability for the future. The fund has been running a deficit in its operating expenses for the last five years, largely as a result of the increasing costs of prescription drugs.

“Running a deficit” does not mean that the Welfare Fund is broke – current benefits are being covered by its contractually mandated payments and cash reserves. But the reserves are dwindling, and will evaporate altogether if nothing is done. The PSC leadership has moved to guarantee the solvency of the Welfare Fund.

“The first order of business was

to maximize the city's contributions to the Welfare Fund,” said PSC First Vice President Steve London. Other municipal union benefit funds face similar problems because costs are rising faster than contributions. In the Municipal Labor Committee's multi-union negotiations with the City of New York, the PSC pressed hard for a major increase in management's contributions to the welfare fund. Important gains were won in January 2001, but they are not enough to solve the long-term problem.

“Over the years the fund has fluctuated, some years in the black, some in deficit,” said Mohamed Yousef, a Welfare Fund trustee and its Executive Officer for Management and Policy. “We have used

the reserves as a cushion” to maintain benefits in years when income was down. The general rule of thumb, Yousef explained, is that reserves should total about one year of a welfare fund's income – for the PSC-CUNY fund, about \$20 million. But the Fund's reserves have dropped from \$20 million in the mid-1990s, Yousef said, to about \$10 million today.

### CASH INFUSIONS

The Fund's reserves are not the result of saving millions on benefits over time but rather the result of several infusions of cash. A large part of the Fund's reserves came from a payment by TIAA-CREF in the early 1980s, after a change in the disability plan which it provided. A

one-time payment of \$7 million was negotiated with CUNY in the mid '90s, Yousef told *Clarion*, and a one-time \$2½ million contribution for adjunct health care expenses was negotiated in the subsequent contract.

“In the past year the deficit was three to four million dollars – and it is projected to go higher if no action is taken,” Yousef said. That deficit “calls for us to think about the design of the plan.”

By far the biggest source of this deficit is soaring drug costs, particularly among retirees. “For retirees, the average cost of drug utilization alone is now greater than the entire per-capita contribution received on their behalf,” Yousef said.

“A lot of health care has been shifted to outpatient and drug care in recent years,” said London, the Fund's planning committee chair. “Also, our Welfare Fund has better drug coverage than many other health plans, and it is thus particularly vulnerable to a sharp increase

in these costs.”

The drug industry itself is a big part of the problem. Pharmaceutical companies have the highest profit rates of any industry in the US. They spend more on advertising than on research and development, and many of those ads are aimed at convincing patients to ask for expensive brand-name drugs that offer little or no advantage over cheaper generics. (See “Drug costs, drug profits” in last October's *Clarion*.)

The committee will issue its report in the next six weeks, London, said and the Trustees will then provide information to PSC members and choose a course of action. “We will examine both possible restructuring of the program and cost savings we can achieve without a major impact on benefits,” he explained.

“We're going to examine the Fund's operation from top to bottom,” said London, “to get the most value possible for the membership.”



## CIVIL LIBERTIES

# The right to ask, and the right to know

By **BLANCHE WIESEN COOK**  
John Jay and the Graduate Center

**T**he bombing in Afghanistan is winding down, and the smoke at our own Ground Zero has almost settled. It is time to assess our situation. At John Jay we lost 131 police officers and firefighters, our students, colleagues and alums. All of us lost something, our sense of security to begin with.

We were perhaps too overwhelmed with anger and grief to notice, but we have been losing something else: our right to know.

On October 17, the *Guardian* of London reported that the Pentagon bought exclusive rights to all Ikonos satellite pictures from Space Imaging, the civilian satellite company. For an undisclosed sum, the effects of the bombings in Afghanistan were limited to military eyes only. On December 4, British and US journalists reported that US bombs had destroyed the Afghan village of Kama Ado, killing dozens of civilians. The Pentagon denied it, and no satellite photos were available to settle the matter.

What happened to our right to know? It is being shredded.

On October 12, in a little-noticed message to all federal agencies, Attorney General John Ashcroft set a new policy on requests by scholars, journalists and others under the 1974 Freedom of Information Act (FOIA): Government documents should now be released "only after full and deliberate consideration of the institutional, commercial, and personal privacy interests that could be implicated." Ashcroft promised that all FOIA refusals will have the complete support of the Department of Justice. Exceptions for national security were already part of FOIA; Ashcroft's memo is a deliberate assault on the 30-year effort to create a fully informed democracy.

That stealth order was followed by a more public – and outrageous – Executive Order by President Bush. EO 13223 trashed the hard-won Presidential Records Act of 1978. That Act declares that presidential papers are not the private preserve of a private person, but government documents, the nation's public treasure to be opened fifteen years after a president leaves office. The Act protects secret documents and was not retroactive. Ronald Reagan's papers, scheduled to be opened in January, would have been the first. But there was a delay, followed by Bush's surprising EO: No president (or presidential archive) may release papers without the sitting president's approval.

## HISTORIANS SPEAK OUT

Thus, by executive order this president declares null and void an act of Congress, signed by a former president, relating to all future presidents. This act of absolute monarchy, I am happy to note, is being challenged in court by the American Historical Association, the Organization of American Historians, the National Security Archive, and the Reporter's Committee for Freedom of the Press; as well as two individual presidential historians, Hugh Graham and Stanley Kutler.

But the worst attack yet on our hard-won heritage of civil liberties was the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and

Obstruct Terrorism Act. The USA-PATRIOT Act is an appalling piece of legislation that redefines American freedom for the next four years. This many-hundred-page bill was passed with bipartisan enthusiasm before there was time to study, debate or even read it. It permits breakage and entry without court orders, expanded wiretaps, black-bag jobs and computer raids. No accountability, no true oversight. John Edgar Hoover never had it so good.

## MORE SPYING

This frightful package was soon followed by the attorney general's unconscionable order ending lawyer-client privileges, and calls for renewed FBI spying on religious and political groups. The argument that our government needs such dictatorial powers to combat terrorism is undermined by the fact that, both were opposed by scores of career FBI and CIA agents and military attorneys. They viewed such expansion of state power as an insult to their professionalism and an invitation to mischief.

Those of us who worry that each shower every morning may be our last, do not under-estimate terrorist threats. Terrorists can kill us, ruin our homes, pollute our environment. But they cannot debone our constitution, curtail our rights, destroy our democracy. Only public officials eager to silence discussion insist that they are accountable to nobody. Only those who want to dumb down America, who declare war on the life of the mind, impose arbitrary limits on inquiry.

Of course, the latter has been going on for a long time, and underlies many of the attacks on public higher education. But today shrill outbursts against public discourse on the most urgent subjects have gotten louder



Can Be Done About It," features 117 quotes that are presumably un-American, or worse. Those who ask "why?" are particularly condemned; and all thoughts about context are deplored.

It is tempting to dismiss this silly compilation. But its goal was to chill debate, to stifle discussion, convince wayward academics (cited by name in the first edition) that their impurities are carefully monitored.

Such intolerance encourages bully tactics, as Sacramento Bee publisher Janis Besler Heaphy found out when she was booed off the stage for defending civil liberties at the California State University, Sacramento commencement in December. Heaphy would have concluded by saying, "America was founded on the belief that the freedom to think as you will and speak as you think are essential to democracy. Only by exercising those rights can you ensure their continued existence." But she never got that far.

## SECURITY AND CONTROL

So what is all this bullying and secrecy about? Where will it lead? Who are we now?

In the end secrecy is about power; and total secrecy is about total control. That was why we fought for the Freedom of Information Act and similar "sunshine laws" in the first place. Remember the abuses of power: the FBI's counter-intelligence program COINTELPRO, its war against the civil right movement, the peace movement, the women's movement. We thought we would not have to fight these battles again.

But we do. So it is time to organize, boldly and publicly – to keep our country free, ourselves informed, our minds open, our hearts willing to listen to the cries of the future, and the past.

and become more vulgar.

Prominent in this crusade is Lynne Cheney. While her husband boasted that, as CEO of the energy company Haliburton, he did business around the globe with over 100 nations, Lynne Cheney warred against multiculturalism. Today Cheney and the organization she founded, the American Council of Trustees and Alumni (ACTA), lead the charge for absolute unity. ACTA's 38-page pamphlet, "Defending Civilization: How Our Universities Are Failing America and What

## CALENDAR

**FRIDAY FEBRUARY 8** / 6:00 pm : The new PSC film series, *Labor Goes to the Movies*, premieres with *La Ciudad (The City)*. \$2 admission. At the Center for Worker Education, 99 Hudson Street in lower Manhattan.

**TUESDAY, FEBRUARY 19** / 6:00 pm: PSC Women's Committee meeting. At the PSC office. For information, call Debra Bergen at 212-354-1252.

**WEDNESDAY, FEBRUARY 20** / TIAA-CREF rep available at the PSC office for retirement counseling. To set a time, call Linda Slifkin at 212-354-1252.

**FRIDAY, FEBRUARY 22** / 9:00-11:00 am: PSC reception for Brooklyn Boro President Marty Markowitz and Brooklyn members of the City Council and State Assembly. For info call Bob Cermele at 718-260-5009.

**FRIDAY, FEBRUARY 22** / 3:00 pm: PSC International Committee meeting. At the PSC office. For info e-mail RBriden1@juno.com.

**MONDAY, MARCH 4** / 1:00 pm: Retirees Chapter meeting. All PSC members are welcome. Professor William Scheuerman, President of the United University Professions (SUNY's union) will speak on Higher Education Unionism in New York and the nation. At the CUNY Graduate Center (34th St. and 5th Ave.). For info, call Linda Slifkin at 212-354-1252.

**FRIDAY, MARCH 8** / The PSC film series, *Labor Goes to the Movies*, presents *La Promesse*. \$2 admission. At the Center for Worker Education, 99 Hudson Street in lower Manhattan.

**FRIDAY & SATURDAY MARCH 8-9** / 4:00 pm (Friday): Annual New York State United Teachers Health and Safety Conference in Albany. Workshops and discussions on hazard identification, air quality, violence prevention, or-

ganizing strategies and September 11 impact. For info call Joan Greenbaum at 212-354-1252.

**MONDAY, MARCH 18** / 6:30 pm: The next meeting of the PSC's HEO chapter will be held at John Jay College. For info call Jean Weisman at 212-354-1252, x419.

**TUESDAY, MARCH 19** / TIAA-CREF rep available at the PSC office for retirement counseling. To set a time, call Linda Slifkin at 212-354-1252.

**TUESDAY & WEDNESDAY, MARCH 26-27** / 4:00-9:00 pm: Celebrating its 20th anniversary, the City College Center for Worker Education will hold its First Scholarly Conference on Women and Work. Topics include employment patterns, workplace issues, education and family life. Call Barbara Omolade at 212-925-6625.

**FRIDAY, MARCH 22** / 1:00 pm: PSC/CUNY Federal Credit Union Annual Meeting. At the PSC office. Call Zuzana Kelly at 212-354-2238.



## SOURCES OF STRENGTH

## What is a union?

By Barbara Bowen  
PSC President

Contract negotiations are still confidential, but it's no secret that reaching an acceptable settlement is the union's priority. Negotiations intensified in late December and have continued at an accelerated pace this month, as the PSC continues to isolate the areas of disagreement with management and press for our needs.

Some members may be surprised to learn that collective bargaining is not just a question of money: management doesn't simply agree to an amount and then hand over the check. How the money is allocated is also a site of struggle. Any advances we seek to make in salary, equity and workload must be battled out in detail across the table.

Despite the unforeseeable consequences of September 11th, the current negotiations are still moving faster than PSC bargaining in the past. That may be hard to remember when many members are understandably anxious about the economy, but the union's team is committed to safeguarding our members' financial security while still moving forward on a long-overdue renewal of our professional lives.

Meanwhile, this month's *Clarion* brings news of a labor film series, a campaign on immigrant tuition, and advocacy for a feder-

al health study of CUNY. Other initiatives will appear soon: the union is laying the groundwork for a non-profit institute to work on student organizing, voters' rights and a labor-based analysis of city politics, and *Clarion* will gain an occasional supplement, *Free Academy*, with longer articles on academic labor. What does a film series, or an institute, have to do with winning a good contract? Why should an academic union be concerned about immigrants' rights? What is a union, anyway?

The simple answer is that it's workers using their collective force. And that force is strongest when the union becomes a presence in their lives – not just an insurance company or dispenser of benefits, but a source of support and information and renewal. If the union is a presence in your life, you are more likely to join its struggles and create the political leverage to restore CUNY's funding, win a breakthrough contract.

Or think of it dialectically: while we focus on the immediate issue of collective bargaining, we must also prepare for the long haul. The attempt to reclaim the University is not a one-year affair; the PSC leadership is in this for the duration. We will need the strength that develops through shared struggle, the track record we have already begun to establish as a fighting union, if we are to have hope of success.



CUNY's new policy on tuition for undocumented immigrants is a case in point. The issue has immediate economic and intellectual consequences for CUNY. If we lose these students, we lose enrollment and funding – and risk another, irreplaceable loss: the intellectual fire such students often bring to our classrooms and our research. Beyond these immediate concerns, the PSC's leadership of a broad coalition against this punitive policy helps to define who we are: a union committed to the best possible public higher education in this city of immigrants. CUNY has been so frequently under attack that activists are often forced into defending the institution uncritically; this issue recalls us to the more progressive task of asserting our vision of the University. The alliances we make now will stand us in good stead as we wage our own battles in coming years.

A different kind of power is being developed through the film series and the *Clarion* supplement. As initiatives that draw on the

particular expertise of our members, these projects join battle with current political forces on the ground where we're strongest. They offer the chance of an alternative to the analysis that saturates American culture: profit is the only god and working people are failures (an ideology only superficially interrupted by the public romance with workers after September 11th). There is an epistemological world elsewhere, and one of labor's most important roles historically has been to provide it. Public projects like these, designed to strengthen coalitions across the labor movement and beyond, help us re-imagine the current culture even as we struggle within and against it.

Take any example of a powerful union, and you will find one that does more than just seek gains in wages for its members. As an academic union in a major city, we have a chance to build the kind of lasting strength that represents the great potential of labor as a movement.

## POEMS

## Two by Cornelius Eady

## What Is Known About The Abductor

The sheriff reads off a list of things I have not done: I have not called on the phone. I did not discard the Childrens' clothing they found by the highway,

I wasn't the man who robbed a convenience store In a car the same color as Susan's. I didn't drop Off the child they found, in Seattle, in a child's Seat like hers; the baby someone thought they Heard crying in the woods; not there, none of My doing.

Bloodhounds cannot catch a whiff of me. Divers Rake the bottom of John D. Long Lake. I give Them a snootful of silt. Who am I? Nothing Says the sheriff, can be ruled out. A teenaged girl Sees a man, covered in mud, walk out of the woods.

The heat sensors of the helicopter they send fail To light my soggy footprints. Nothing can be Dismissed. A psychic tumbles through a dream. He nods as the children point everywhere but In my direction. I am zip, my Face and reasons an educated guess. All week, the police computers grind,

But I am that number after the decimal that keeps Stuttering, won't resolve.

*Reprinted from Brutal Imaginations, NY: Penguin Putnam, 2001. Note: The above is one of a series of poems written after Susan Smith first blamed a black man for kidnapping her two small sons. Smith was later convicted of their murder.*

## Why Do So Few Blacks Study Creative Writing?

Always the same, sweet hurt,  
The understanding that settles in the eyes  
Sooner or later, at the end of class,  
In the silence cooling in the room.  
Sooner or later it comes to this,

You stand face to face with your  
Younger face and you have to answer  
A student, a young woman this time,

And you're alone in the classroom  
Or in your office, a day or so later,  
And she has to know, if all music  
Begins equal, why this poem of hers  
Needed a passport, a glossary,

A disclaimer. *it was as if I were . . .*  
What? Talking for the first time?  
Giving yourself up? Away?  
There are worlds, and there are worlds,

She reminds you. She needs to know  
*What's wrong with me?* and you want

To crowbar or spade her hurt  
To the air. You want photosynthesis  
To break it down to an organic language.  
You want to shake *I hear you*  
Into her ear, armor her life

With permission. Really, what  
Can I say? That if she chooses  
To remain here the term  
*neighborhood* will always have  
A foreign stress, that there  
Will always be the moment

The small, hard details  
Of your life will be made  
To circle their wagons?

*Reprinted from The Gathering of My Name, Pittsburgh: Carnegie Mellon University Press, 1991.*

*Cornelius Eady is the author of six books of poetry; Brutal Imagination was a finalist for the National Book Award, 2001 and was adapted into a play that ran at the Vineyard Theatre this January. He has taught at the Masters Program at The City College of New York.*

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“Labor Goes to the Movies”

# PSC kicks off new film series

By JONATHAN BUCHSBAUM  
Queens College

The PSC is kicking off a new cultural initiative this semester – a monthly film series devoted to labor and the cinema. The series is designed as a forum for discussion of issues facing labor and the union movement today.

Union cultural work has a long and distinguished pedigree, in this country and internationally. Worker film, theater and other art projects flourished during the 1930s, with Film and Photo Leagues and Federal Theater Projects. More recently, 1199's Bread and Roses Cultural Project has drawn praise for its wide range of activities, from plays to poetry readings to painting exhibitions. (The founder and director of Bread and Roses, Moe Foner, passed away on January 10. A memorial service is being planned and *Clarion* will carry details.)

“Labor Goes to the Movies” draws its specific inspiration from the theory and practice of Third Cinema. In the late 1960s, the Peronist labor movement in Argentina was re-emerging to lead the struggle against years of repression. A group of militant Peronist filmmakers, the Grupo Cine Liberación, led by Fernando Solanas and Octavio Getino, produced an epic four-hour documentary film attacking the neo-colonial rulers of Argentina, *Hour of the Furnaces*. The filmmakers showed the film clandestinely to hundreds of thousands of union militants, quite consciously using it as an organizing tool to win people to their political analysis. Throughout



Day laborers ask a contractor for work in *La Ciudad (The City)*.

the U.S., thousands lined up to attend screenings as well.

While *Hour of the Furnaces* is didactic perhaps to a fault, the filmmakers made every effort to both put the audience at ease and solicit active audience involvement. Sharing certain ideas of Brecht, they provided food and drink for audiences, as the discussion guides, or “relators,” led discussions and distributed political literature pertinent to their immediate struggles.

Solanas and Getino later included audience comments in a new final section of the film. More radically still, they encouraged the relators to project the film in whatever manner or order they felt appropriate to the screening situation – stopping the

film at times for discussion, changing the order of the reels – calling the work a “modular film,” malleable to the political goals of the moment.

Their elaborate manifesto, “Towards a Third Cinema,” based on the concrete practice of making and distributing the film, stressed the centrality of the screening experience:

As we gained in experience, we incorporated into the showing various elements (*a mise en scène*) to reinforce the themes of the films, the climate of the showing, the ‘disinhibiting’ of the participants, and the dialogue: recorded music or poems, sculpture and paintings, posters, a program director who chaired the debate and presented the film and the comrades who were speaking, a glass of wine, a few

mates [a strong Argentinean tea], etc.

The PSC committee organizing “Labor Goes to the Movies” hopes it will achieve something similar: a place where PSC members and members of other unions look at what we have in common, an audience that is not just a group of passive spectators, a social event where you can enjoy talking about the film with both old friends and new ones. PSC presenters and guests from other unions will lead informal discussions of the films.

## IMMIGRANT STORIES

For the first semester, the committee has chosen a mix of films which we hope will both entertain and stimulate. *La Ciudad* (1999), a film shot entirely on location in

Queens, will inaugurate the series on February 8 (see poster in this issue of *Clarion* for details). This film presents four fictional stories from the lives of Latino immigrants in New York City. The new immigrants, who speak little English, grapple with work problems as laborers and seamstresses, with the disorientation of modern urban life, with homelessness and the baffling bureaucracy of public schools. The filmmaker, David Riker, presents these stories without sentimentality or sensationalism, two familiar tropes afflicting normal Hollywood confections of Latino life.

The cast of largely non-professional actors became organizers for the film, convincing the owner of a neighborhood movie house in Queens to show it (where it became a local hit) and talking with audience members after screenings in both Queens and Manhattan.

In *La Promesse* (1996), a Belgian film screening on March 8, a callous father enlists his young son in the lucrative smuggling, housing and employment of African and Eastern European men put to work as laborers. On April 12 the committee will show *Live Nude Girls Unite!* (2000), a documentary that follows the union organizing efforts of a group of (mostly) female workers at a San Francisco strip club, examining difficult issues about the ethics of women’s control over their bodies.

The spring semester series concludes on May 10 with the classic first film of Sergei Eisenstein, *Strike* (1924). Constructed around the dramatic tale of a fictional strike, *Strike* celebrates what Eisenstein called “the plastic charm of reality” in a constructivist symphony, a delirious paean to the factory machinery, later transformed into weapons by the workers. A silent film, *Strike* will be shown with a pulsing new score by the Alloy Orchestra.

## Sayonara to Segarra

Leaves CUNY for “plum post” as head of cop museum

By LAUREN WEBER

Five months after *Clarion* reported that Ninfa Segarra was a virtual no-show in her role as Vice President for Inter-Campus Collaboration, Segarra announced that she would resign. Just six days before the end of his term, Mayor Giuliani told reporters that Segarra had been chosen to head the Police Museum.

*Clarion*’s Summer 2001 issue noted that Segarra, a Giuliani loyalist who is also president of the Board of Education, rarely showed up at her Baruch College office. Segarra refused to say how many hours a week she devoted to her CUNY job or list any concrete accomplishments from her 15-month tenure, and Chancellor Goldstein’s office

was just as mum. Articles followed in the *Daily News* and *The Chief*, the newspaper for civil employees; both credited *Clarion* with breaking the story.

### FAILS TO ANSWER

Still seeking answers about Segarra’s work schedule, *Clarion* filed a Freedom of Information request in August. However, Segarra ignored the request even when it came through CUNY General Counsel Frederick P. Schaffer. In an October 15 letter, Schaffer complained about Segarra’s failure to return phone calls over a two-week period, and said that “the university cannot fulfill its obligations under the law” unless she handed over her schedule. Segarra still has not complied.

*Clarion* reported the stalemate in December, and the story was again picked up by *The Chief* and then the *New York Post*. In an editorial titled “It’s Always Payday for Ninfa,” *The Chief* noted that Segarra’s failure to comply with the requests “heighten[s] suspicion that the post is at least a first cousin to a no-show job,” and said that “Mr. Giuliani should be embarrassed at his own role in this controversy.”

Less than two weeks later, Giuliani announced that Segarra would be moving over to the Police Museum. “Embattled Rudy Crony Lands Cop-Museum Gig,” the *Post* reported on December 27: “Under fire for her specially created job at City University, [Segarra] yesterday suddenly landed a plum post” as head of

the Police Museum, the paper said. The *Post*, *Newsday*, the *Daily News* and *The Chief* all referred to the PSC’s pressure for accountability on Segarra’s CUNY position.

Despite the negative publicity, Segarra has refused to defend her record at CUNY.

### IDENTICAL SALARY

The previous director of the Police Museum, ex-Giuliani aide Todd Ciaravino, had been in the position only a short time before Segarra’s appointment bumped him aside. Segarra, who said she was offered the museum job on the very day that it was announced, told reporters she had “no idea” what her new position would pay. *The Chief* noted that the previous director’s salary was \$115,000 – coincidentally, the same amount Segarra was paid at CUNY.



## 15-MINUTE ACTIVIST

### Movie phone

Here’s your activist assignment for this month: pick up the phone and invite a friend to the movies. Ask them to join you at the PSC’s new film series. All screenings are at 6 pm at the Center for Worker Education, 99 Hudson Street in lower Manhattan. Bring the postcard that announced the series and your guest gets in for free! (Thereby avoiding the steep \$2 suggested admission.) Join a diverse cast of characters – filmmakers, labor leaders, members of other unions – to see the film, and then share your thoughts and some refreshments after. It’s a chance to be an activist and eat popcorn at the same time.