

# Clarion

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



FEBRUARY 2003



## UNIONS Right to strike

Are government and the media ignoring the Constitution?

PAGE 10



**PUBLIC TRANSIT, PUBLIC EDUCATION**

# STANDING TOGETHER

New York City labor turned out in force to support the Transit Workers Union – and to say 'No' to balancing the City's budget on our backs. The PSC helped to organize a December 16 rally at City Hall, in support of both public workers and

public services. PSC President Barbara Bowen told the crowd, "When we fight alongside TWU we are fighting for all the people who produce this city – by moving it, cleaning it, teaching it, protecting it."

SEE PAGES 4,11

## CONTRACT EOC workers reach deal

The proposed settlement for the Educational Opportunity Centers maintains parity with the rest of CUNY and blocks efforts to downgrade the EOCs.

PAGE 3

## SCIENCE Profs nixed for political views

The Bush administration is grilling scientists about their political views – and barring them from peer-review committees if they give the wrong answers.

PAGE 12

## NEW UNIT UAPC workers vote 'Union Yes'

Despite an intense anti-union campaign, 85% of workers at the University Applications Processing Center voted to unionize with the PSC.

PAGE 5



## YOUR RIGHTS Research time, HEO gains

Second in a series on the new contract.

PAGE 7



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E-MAIL: PHOGNESS@PSCMAIL.ORG. FAX: 212-302-7815.

# Replace retiring CLTs, for everyone's sake

● The official word is out at CUNY. *CLTs who retire are not being replaced.*

We need your support now more than ever to demand that full-time CLTs be hired as replacements for CLT retirees. Whatever affects CLTs now will affect all instructional staff later.

The age of the contingent workforce has come...unless we all fight it.

– Ellen P. Steinberg  
Vice-Chair, CLT Chapter

## Don't lower drug cap

● I am writing in response to your *Clarion* article regarding health benefits, particularly prescription drug coverage. My wife and I both found your discussion of the necessity for change and the various changes in drug benefits helpful and open.

Although I am retired, I don't claim to speak for all retirees. Nevertheless, I believe my concerns closely represent those of most retired CUNY employees.

Drug coverage is increasingly necessary as we get older. The drugs we must take don't just improve the quality of our lives; they often keep us alive! We urge the PSC to consider the real effects of some of its proposed plans to contain drug costs. It is important for younger PSC members to appreciate what it is like to be on a fixed, unchanging income.

We agree with restrictions that place responsibility on us to fill prescriptions most inexpensively. Lowering the cap on benefits, however, is a truly frightening prospect. For those of us on expensive life-prolonging medications, this would mean abandonment. We would rather budget around a reasonable deductible and pay a higher co-payment than face a lower prescription benefit cap.

Thanks for soliciting the advice of your membership. I wish you continued success.

– Lawrence V. Castiglione  
Queens College (emeritus)

Editor's note: *The Welfare Fund Trustees' recent decisions are in fact along the lines that you recommend. See article, page 8.*

## A threat to health – & safety

● Thanks for the article about the horrible conditions of the vertical transportation system at BMCC (*Clarion*, December 2002). This is definitely a state of emergency, especially with the Chambers Street campus so overcrowded after 9/11.

As a BMCC adjunct, I'm used to pulling a heavy pack on wheels to bring my teaching materials from the main building to various classrooms, usually in spaces off the main campus. This schlepping was never fun, but this past semester it's become a health hazard.

What with all the broken escalators, I am now dragging or carrying this heavy bag of books up and down escalators that never move. I had to see a massage therapist because my shoulder and wrist hurt so much. The elevators only work sometimes. Some escalators are completely closed for repairs, so you can't even walk on them.

Conditions have deteriorated to a shocking level. What if we had to evacuate the main building under these conditions? I shudder to think about that scenario.

– Kate Walter  
BMCC

## Endorsing the "old way"?

● I'm disappointed in the Delegate Assembly's endorsement for gover-

nor. We had a chance to make a real difference in New York politics, and we missed it.

If the PSC had endorsed Stanley Aronowitz on the Green Party line, it would have helped the Greens to keep ballot status. This would have allowed the Green Party to put more energy into local, winnable races, where the agenda of New York's students, parents, and faculty/staff could be debated openly.

Make no mistake, the Green Party will continue. Green politics is a long-term movement for real change. The party stands for peace, economic and social justice, ecology, and democracy.

It took almost a decade to create real change in the PSC. Why should it be any easier in the state? What if the New Caucus hadn't persevered?

Recall our own progressive roots: the LC/UFCT by necessity engaged in long-term "future thinking." Stop thinking like the rest of society, only as far as next month, budget, year, election. We need to think ten years ahead.

Ironically, I finish with words of an important Democrat of our recent past, Eleanor Roosevelt: "We started from scratch, every American an immigrant who came because he wanted change. *Why are we now afraid of change?*"

– Paul Sheridan  
Brooklyn College

## No to parity for adjuncts

● The leadership of the PSC has proposed a new policy, parity for adjuncts, that it has incorporated into its contract demands. The CUNY Association of Scholars, an affiliate of the National Association of Scholars, has written a report, "Parity for Adjuncts? The New Threat to Academic Standards," that opposes this new policy.

Full-time faculty are recruited on the basis of a national search, and they have research and administrative responsibilities, whereas the part-time faculty have neither. We do not object to improvements in the wages and working conditions of the part-time faculty but, rather than aim for parity in wages and job security for the part-time faculty, the Association recommends that the PSC devote its energies to increasing the number of full-time faculty as a way of improving the teaching and research mission of the University.

What then should be the role of the part-time faculty? The Association has produced another report, "The Role of Adjuncts at CUNY," that recommends that the role of part-time faculty should be limited to providing flexibility in response to enrollment fluctuations and to

providing coverage in special circumstances when full-time faculty are temporarily unavailable.

The full texts of these reports are available on the Association's Web page: [www.nas.org/affiliates/cunyas](http://www.nas.org/affiliates/cunyas).

– Charles Landesman (emeritus)  
Hunter College

PSC President Barbara Bowen responds: *The PSC is hardly unique in advocating parity for adjuncts; parity is the goal of our parent union, the AFT, and of many other unions in higher education. The PSC espouses equal pay for equal work and has developed careful proposals that calibrate pro rata pay for adjunct lecturers with full-time lecturers. Working for decent conditions for adjuncts is not contradictory with winning more full-time positions, which has been one of the PSC's main campaigns. In fact, it will help us to achieve that goal – and it's also the right thing to do.*

## Berlusconi and history

● The article "CUNY and Berlusconi – Honor Our Values," by Marta Petrusiewicz, is right on target. The December 11 *NY Times* reports that chancellors from at least 50 Italian universities resigned to protest spending cuts for higher education in Berlusconi's 2003 budget, saying that there were not enough funds for universities to survive. Mario Santamaria, spokesperson for the Italian chancellors, stated that they could not even pay professors' salaries.

Berlusconi's hostility to universities should be no surprise. His coalition includes the National Alliance, a party trying to revive Mussolini's fascism.

Will history repeat itself? On October 9, 1934, two thousand students jammed into City College's Great Hall to hear College President Frederick Robinson welcome an official fascist student delegation from Italy. CCNY students responded with a thunderous boing, and Robinson called them "gutter-snipes." When a representative of the CCNY Student Council spoke, he began with a "message to the enslaved, tricked Italian students, laboring under Fascism." The head of the Romance Languages Department attempted to drag him away from the microphone and the meeting broke up in chaos. (*City College Microcosm*, 1938)

We all should hope that Chancellor Goldstein will rescind the invitation to Berlusconi and instead accord the honor to Mario Santamaria, representing 50 Italian universities.

– Israel Kugler  
Deputy President Emeritus, PSC  
CCNY, Class of 1938

## HIGHER ED IN BRIEF

### Pataki to students: pay up or drop out

Governor Pataki is about to propose a large tuition increase for CUNY and SUNY, according to press reports. On January 17, SUNY's Trustees recommended a tuition hike of as much as \$1400, or 41%, at SUNY. An earlier report in the *New York Daily News* had predicted an increase of \$600-\$1000 at CUNY and SUNY. Tuition was increased by \$750 in 1995, and since then fees have doubled to nearly \$800. A rise in tuition is expected to be part of Pataki's response to a projected \$10 billion State budget gap when he releases his budget proposal on January 29. Assembly Speaker Sheldon Silver has come out against a tuition hike. Organizing against a tuition increase has already begun; the PSC's Solidarity Committee is meeting on February 10. (See Calendar, p. 8.)

### Students jailed for light course load

Six Middle Eastern students in Colorado were jailed in December by the Immigration and Naturalization Service (INS) for failing to take enough classes. The students, who are not suspected of any other offense, were jailed because they are here on student visas and enrolled in less than the required 12 hours of college credit, the INS said. Students are allowed to drop classes for academic or medical reasons if they receive permission from the university, which at least one of the detained students did receive, according to the *Denver Post*. The student was one hour shy of a full load after receiving approval to drop a course. The arrests have infuriated college advisors. Meanwhile, campuses nationwide must submit information to the INS on new foreign students by January 30 and on currently enrolled students by August 1 for a new online INS tracking system.

### Illinois TAs win union in a landslide

Teaching assistants at the University of Illinois, Urbana-Champaign won a landslide vote to form the first such union in the state in December. Graduate students selected the Graduate Employees Organization, affiliated with the AFT, with a 1,180 to 347 vote. The union will represent 2,780 students, including most of the teaching assistants and about half of the graduate assistants. The eight-year fight for union representation gained momentum last Spring after a student sit-in at the university's administration building forced administrators to meet with union leaders for the first time.



Eduardo Hoepelman

The PSC-sponsored Belle Zeller Scholarships were awarded at a ceremony at the Grand Hyatt Hotel in Manhattan on November 12. The annual scholarships, which honor CUNY students who excel both in academics and community service, are named for the first president of the PSC and are awarded based on recommendations from CUNY instructional staff. Awardees pictured are (from left): Yao Dzigidodi Abotsi, M. Ato Smith-Mensah, Marina Frimer, Lenka Rohls, Sharmin Haque, Karlene Ferron, Heather Courtney, Katherine Haas, Teodora Corina Weinberger-Lelutiu and Victor London. (Not pictured: Michele Sweeting.)

# EOC contract reached

By TOMIO GERON

After more than two years, faculty and staff at the CUNY Educational Opportunity Centers have a contract settlement.

The PSC negotiating team and CUNY management reached an agreement in January that maintains parity between EOC titles and those in the rest of CUNY. The union turned back management efforts to downgrade the EOCs by creating new lower-paid positions and salary steps.

"I'm tickled," said Amy Nicholas, Manhattan EOC chapter chair and a member of the PSC negotiating team. "I think the team did a wonderful job."

The settlement provides a 4% salary increase in the first year of the contract and at least 3% in the second year, with higher raises for lower-paid workers.

Like the broader CUNY contract, the agreement covering EOC titles provides new support for professional development, here in the form of \$500 per year for each lecturer and a \$6,000 per year fund for grants to the EOCs' Higher Education Officers and College Laboratory Technicians. The deal also calls for a per capita increase of \$200 annually in contributions to the PSC-CUNY Welfare Fund for active and retired full-time EOC employees.

Negotiations were complicated by the fact that the EOCs are largely funded by SUNY but managed by

## Maintains parity with rest of CUNY

CUNY, so all points had to be approved by both SUNY and CUNY. After months of little progress, negotiations finally began to move after hundreds of EOC students called and sent postcards to SUNY management in support of the union.

### PROPOSAL BLOCKED

EOC activists scored a victory by stopping management's demand for a new "EOC teacher" title. The proposed title was seen as part of an effort to narrow the EOCs' mission to vocational training alone, without providing the option of a path to col-

lege. "It would have led to less qualified instructors and less quality instruction," said Jackie Corcoran, Bronx EOC chapter chair. "And it would have devalued our students, the people we serve, in terms of offering the best education at the EOCs." Management had also demanded to add new, lower steps on the adjunct pay scale, which would have had a similar effect.

The four EOCs – in the Bronx, Brooklyn, Manhattan and Queens – offer learning environments for many students whom the rest of CUNY may not be able to reach, pro-

viding a range of educational programs that help individuals make the transition into college or jobs.

Management also wanted an increase in faculty teaching load with no increase in pay. "I was particularly glad about preventing a 20 percent increase in workload above what everyone else got without pay," said Nicholas.

Under the new agreement, EOC lecturers and EOC doctoral lecturers can be assigned one additional contact teaching hour per trimester within their regular work hours;

### Management efforts to downgrade the EOCs were stopped.

they will thus have one hour less of non-teaching work.

Other non-economic aspects of the settlement include retiree library access and formation of a labor/management committee to develop proposals on professional enhancement, through sabbaticals and access to promotions.

Gene Plunkett, Manhattan EOC chapter chair, was the one member of the bargaining team to vote against the agreement. "The overall contract is very good, except for one

piece: the workload," Plunkett said. "I felt the hours for the teachers would be excessive. The team did their best, but I felt I had to vote no."

"I feel good about recommending the

agreement," responded Nicholas. "The increase of one instructional hour does not increase the established workload," she noted. At her center this is 30 hours, half of which have been contact hours. "No contract is perfect," Nicholas said, "but this is a very good document."

### VOTING

The final agreement will be voted on by the PSC Delegate Assembly in late January. If approved, EOC members will vote by mail in February.

While the EOCs' agreement was bargained separately, it has the same effective dates as the contract covering the rest of CUNY – 8/1/00 to 10/31/02 – and so will have already expired by the time the ratification vote is conducted. However, the PSC has received a commitment from CUNY that during the next round of bargaining, the terms covering EOC titles will be negotiated with the rest of the PSC's CUNY unit.



Tomio Geron



Peter Hogness



Peter Hogness

EOC Chapter Chairs worked in the team that weighed the agreement: (from left) Amy Nicholas (Brooklyn EOC); Gene Plunkett (Manhattan EOC); Jackie Corcoran (Bronx EOC). The Queens EOC will elect its chapter chair this spring.

# HEOs on the move

By CLARION STAFF

Over 85 Higher Education Officers (HEOs) at Queens College attended a special meeting in November with College President James Muyskens. The result was not only an open and frank discussion, but some progress on key HEO concerns.

HEOs at CUNY work in many different areas – in admissions, bursars' and registrars' offices, financial aid, counseling, information technology and security, to name a few – and they have as many different kinds of frustrations. At the November 12 meeting, they laid it on the line.

### PROMOTION

"When I was hired I was misled about the nature of the HEO line and told that there would be opportunities for promotion," said one HEO who has worked at Queens for over 20 years. "I've put in vast amounts of overtime. I've worked hard knowing that if I did not do it,

## Queens promises change

it would not get done. Did I ever get a 'thank you' or any recognition of my efforts? Never!"

The lack of a clear path for promotion is one of HEOs' biggest problems on the job – but the new PSC-CUNY contract allows HEOs to nominate themselves directly for referral to the promotion process, instead of depending on their supervisors to do so (see p. 7). This puts a spotlight on the work of each college's HEO Screening Committee, which recommends action on those reclassifications.

In the November meeting, John Troynaski, director of the QC Testing Center read from a HEO petition that asked President Muyskens to take the following steps:

- Reconstruct the HEO Screening Committee with new members and institute a three-year term limit.

- Ensure that at least three members are currently working HEOs at

Queens College.

- Publicize the membership of the HEO Screening Committee, its meeting schedule and its actions.

- Establish and publish the criteria for, and process by which, HEOs can request reclassification and ensure that these requests are acted on in a timely manner.

### EQUITY AND FAIRNESS

Muyskens promised to consider the HEO proposals, as well as their recommendations for who should serve. "The underlying aim of the HEO requests concerns matters of equity and fairness," he said. "These are core principles of the academy." The president noted that QC HEOs were clearly "very demoralized," and pledged to act as quickly as possible to change this. "The transparency issue is an example of something that I can address immediately," Muyskens said.

In a follow-up meeting, Muyskens agreed to promptly appoint his representatives to the newly established HEO labor-management committee (see p. 7).

The November open meeting was a first for QC HEOs in many ways: in its size, in the level of attention from College administration, and in HEOs' ability to speak out with a

clear, united voice. "Key to our success was a high level of organizing by our campus HEO working group and President Muyskens' inclusive leadership style, which encouraged free discussion," said Iris DeLutro, PSC Vice President for Cross-Campus Units. "Most important was HEOs' renewed trust in their union, built by painstaking, patient work among HEO sisters and brothers."

The session was joined by Jonathan Buchsbaum, chair of the PSC's QC chapter, who has invited HEO representatives to sit in on the faculty union chapter Executive Committee, labor-management and general chapter meetings. "We not only support HEO concerns, but HEOs have enriched our chapter discussions," Buchsbaum told *Clarion*. "HEOs are indispensable to campus life."

"HEOs did not come to this moment easily," said Miriam Thompson of the QC Labor Resource Center. "We developed a core leadership who were savvy, united, persistent and won some tangible victories around HEO reclassification." Thompson urged HEOs across CUNY to get active on their campuses. "Together," she said, "we can make a difference."



Nancy Barreis/Queens College

Nancy Falcon speaks at the Queens College HEO meeting.

# TWU gains in contract deal

By CLARION STAFF

On December 16, Transport Workers Union Local 100 signed a contract settlement with the Metropolitan Transportation Authority, averting a possible transit strike. The agreement, which was not yet ratified at press time, provides for a 6% pay raise over three years, a \$1000 lump-sum payment, a large increase in funding for medical benefits and other gains.

Negotiations between the TWU and the MTA began months before the old contract was due to expire on December 15, but management avoided serious discussions until Governor George Pataki, who controls the MTA board, won reelection in November. The agency then announced that it had a massive deficit, which would require austere labor contracts and probably a fare hike, too. With TWU leaders insisting on a substantial pay increase and other advances, a strike seemed a real possibility.

## MIDNIGHT NEWS

While the MTA and the New York City government got court injunctions against a walkout, government agencies and employers prepared for a strike. However, just before midnight on December 15, Local 100 announced that its members would remain at their jobs while negotiations continued, as significant progress had been made.

The next day thousands of unionists, including a large PSC contingent, joined a march across the Brooklyn Bridge and rallied at City Hall in support of the TWU (see sidebar). Just hours after the rally, the MTA and TWU announced a settlement.

Under the agreement, workers would see an average of just over 8% in additional pay in the next three years (including the lump sum payment). The MTA agreed to maintain health benefits at current levels

## Transit strike averted after tense negotiations



The PSC and unions from across the city marched in support of TWU Local 100 on December 16. At center is UFT President Randi Weingarten.

(with modest increases in co-payments, and domestic partners now covered), taking over their provision from a severely underfunded health benefit trust. This move is expected to cost the agency hundreds of millions of dollars.

The MTA agreed to contribute \$2.4 million to a child care fund and to establish a prescription drug plan for retirees too young to receive existing coverage, which does not kick in until they become eligible for Medicare.

MTA disciplinary procedures – described by the *New York Times* as resembling a “police state” – will be modified in several ways. These include paying workers for time spent at hearings if they are found innocent of charges, providing rapid hearings when workers are suspended from their jobs, exempting most workers from the requirement that they report by phone every time they leave the house while on sick leave, and allowing minor disciplinary charges to be resolved

through informal procedures.

Safety procedures also will be modified, with the union winning the right to bring its own safety experts onto work sites and to receive safety-related reports. The MTA also agreed to penalize managers and supervisors who fail to correct legitimate safety problems identified by affected workers.

## MTA DEMANDS

While most changes in the proposed contract were in response to union demands, the TWU did agree to drop a no-layoff provision in the expired contract and to permit the MTA to merge its two New York City bus subsidiaries, which the union previously had resisted, wanting first to resolve work rule and other issues associated with any restructuring.

Local 100's Executive Board approved the settlement by a vote of 31-9, and a mail vote on ratification was in progress as *Clarion* went to press. Critics of the pact focused on

the lump sum, the bus merger and loss of the no-layoff clause (though there was debate over how much protection the original language had offered).

Past transit contracts have not directly established a pattern for other municipal agreements, but they have influenced them. Other public employers no doubt will try to use the lack of a pay increase in the first year of the TWU pact as a precedent, while unions may use the overall size of the settlement – substantial given City and State fiscal crises – as a starting point for their demands. However, many provisions in the TWU pact deal with situations unique to transit, such as the massive cost of restructuring the health benefit plan and the MTA's autocratic disciplinary regime.

“More than for its specific terms,” said PSC Executive Director Deborah Bell, “the TWU contract is important for demonstrating that a well-mobilized union, with strong allies, can make significant monetary and non-monetary advances, even in the face of economic stringency.”

# City-wide solidarity

Why would a CUNY professor march in support of bus and subway workers, on the eve of a possible transit strike? “I just think that their fight is our fight, and if we don't support them then we can't expect support when it comes to our contract negotiations,” said Stefano Harney, assistant professor of sociology at College of Staten Island and one of many PSC members who turned out to back the TWU. “I wanted to show some solidarity, and see if we can't start some kind of trend.”

The December 16 labor rally was also a statement against fare hikes, tuition hikes and budget cuts as a response to NY's fiscal crunch. For many who attended it was an unusual and dramatic demonstration of the power and solidarity of labor, the culmination of a week when workers visibly set the agenda for the city. “It's fabulous that unions are coming together like this,” said Lorna Mason, a Writing Fellow at Kingsborough, and one of the PSC group that joined the march across the Brooklyn Bridge. “Austerity measures are coming down on all workers now, and we'll definitely be stronger if we all stand together.”

Under the slogan, “Not On Our Backs Again!” rally speakers insisted that budget gaps should not be paid for by New York's workers, who can least afford it. “We refuse to subsidize the rich – who have received \$13 billion in tax breaks in the last ten years – by taking 0% raises, or giving up a college education, or going without health care,” said PSC President Barbara Bowen.

## UNION SUPPORT

Over a dozen unions backed the protest, including the TWU, the PSC, the 125,000-member City workers' union AFSCME District Council 37, AFSCME D.C. 1707 (day care and social service workers), the UFT (teachers), CWA (phone and public workers), UNITE (clothing workers), plus the NYC Central Labor Council, Jobs With Justice and the Working Families Party.

The rally's stand against transit fare or tuition increases reflected the positions taken by the TWU and the PSC. Both unions argue that to charge working people more for a public service is not only unfair – in the long run it puts public services on a shaky financial footing. “Fare hikes and tuition hikes put the burden of the City's fiscal crisis on the majority of people in New York, who neither caused the crisis nor benefited significantly from the massive tax cuts of recent years,” said PSC Treasurer John Hyland. “We need to oppose these increases because they will further erode the public life of New York.” (See Calendar on p. 8 for Feb. 10 on organizing against a tuition hike.)

– TG

# Remediation ban gets OK

By TOMIO GERON

The State Board of Regents unanimously voted on December 12 to allow CUNY to continue its controversial ban on remedial classes in B.A. programs.

First adopted by the CUNY Board of Trustees in 1999 over opposition from students, faculty and staff, the ban also changed admissions policies. After meeting regular admissions requirements for B.A. programs, students must now pass three skills tests before they can enroll. NYS Regents' approval is required for such policy changes by CUNY.

Despite the unanimous vote, there was some concern among Regents about the new policy. At the urging of Regent Joseph Bowman, Jr., the Regents' resolution did not approve the remediation policy permanently, as originally proposed, but only through the end of the current CUNY Master Plan in 2004. Regent Arnold Gardner tried unsuccessfully to postpone the vote, arguing that some Regents felt rushed.

The week before the vote, PSC Executive Council members Mike Fabricant, Anne Friedman and Cecelia McCall, with Neil Foley of NYSUT, lobbied Saul Cohen, chair of the Regents' higher ed committee.

University Faculty Senate Chair Susan O'Malley, PSC Open Access Committee Co-chairs Susan DiRaimo and William Crain, and members of Friends of CUNY had a breakfast meeting with Gardner and eight other Regents just before the final vote. They urged the Regents to consider a change endorsed by the PSC and the University Faculty Senate, which would allow students who fail only one of the three new tests to provisionally enter a baccalaureate program for one year.

## DOUBLE STANDARD

“SUNY and other four-year colleges continue to offer remediation to stu-

dents in B.A. programs,” noted Crain.

The resolution also calls for monitoring and reporting on access and success for ESL, SEEK and other disadvantaged students; transfer rates between community and senior colleges; and support programs such as Summer Immersion and Prelude to Success.

But monitoring of CUNY admissions will not be effective without outside pressure, says PSC Secretary Cecelia McCall. “I don't think anything will happen with monitoring unless we make it happen.”

The PSC has asked the New York City Council for help in obtaining elusive data from CUNY about admissions. The union is also urging NYSUT to make remediation a top priority in its dealings with the State Department of Education and Board of Regents.

# UAPC workers vote for union

By TOMIO GERON

Workers at the University Applications Processing Center (UAPC) have voted 77 to 14 to join the PSC, becoming the first new unit organized by the PSC in almost 30 years.

Shouting, laughter and hugs broke out among UAPC workers attending the December 4 vote count, after the overwhelming margin was announced. "I'm gratified and very pleased," said Larry Maslansky, who has worked at the UAPC for 18 years. "It was long overdue." Most workers gave two reasons why they voted for unionization: they want both raises and respect.

## SCARE TACTICS

The lopsided vote came despite an intense anti-union campaign organized by UAPC management and the CUNY Research Foundation (RF), which oversees the UAPC. "[Management] was definitely trying to scare people into voting no but it worked only for a handful of people," said Robert Booras, a two-year employee of the UAPC in the international department.

UAPC managers made workers attend "captive audience" meetings to listen to anti-union lectures, which were then followed up with

## 85% cast ballots for PSC



UAPC staff applaud the announcement of voting results on December 4.

one-on-one sessions to pressure workers to vote no. When PSC members wore T-shirts that read "Union Yes!" they were ordered not to wear the shirts or even talk about the union. After union lawyers challenged both edicts as violations of federal labor law, management backed down.

In a daily series of flyers, management attacked the PSC as unconcerned about its members (in-

cluding a reprint of a hostile op-ed from the *New York Post*). UAPC Director of Human Resources Melissa Tarnowski passed out leaflets that accused the union of "fabrication" in its arguments for increased salary and benefits. Observing the vote count for management was attorney Daniel A. Rizzi, whose firm Nixon Peabody was dubbed a "union-busting" outfit by NY State United Teachers for its role in a nurses' or-

ganizing drive upstate.

Management's pressure had little effect. "Because of my boss I had to go [to the meetings]," said Bernadine Kamwanya, veteran of seven years in the UAPC financial aid department. "But I made up my mind before I went in there. I want a better life and work."

If State funds were used for anti-union actions, this could violate a new law that bans use of New York State tax money for anti-union activities. Since 2000, the UAPC has received between \$174,000 and \$349,000 per year from the State for processing loans for the Tuition Assistance Program (TAP), according to the New York State Higher Education Services Corporation. The Labor Neutrality Bill, signed by Governor Pataki last September, also requires employers to maintain records to ensure that State funds have not been used inappropriately.

The Research Foundation did not respond to requests for comment on how much had been spent on anti-union leaflets and consultants, how they were paid for, or whether such records had been kept. *Clarion* has filed a request under the state Free-

dom of Information Law seeking this information.

Momentum at the UAPC was strong from the start, when a group of UAPC workers first met with the PSC in September. By October, 80% of workers had signed union membership cards.

"We have to stand up for ourselves," said Wanda Harling, a 16-year veteran of the UAPC who is a member of the negotiating committee, recently formed for upcoming bargaining on the first UAPC contract. "I'm very excited about [the negotiations]. I'm going to fight as hard as I can." Bargaining is scheduled to begin at the end of January.

## FIRST SINCE 1973

The 100-member UAPC unit represents the first new division that the PSC has organized since the RF Central Office chapter was recognized in 1973. Most UAPC workers are based at Kingsborough Community College, while a few work in a CUNY office in midtown Manhattan. The newly organized UAPC workers are RF employees.

"This is a great victory and it's just the beginning," said Mary Ann Carlese, PSC associate executive director and director of organizing. "We intend to make sure that other RF workers have this same opportunity to achieve equity with CUNY employees."

# Hunter Schools on the map

By TOMIO GERON

CUNY students tend to be older, on average, than college students elsewhere. But some students in the CUNY system are a lot younger – in fact, some of them are still in kindergarten.

While many people at CUNY don't know (or sometimes forget) about the elementary school and high school associated with Hunter College, the schools moved into the spotlight in last fall's budget fight.

In November Mayor Michael Bloomberg proposed a midyear budget cut of \$615,000 for the two Hunter Campus Schools (HCS), which would have meant layoffs for about 10% of the faculty.

"We learned about it in the newspapers," said music teacher Michael Stratechuk, vice chair of the Hunter Campus Schools' PSC chapter. "Faculty here were shocked. We met, we made phone calls, we talked with parents."

After a flurry of lobbying City Council members, meeting with Hunter College administrators and planning a parent/teacher rally, the jobs were saved. Both the elementary and high school PTAs worked closely with the union chapter to make their case to City Hall, getting

## CUNY's K-12 schools

### CHAPTER FOCUS

Deputy Mayor Dennis Walcott to visit the schools to see what the impact of the cuts would be. In the end all cuts were reversed except for \$125,000 for administration – and Hunter College has said it will make up the difference.

### TEACHER TRAINING

The link between Hunter College and the Campus Schools grows out of the College's origin as a teacher training school for women 130 years ago, with the elementary school founded as part of its teacher training program.

Today Hunter College Elementary School (HCES) has about 360 students, while about 1,200 7th through 12th graders attend Hunter College High School (HCHS). Both define their mission as education of "gifted" students; less than 10% of applicants to HCHS pass its 7th grade entrance exam.

The schools' prestige and Upper East Side location may create an aura of privilege, but they are located

in an overcrowded building that causes problems for those who work and study within. "It's a pretty beat-up building that's not large enough for both schools," said Glenn Kissack, a member of the PSC chapter's executive committee. "It was never intended to have that many students," added Chapter Chair David Towber.

Science teacher Helen Brand noted that the building has few windows and suffers from bad air circulation. "We have high carbon dioxide levels," she said. "People complain that they're tired or headache-y." After meetings between union representatives and management, a major renovation of the ventilation system was planned for last summer, said Towber. But the project has been delayed, and the union is still pressing for improvements.

The schools' relationship with the rest of CUNY can be a sore point. For example, in November their access to the Hunter College online library system was shut off, including access to the Lexis-Nexis database. Brand told *Clarion* that the sudden cutoff was unfair and caused problems for students' science projects:



Hunter Campus Schools students and faculty rallied against budget cuts.

"Either we're part of CUNY and Hunter College or we're not."

### RAAB REVIEW

Some PSC members said they were glad to see Hunter College President Jennifer Raab – herself an HCHS graduate – appoint a liaison to the Campus Schools, and that Raab had been supportive in the fight against midyear budget cuts. On the other hand, there has been some friction over a Raab-initiated Strategic Planning Initiative on the schools' future, which produced an initial report that was widely panned by HCS faculty.

One issue currently under discussion is the composition of the student body. "Right now I don't think

it's living up to our mission, in terms of having more diversity," said Kissack. "Of course, this is controversial." Towber said that the school is united on the need for more diversity, but "I think we're very much divided on how to achieve it." For the high school, Towber argued that the problem was not in the initial admissions process but rather in subsequent retention.

Looming over all these issues is the question of next year's budget. "We're very happy with the result last fall, but I'm concerned that people not get lethargic," Towber said. "Down the road there are going to be more cuts," he said – and the PSC chapter is already planning meetings to get ready.

# How's your workload?

Our Roving Reporter asks around



Lisa Quiñones

**BILL GARGAN**  
Professor, Library Department  
Brooklyn College

When I was hired in 1979, we had 27 people. Next Fall we'll have 17 at most. Students are not getting the kind of services that they should.

On the reference desk, where before you might have had half an hour to deal with a complex problem, now you spend five minutes here, you run to spend ten minutes there, then you have to run upstairs to deal with a security problem. It's a speedup issue.

I think the thing that suffers the most is collection development. They're going to discover 25 years from now that there's a lot of vital material they don't have.

Librarians should be included in the research time for new faculty. Most librarians use our vacation to do research. Librarians hired now have four weeks, down from six weeks when I was hired.



Peter Hogness

**PHIL PECORINO**  
Professor,  
Social Sciences Department  
Queensborough CC

Our teaching load was raised unilaterally in the budget cuts of the 1970s. Now it's 27 hours in the community colleges. It used to be 24 hours, but at one point the University had declared even that to be excessive and said it should be reduced. In 1966 the University set a goal of 18 hours, as a level consonant with recommendations by professional societies. So we need to think of restoring the teaching load to what it was, or what CUNY was moving towards.

It's not just teaching, our workload has increased in many ways. In counseling, tutoring and advising, the number of support staff is down while the number of students has gone up. And as the number of full-time faculty has decreased, those remaining have had to take on a greater load of committee work.



Lisa Quiñones

**VERA WEEKES**  
HEO Associate,  
Caribbean Research Center  
Megar Evers College

For many, many years, I used to come in at 7:30, 8:00 and leave at 7 or 8 at night. I'd come in on Saturday and even Sunday, depending on the need. For me personally, because I work at the Center, it's been about serving the community. But a lot of folks, especially those in departments that serve a lot of students, they have to do very difficult hours for registration and so on and they're not compensated for it. If they were, in either time or money, there would be less chance of abuse.

Too often, HEOs are taken for granted. It's a 35-hour week, but you need 45 hours to get the job done and that's what most people do.

Your workload can change. And you may have more responsibility, but you don't get compensation until you get reclassified. These new committees should help with that.



Lisa Quiñones

**COREY ROBIN**  
Assistant Professor,  
Political Science Department  
Brooklyn College

I think there's an attitude on part of administration at CUNY that sees our job solely in terms of the hours we spend in the classroom. For me, so much of the work that I do is outside of the classroom, and that work is absolutely crucial to what I bring to my students. Every bit of research that I do enriches my teaching.

I find it criminal that there's not more of a real, not just verbal, commitment to giving professors the time to develop their thinking on the questions that they're teaching.

I tell my students, you don't really know what you think about something until you have to write about it. We tell students that every day. But if we don't have time to write about a subject, how can we teach it with any depth of understanding?

What really gets me is that the administration is in effect telling students, 'You don't deserve the best education.' I can't tell you how much that enrages me.



Lisa Quiñones

**JOYCE SOLOMON MOORMAN**  
Adjunct Associate Professor,  
Humanities Department  
LaGuardia & City Tech

The paid office hour [for adjuncts] needs to be expanded. To get it you have to teach six credits at one college. Adjuncts who teach six credits CUNY-wide, but at two different schools, do not get any paid office hour – and they need it.

Personally, I feel there should be an office hour for every class. Because you always have to communicate with students. For some classes, there should be more than one hour, particularly in courses with a lot of papers to read and grade. To be effective you really have to sit down and go over a paper with the student.

Of course, the basic problem is that we're not paid enough per course. Most adjuncts do the job because they love teaching, and they're trying to figure out a way to teach and make a living wage.

– PH

## Bargaining the next CUNY-wide contract

By CLARION STAFF

The PSC notified CUNY on September 25 that the union was ready to begin negotiations for the successor agreement to the current contract, starting with the issue of intellectual property. "Since CUNY announced it was about to adopt a new intellectual property policy and we believe this policy touches on many mandatory areas of bargaining, we requested that bargaining begin immediately on this issue," said PSC First Vice President Steve London.

CUNY refused to open negotiations on this subject, maintaining that they have the right to unilateral-

### Union asks to start with intellectual property

ally adopt a new intellectual property policy. The PSC has filed an improper practice charge against CUNY at the Public Employment Relations Board for what it believes to be a violation of the Taylor Law. Terms of the current contract, which expired on October 31, 2002, continue under NY State law.

#### MEMBERSHIP SURVEY

Meanwhile the union has been building the rest of its agenda. A membership survey has drawn a strong response, and the results are undergoing a detailed analysis. "A

first look shows that the response rate and distribution among colleges and titles was good," said London.

Among the top issues on members' minds are salary increases, job security, workload, Welfare Fund finances, equity and advancement and promotion. "Thousands of comments were recorded and we are in the midst of a detailed analysis of members views," London said. "The survey is a great tool for gaining a nuanced understanding of members' needs and con-

tract demands." (The March issue of *Clarion* will carry more detailed coverage of the survey results.)

**Raises, job security, workload, WF finances, equity, advancement & promotion**

Union delegates, members of PSC committees, the Executive Council and broad membership discussion are all part of developing the union's bargaining agenda. "I've been struck by the creativity and sophistication of members' thinking on the contract," said Barbara Bowen, PSC president and chief negotiator. "A broad, inclu-

sive process allows us to tap into that."

#### DETERMINED

"While we're conscious of the revenue shortfalls created by City and State tax policy, we are determined to continue the rebuilding of CUNY begun in the last contract," Bowen added. "It would be disastrous to stop now, when a strong university is essential to the state's resurgence. The PSC will seek an agreement that consolidates and extends the gains of the last contract, while addressing areas in which we were not able to make progress last time. We also aim to break new ground, in such areas as health and quality-of-life."

## Your new contract rights

## Reassigned time &amp; HEO gains

By **BARBARA BOWEN**  
PSC President

This is the second article in a series designed to clarify the new provisions of the contract. Last month's *Clarion* (available online at [www.psc-cuny.org](http://www.psc-cuny.org)) outlined procedures for adjunct professional hours and the Distinguished Lecturer title; this month's article explains two of the contract's most innovative features: reassigned time for scholarly work for untenured faculty and the labor/management committees for Higher Education Officers (HEO).

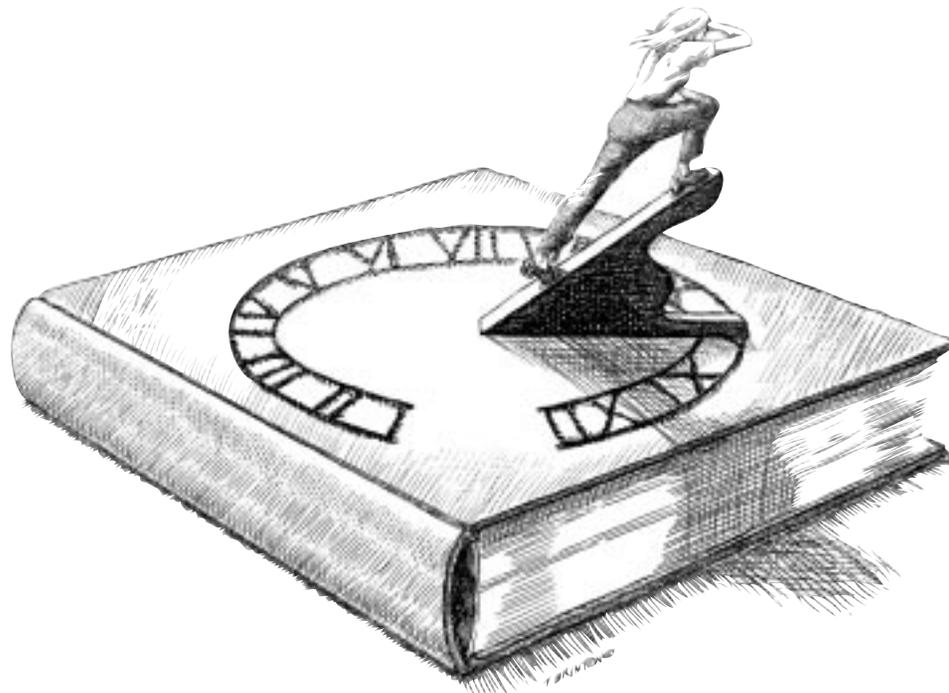
There are already signs that the provision for reassigned time is proving a significant attraction to young scholars considering positions at CUNY. In December job interviews for a position in my department, I heard more than one candidate react with delight when told that the position included guaranteed time before tenure for research. I suspect that this provision will turn out to be a major element in CUNY's intellectual renewal. Together with the provision for committees to address HEOs' most pressing issues, it suggests how the union can use the contract both to resolve problems and to remake the University.

#### REASSIGNED TIME FOR UNTENURED FULL-TIME FACULTY

1. All full-time untenured Assistant Professors, Associate Professors and Professors, except Librarians and Counselors, appointed to their current title on or after September 1, 2002 are entitled to receive a total of 12 hours of reassigned time to engage in scholarly and/or creative work during their first three annual appointments. This reassigned time is fully funded and is a permanent part of the contract.

2. The 12 hours of reassigned time is an entitlement, not an award to be applied for or granted selectively. It is simply a reconfiguration of the workload of untenured faculty during their first three years. Faculty members are not required to describe in advance how they plan to use the time nor to report on it afterwards, although guidance on preparing for tenure should be a regular part of the annual evaluation with the Department Chair. Departments or colleges may not opt out of providing the full 12 hours, nor may faculty decline the reassigned time.

3. Full-time untenured Assistant Professors, Associate Professors and Professors



Tim Brinton

### Second in a series of articles

#### YOUR RIGHTS

initially appointed between October 1, 2001 and September 1, 2002 are also included in this provision. Under Section 6.2.f. of CUNY's bylaws, an appointee who begins service after September 30 does not begin his/her tenure period until the following September. Accordingly, faculty in eligible titles appointed between October 1, 2001 and September 1, 2002 are entitled to the full 12 hours of reassigned time.

4. Also included in the provision for the 12 hours of reassigned time are individuals who served in other CUNY titles prior to September 1, 2002 and were then appointed to eligible titles. For instance, you would be included in the 12-hour provision if you had been a Lecturer and were appointed Assistant Professor on or after September 1, 2002.

4. Faculty Counselors are not included in this provision, but the contract contains an increase in the available number of professional leaves for Faculty Counselors hired on or after September 1, 1998. These Faculty Counselors should consult Article 25.4 of the contract and consider applying for fully paid professional leaves of up to four weeks.

5. Librarians are also not included in this

provision, even though they are required to meet publication standards just as other faculty are to achieve tenure. Enhancing access to research time for Librarians is one of the union's important goals for the next contract.

6. The research or creative agenda of the untenured faculty member should be the primary consideration in scheduling the reassigned time. Department chairs should make every effort to accommodate that agenda, while also taking into account the needs of the department. All 12 hours may be scheduled within a single semester, including the first of a person's appointment, or the 12 hours may be allocated in other combinations during the first three years.

7. If the faculty member takes all 12 hours of reassigned time in a single semester, she or he is not on leave, but simply on 100% reassigned time with all the normal rights and benefits of the position. The scheduling of the hours in this way does not affect the individual's tenure "clock."

8. The provision for 12 hours of reassigned time represents a *minimum* that *must* be provided to each eligible untenured faculty member. Colleges are free to provide more reassigned time than 12 hours, as some have done in the past. Given the importance of research time to building a career and a university, the union strongly encourages colleges to add the new 12 hours to whatever reassigned time they had been able to offer in the past.

9. In a separate provision of the agreement, the union and the University agreed to attempt to provide some reassigned time to untenured Assistant Professors, Associate Professors and Professors hired between September 1, 2000 and September 30, 2001. Faculty in this category will be notified as soon as a decision is finalized.

#### HIGHER EDUCATION OFFICER LABOR/MANAGEMENT COMMITTEES

The contract provides a new mechanism to address two of the most urgent areas of concern for HEOs: workload and reclassification. Each campus will now have a standing HEO labor/management committee with the power to review individual cases and make recommendations for action. For the first time, HEOs will be able to nominate themselves for consideration for reclassification to a higher title, rather than depending on their supervisors for nomination, and will have an official channel through which to raise issues about workload.

To ensure fairness and transparency, the union and University developed a uniform process for providing information to the committees and reports on their recommendations. We created a simple form that will be mailed to every HEO by the union and will also be available by January 31 at human resources offices on campus. HEOs can use it either to document workload issues they wish the committee to consider or to explain why they believe the responsibilities of their position are those of a higher HEO series title. After considering the information, the committee is empowered to make nonbinding recommendations on workload to the college president and refer requests for reclassification to the appropriate HEO Screening Committee. The action taken on each request will be reported to the individual HEO as well as to the college president and president of the PSC.

#### JOINT COMMITTEES

Each campus will have its own HEO labor/management committee, composed of two members designated by the college president and two by the PSC. CUNY's Central Office, 57th Street and other non-campus offices will be served by a single HEO committee, whose management members will be chosen by the appropriate supervisor. The union's selection of committee members is well under way, and management has agreed to have its members in place by January 31. Officers of the PSC's HEO chapter have visited most campuses this fall, arranging for one HEO representative to be elected and the other to be appointed by the PSC's president and HEO chapter leadership. The result is a strong representation of HEOs – both democratically elected and chosen for their experience – to serve during this crucial first year for the committees.

The University and union have agreed that the committees will meet at least twice per semester, and more if they deem it necessary. For purposes of convenience, the college's human resources office will handle the logistics of convening committee meetings.

*HEOs who have questions should contact Jean Weisman, Chair of the HEO Chapter of the PSC, at 212-354-1252 on Wednesdays or Iris DeLutro, Vice President for Cross Campus Units at the same number on Fridays.*

## HEO labor/management committees will start at each campus.

#### EDUCATORS' INCOME TAX GUIDE

To: Membership Dept.  
Professional Staff Congress  
25 West 43rd Street, Fifth Floor  
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 \_\_\_\_\_

## CALENDAR

**FRIDAY, FEBRUARY 7 / 4 – 6 pm:** “First Fridays,” Delegate Assembly Part-Timers Committee. At the PSC office, 25 West 43rd St. For more information, call Marcia Newfield at 212-354-1252.

**MONDAY, FEBRUARY 10 / 2:30 pm:** Solidarity Committee meeting. Discussion of organizing against Pataki’s proposed CUNY tuition hike. At the PSC office, 25 W. 43rd St. For more info, e-mail jperlstein@aol.com or call 212-354-1252.

**FRIDAY, FEBRUARY 14 / 9 am – 3 pm:** Florida Retirees Chapter annual luncheon and benefits seminar. At the Boca Raton Marriott Hotel. First Vice President Steve London and Clarissa Gilbert Weiss, Director of Pension and Welfare Benefits, will speak. For more info call Etta Kutner at 561-487-2074.

**FRIDAY, FEBRUARY 14 / 6 pm:** Labor Goes to the Movies presents “Killer of Sheep” (1977). Bittersweet portrait of a slaughterhouse worker from Watts in Los Angeles, from director Charles Burnett. At the Center For Worker Education, 99 Hudson Street, between Franklin & Harrison.

**TUESDAY, FEBRUARY 25:** TIAA-CREF representative will be at the PSC office. By appointment only. Call Linda Slifkin at 212-354-1252 to schedule an appointment.

**FRIDAY, FEBRUARY 28 / 7 pm:** General meeting of the CLT Chapter. Location to be announced; CLTs will receive a notice by mail. For more info, call 212-354-1252, x218.

**MONDAY, MARCH 3 / 1 – 3 pm:** Retirees Chapter meeting. Donna Gluck, NY-SUT, on “Financial Planning in Retirement and Important Tax Issues.” At the Graduate Center, 34th St. and 5th Ave., Rooms 9206-9207. All PSC members welcome.

# Welfare Fund restructuring under way

By **STEVE LONDON**  
PSC First Vice President and  
Welfare Fund Executive Officer

On January 1, 2003, changes in the Welfare Fund took effect that begin the process of restoring the Fund to fiscal health. All members who used an NPA card for their Welfare Fund prescription drug benefit will now be covered by the Fund’s new pharmaceutical benefit manager, Medco Health.

A new co-pay structure has also gone into effect: for a 30-day supply at the retail pharmacy, the co-pay for generic prescription drugs is the cost of the generic drug up to \$5 or 20%, whichever is higher; the co-pay

## Prescription drug changes first

### YOUR BENEFITS

for formulary brand name drugs is \$15 or 20%, whichever is higher; and the co-pay for non-formulary drugs is \$30 or 20%, whichever is higher. A \$50 per family annual deductible for retirees was instituted and the mail-order pharmacy has been changed from CFI to Medco Health’s Home Delivery Service.

The mail-order pharmacy co-pays may be less than retail pharmacy co-pays. For a 100-day supply the co-

pays are: for generic prescription drugs, the cost of the generic drug up to \$10 or 20%, whichever is higher; for formulary brand name drugs, the co-pay is \$30 or 20%, whichever is higher; and the co-pay for non-formulary drugs is \$60 or 20%, whichever is higher.

During December, information from the Welfare Fund and from Medco Health about these changes was sent to all members who participated in the NPA program. If you did not receive your new Medco Health prescription drug card or have questions about your new pre-

scription drug coverage, please call Medco Health at (866) 386-3797. If you continue to have questions about your Medco Health coverage, please call the PSC/CUNY Welfare Fund at (212) 354-5230.

A new federal privacy law will prevent Welfare Fund administrators from having access to an individual member’s drug utilization history. Medco, however, will be able to access this information, so for certain questions Welfare Fund staff may refer you to Medco Customer Service.

Fund members receive prescription drug benefits from different sources which can make it hard to understand our drug benefits. For example, in 2001 the PSC and other municipal unions won an agreement from the City to cover the cost of most members’ Psychotropic, Injectable, Chemotherapy, and Asthma (PICA) medications. While this helped the Welfare Fund’s finances, and in many cases made PICA drugs available to members with zero deductible, it made members’ benefits more complicated.

### WHICH CARDS

How other prescription drugs are covered can vary with the type of basic health coverage that members have chosen, and with whether they are part-time or full-time, active or retired. The accompanying chart will help you sort things out: it shows which prescription drug cards members should now have. **From now on, most members will have two prescription drug cards**, one provided by the Welfare Fund for their basic prescription drug coverage and an NPA card provided by the City for PICA medications.

Members who are full-time active or non-Medicare-eligible retirees, and who receive their health insurance from GHI, the Empire Plans, Vytra, and Health Net all access their prescription drug benefits through Medco Health which is provided by the Welfare Fund. Retiree members for whom Medicare is their primary health insurer are also covered by Medco Health. Full-time active and retiree members in HIP, Aetna, CIGNA, and Wellcare have their prescription drugs covered by a drug rider purchased on their behalf by the Fund. The same is true for eligible teaching and non-teaching adjuncts in the Empire Plans and EOC members in GHI and HIP.

The changes made thus far will realize about \$3.5 million in savings. This amount is \$2.5 million short of the Trustees’ goal of saving \$6 million. The Trustees are reviewing options to generate more savings by restructuring the drug riders provided by the Fund, our dental plan, major medical and catastrophic insurance, and life insurance.

	Full-Time Active	Non-Medicare-Eligible Retiree	Medicare-Eligible Retiree	Adjuncts	Full-Time EOCs
GHI	Medco Health Card	Medco Health Card	Medco Health Card (Health insurer secondary)		Insurer-provided card
The Empire Plans	Medco Health Card	Medco Health Card	Medco Health Card (Health insurer secondary)	Insurer-provided card	
Vytra and Health Net	Medco Health Card	Medco Health Card	Medco Health Card (Health insurer secondary)		
HIP	Insurer-provided card	Insurer-provided card	Insurer-provided card		Insurer-provided card
Aetna, CIGNA, and Wellcare	Insurer-provided card	Insurer-provided card	Insurer-provided card		
Medicare As Primary Insurer			Medco Health Card		Insurer-provided card

### Note on PICA and Diabetes Drugs

**PICA:** Most full-time active employees and non-Medicare-eligible retirees will now have two prescription drug cards, the one listed above for basic prescription drug coverage and another provided by the City through NPA for PICA medications (Psychotropic, Injectable, Chemotherapy, and Asthma drugs). Medicare-eligible retirees, adjuncts and full-time EOC employees are covered for PICA drugs under their regular drug card.

**Diabetes:** Active and retiree members not eligible for Medicare receive diabetes medications from their health insurance carrier. Medicare-eligible retirees receive diabetes medications from the Welfare Fund through Medco or through their insurance provider if they are in a plan for which the Fund purchases a prescription drug rider.

## Professional Staff Congress Notice of Nominations and Elections – SPRING 2003

### PSC GENERAL OFFICERS

Term of Office: 3 Years

President, First Vice President, Secretary, Treasurer, 5 University-wide Officers. Vice President, Senior Colleges, and 3 Senior College Officers. Vice President, Community Colleges, and 3 Community College Officers. Vice President, Cross Campus Chapters, and 3 Cross Campus Officers. Vice President, Part-Time Instructional Staff, and 3 Part-Time Instructional Staff Officers.

### NYSUT AND AFT CONVENTION DELEGATES AND ALTERNATES

Term of Office: 3 years

65 Convention Delegate Positions  
35 Alternate Convention Delegate Positions

### ELECTION SCHEDULE:

1. Nominating petitions will be obtainable upon request from chapter chairpersons or from Ms. Barbara Gabriel, coordinator of administrative services, at the PSC office from February 3, 2003, to March 3, 2003.

2. Petitions must be received at the Professional Staff Congress, 25 West 43rd Street, 5th Floor, New York, NY 10036 by 5 pm, March 3, 2003.

3. A candidate or his/her designee may inspect the list of eligible voters at the American Arbitration As-

sociation offices at 1633 Broadway – 10th Floor, on March 26, 2003, between the hours of 9:00 am – 5:00 pm

4. Ballots will be mailed to members by the American Arbitration Association on Tuesday April 1, 2003. Anyone who does not receive a ballot by April 12, 2003 should call the American Arbitration Association at 800-529-5218 for a duplicate ballot.

5. All ballots received by the American Arbitration Association by 5 pm on April 23, 2003, will be included in the count.

6. Ballots will be counted on April 24, 2003, at 10 am at the American Arbitration Association offices, 1633 Broadway – basement.

### ELIGIBILITY TO SERVE:

Members shall be permitted to hold a position as a general officer (serving on the Executive Council) who have been members in good standing of the Professional Staff Congress for at least one (1) year prior to the close of nominations, March 3, 2003.

### ELIGIBILITY TO VOTE:

All members shall be permitted to vote in this election who have been members in good standing for at least four (4) months prior to the mailing of the ballots, April 1, 2003.

### NOMINATIONS PROCEDURE:

1. Nominations shall be by written petition signed by no less than fifty (50) members of the appropriate constituency in good standing.

2. Slate nominations shall be permitted.

### SLATE REGULATIONS:

A slate of candidates will be recognized if it consists of candidates for twenty-five percent or more of the officers to be elected, and if it submits, prior to the close of nominations: (1) a listing of caucus officers, all of whom must be members in good standing, including the person designated to authorize nominees for that caucus’ slate and the members of the caucus Committee on Vacancies, which, unless otherwise designated, shall be the caucus nominating committee authorized to replace any candidate on the slate whose name is withdrawn no later than 7 days prior to the mailing of the ballots; and (2) a nominating petition including the printed name, signature, department and college of each petitioner and, for each candidate running on the slate, his/her signature, as well as the printed name, department, college and position being sought. The candidate’s signature on the slate petition shall constitute that candidate’s acceptance of the slate designation.

### ELECTION RULES:

A copy of the Rules Governing All General and Chapter Elections is available for inspection by all eligible voters from Ms. Barbara Gabriel, coordinator of administrative services, at the PSC central office. Relevant sections are summarized below:

1. All voting must be on an official ballot. Write-in votes are permitted. The intent of the voter must be clear, whether the name of the candidate is written, printed or typed. In order for a write-in vote to be considered valid, the candidate must meet the same eligibility requirements as a regular candidate. A write-in candidate must receive at least 10 or 10 percent (10%) of the total votes cast in the election, whichever is less, to be elected. Write-in candidates

who are elected must submit written acceptance of office to the Elections Committee within ten days of the notification of election results.

2. Each candidate, or a representative designated in writing, is entitled to observe the counting of the ballots.

3. The March issue of *Clarion* will carry biographies and/or statements by the candidates for general officers. Each candidate for general officer will be allotted 200 words. Slates of candidates for general officer may pool their allotment of words in whatever fashion they choose. The deadline for typed copy is 5 pm March 3, 2003. Candidates’ photos may accompany their statements. For information on existing *Clarion* photos, contact the editor. Candidates for delegates and alternates to the NYSUT and AFT conventions will be listed, but they will not receive further space.

Candidates for general officers may purchase not more than one-half page of advertising space in the March issue of *Clarion*. Slates may purchase not more than one page of advertising space in the March issue of *Clarion*. The deadline for camera-ready mechanicals is 5 pm March 3, 2003. (Note: It would be helpful to *Clarion* if candidates can give newspaper staff advance notice of their intention to submit statements or advertisements, by February 20, 2003, or as soon as possible thereafter.) Space limitations preclude an offer of space to candidates for delegates and alternates to the NYSUT and AFT conventions.

All candidates may mail literature at their own expense through Johnson & Hayward, 500 Route 46 East at Trenton Avenue, Clifton, NJ 07011-3524, the PSC mailing house. The PSC computer service will provide Johnson & Hayward with home-addressed labels of the membership, or will provide candidates with college-addressed labels of the membership at cost. The computer service must have five (5) days of advance notice to provide these labels.

# Keep education out of trade agreements

By LARRY KUEHN

The following was adapted from a talk given at the PSC's October 26 conference on "Globalization, Privatization, War: In Defense of Public Education in the Americas." Larry Kuehn, research director for the British Columbia Teachers' Federation, describes how trade agreements contribute to restructuring the university, and why their effect on our working conditions is likely to grow over time. Kuehn is also a member of the coordinating committee of the Civil Society Network for Public Education in the Americas, an organization that he describes below.

For other materials from the October 26 conference, e-mail [rbriden1@juno.com](mailto:rbriden1@juno.com), or call 212-662-0934.

In recent years education has been brought into the realm of trade agreements. In part this is due to the developed economies' shift from producing goods to producing services. According to the US National Committee for International Trade in Education (NCITE), a lobbying group for private providers of education, "Service jobs account for 80% of US private-sector employment." Even in Canada, where the economy was built on resource extraction rather than manufacturing, more than 70% of employment is now in services. Nevertheless, until recently services were not part of the trade regime. Trade had been thought of as involving "goods," not services.

A breakthrough – if one chooses to see it that way – in the negotiations that led to NAFTA was expanding the trading rules to cover services. Exporting services was a particularly important objective for US trade negotiators. The United States "has a surplus of about \$80 billion in its trade in services," according to the NCITE. This surplus in services cancels out a significant portion of the huge US trade deficit in goods, and an estimated \$6 billion of the services trade surplus is in education.

Of course, before a service can be traded, it must be commodified and privatized. Even public institutions created to serve a home public, if they want to trade, have to package their service as a product that can be sold. In my own home province, our new right-wing government is intent on turning our public education system into a product sold internationally. It is negotiating to open twenty

## Trading in public education

private schools in China, Japan and Taiwan, using British Columbia curriculum, teachers and tests, offering a graduation certificate that would provide access to BC's public universities. In effect, the public schools in Canada are creating private schools overseas to fund public schools in Canada.

Conceiving of education as a tradable commodity is an assault on the entire con-

cept of public education – the common school and the creation of an educated public as building blocks of democracy.

Workers' Party election victory in Brazil and the economic disasters in Argentina and Uruguay may slow things down. NAFTA and similarly structured agreements can have a "ratchet effect" on commodification and privatization: once a service is privatized, these agreements can prevent it from being moved back into the public sector. If a public institution is able to

make a service available free or at lower cost because it is supported by taxes, this may be deemed a "subsidy" which constitutes "unfair competition" with private providers. The Fraser Institute, a right-wing Canadian think tank, applauded NAFTA for just this reason. They said it would protect against a populist government being elected and then bringing privatized services back into the public sector. In other words, trade rules can trump democracy.

The World Trade Organization (WTO) is part of this story as well.

Within the WTO, negotiations are under way for an expansion of the General Agreement on Trade in Services (GATS). The NCITE reports that "US services industry goals for these [GATS] negotiations are ambitious. They include: securing the right to establish commercial operations and the right to full majority ownership, the right to be treated on equal terms with local providers, the expansion of commitments to free cross-border trade, the ability to move professionals for short-term assignments in other countries without visa and other red tape delays."



Gary Schoichet

Larry Kuehn of the British Columbia Teachers' Federation speaks at the October 26 PSC conference on "Globalization, Privatization, War."

cept of public education – the common school and the creation of an educated public as building blocks of democracy.

### NAFTA AND FTAA

If trade in education is to be expanded, then you need rules to keep it free of restrictions from pesky citizens who want to preserve their own local, public institutions. The North American Free Trade Agreement (NAFTA) therefore included such rules, and their reach would be expanded under the proposed agreement for a Free Trade Area of the Americas (FTAA). The FTAA is supposed to be in place by 2005, though the

These high-sounding principles mean that if private, for-profit Phoenix University wanted to open a program in Vancouver it could not be prohibited from doing so, even if the government adopted the principle that all education should be public. Phoenix University would have to be treated the same as local public universities – offered the same student loans or other so-called subsidies, for example. A government could not make regulations – for example, that a university must have a library in order to be accredited – that would restrict the rights of a private corporate competitor. (For a detailed analysis of the GATS and education, see *Perilous Lessons: The Impact of the WTO Services Agreement (GATS) on Canada's Public Education System* from the Canadian Centre for Policy Alternatives, available through [www.policyalternatives.ca](http://www.policyalternatives.ca))

### OPPOSITION

While the forces pushing globalization and privatization are powerful and pervasive, voices of opposition do exist. The reach and impact of opposition can be magnified if those who support a public sphere and challenge privatization can develop links and work to support one another.

In response to NAFTA, education activists in the US, Mexico and Canada established the Tri-national Coalition in Defense of Public Education. The FTAA and GATS sparked the formation of the Civil Society Network in Defense of Public Education in the Americas (most often called Red-SEPA since the Spanish acronym sounds nicer). In the context of globalization, it is clear that we must work together if we are to have any opportunity to challenge trade agreements that are so anti-democratic and destructive of solidarity, equity and public institutions.

How can we promote democracy and the right for us to make decisions that favor a social good, rather than letting the market and profit make our social choices? Unions and other groups that have an alternative agenda must produce the intellectual work to support alternatives to neo-liberalism – the ideology that insists an unrestricted market is best for all.

### WORLD BANK VS. TEACHERS

Most of the research carried out on education issues in Latin America today is funded by the World Bank. Often teacher unions are cited as the main opponents of the "reforms" that the World Bank wants to impose. Good for teacher unions. In fact, if we want to have research that is independent of the World Bank's neo-liberal agenda, teacher unions need to do it. The Civil Society Network has begun this kind of work, with a cross-country research effort examining three major topics: standardized testing, decentralization, and the development of a health and safety code for students and teachers.

Beyond research, we can bring a strategic consciousness of the global context to local and national struggles in defense of public education. We need to counter the neo-liberal alignment of education with the market by offering an alternative program for public education, both nationally and internationally. And we need to join international campaigns for social rights, including the right to an education and the right for workers to form organizations that protect their rights.

It would be great to have the PSC join us in this work. We have to challenge a system that puts trade and the rights of corporations above solidarity, democracy and public education.

## Clarion FEBRUARY 2003

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## LABOR

# Our constitutional right to strike

By JIM POPE

When New York City's transit workers threatened to strike in December, the Mayor urged the courts to fine their union \$1,000,000 and each striker \$25,000 per day on strike. The press heartily approved. One daily newspaper claimed that the union was conducting a "jihad" against the city, while another called for firing every transit worker who dared to strike. Mayor Bloomberg raised the specter of people dying in traffic jams because they couldn't reach a hospital in time.

The image of a person stuck in traffic on the way to the hospital is gut-wrenching – but what got lost in all the shouting were the deaths of subway workers Joy Anthony and Baby Kurien, killed on successive days less than a month before the strike deadline. Both workers were on track repair crews that lacked a flagger, a worker assigned to warn oncoming trains that they are entering a work area. These were real, not hypothetical deaths, and they occurred because subway management has too much power. The prospect of a strike helped to redress that balance in contract talks, where safety was a key issue.

Not many people have noticed, but the strike – once labor's main source of bargaining power – has been steadily disappearing from the American scene. The reason is simple: US law makes it virtually impossible for most workers to win a strike. In the public sector, the strike is banned outright in four out of five states, including New York. In the private sector, employers enjoy the right to punish workers for striking by giving their jobs to permanent replacements. According to a recent study of collective bargaining negotiations, employers are now more likely to threaten workers with permanent replacement than unions are to threaten employers with a strike.

## POWER PLAY

Most university professionals would have a hard time imagining going on strike – so why should we care? The short answer is that the strike is the only form of economic power that can enable working people to offset the concentrated economic power of corporations – both inside and outside the university. As the right to strike is weakened, so are unions – and along with them the main countervailing political power to corporations. Since 1980, when President Ronald Reagan's attack on striking air-traffic controllers gave the green light to strikebreaking, workers' real wages have stagnated while chief executive salaries have quintupled; CEO salaries are now 531 times the average worker's pay. Growing corporate influence over govern-



ment policy on taxes, the environment, trade and health care is part of the same trend. Today, with universities increasingly organized on corporate lines, even our academic unions can be pushed toward the last resort of the strike. For example, in 1996 the AAUP council at Rutgers took a strike vote, which helped win a contract in the face of President Francis Lawrence's determined hostility.

The Thirteenth Amendment provides: "Neither slavery nor involuntary servitude . . . shall exist within the United States." Last fall, West Coast dockworkers picketed

with homemade signs reading "Taft law: plain ole slavery." They were protesting against yet another legal obstacle to striking: the Taft-Hartley "national emergency" injunction. At first glance, the claim that a strike prohibition amounts to slavery seems silly. Longshore workers enjoy relatively high wages, and their union remains one of the few capable of striking and winning despite the labor law.

## AMPLE PROFITS

But the dockworkers have a point. The injunction forced them to work on the em-

ployers' terms. It took away their right to withhold labor in order to obtain a share of their industry's ample profits. Yes, their wages are high, but that is only because – beginning with the great Pacific longshore strike of 1934 – the maritime corporations have had to respect their bargaining power. If the purpose of the Thirteenth Amendment is, as the Supreme Court once said, "to make labor free by prohibiting that control by which the personal service of one person is disposed of or coerced for another's benefit," then the right to strike must be protected.

## INVOLUNTARY SERVITUDE

The dockworkers' picket signs remind us of a time when the labor movement was growing, instead of shrinking as it is today. In the first half of the twentieth century, unionists took the position that restrictions on the rights to organize and strike amounted to involuntary servitude in violation of the Thirteenth Amendment. The corporations ridiculed this claim, arguing that anybody who enjoyed the individual right to quit was not being forced to labor. But labor leaders held their ground. "The simple fact is that the right of individual workers to quit their jobs has meaning only when they may quit in concert, so that in their quitting or in their threat to quit they have a real bargaining strength," Congress of Industrial Organizations (CIO) General Counsel Lee Pressman later explained. "It is thus hypocritical to suggest that a prohibition on the right to strike is not in practical effect a prohibition on the right to quit individually."

Wielding this constitutional claim, workers and unions built a powerful movement for workers' rights. They did not wait for judicial approval. Beginning in 1909, the American Federation of Labor held that a worker confronted with an unconstitutional injunction had an "imperative duty" to "refuse obedience and to take whatever consequences may ensue." Under this policy, thousands of workers defied anti-strike injunctions. Historians now credit this resistance with playing a major role in bringing about the passage of labor legislation in the 1930s.

## NEW JERSEY STRIKE

While much of the labor movement has forgotten these old traditions, some working people continue to act as if they remember. Last year a court ordered public school teachers of Middletown, New Jersey, to end their strike and go back to work, but they proudly went to jail instead. In interviews with the press, they expressed their deep conviction that they were doing nothing wrong. Yet neither they nor their leaders were able to explain why in terms that would tie their courageous resistance to a broader movement for workers' rights.

Last summer, the Labor Party – an organization composed of seven international unions and a large number of local and regional union bodies – called for a revival of the labor movement's old tradition of constitutional activism. This recommendation comes not a moment too soon, for if the strike – and the labor movement as a whole – continue to decline at their current rates, there may be no long term for labor.

## The Thirteenth Amendment provides for freedom to control one's labor.

*Jim Pope is professor of law at the Rutgers University School of Law in Newark, New Jersey. He can be reached at [jpope@kinoy.rutgers.edu](mailto:jpope@kinoy.rutgers.edu).*

## BUDGET

# The state's choices & you

By **STEVE LONDON**  
PSC First Vice President

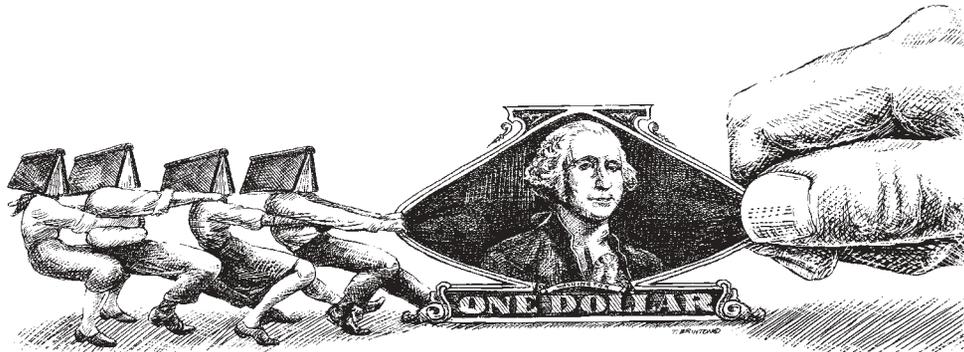
New Yorkers spent January waiting for the other shoe to drop. Early in the month, Governor Pataki finally used the word "crisis" to describe the State's fiscal situation, after avoiding that unpleasant reality until he was officially inaugurated for his third term.

Although a recent discovery for Pataki, New York State's financial circumstances haven't exactly been a secret. There are daily newspaper stories about dire fiscal conditions in New York and almost every other state in the nation. With the collective shortfall for state budgets estimated at \$60–80 billion in the next fiscal year, we hear of school budgets cut, higher education slashed, public workers laid off and regressive taxes increased. Is this our future?

Not necessarily. While the fiscal condition of New York and other states is indeed dire, and these large deficits arose suddenly, they result largely from seven years of aggressive tax cutting, a failed national health policy that sticks states with a rising bill for Medicaid, the budget demands of new security measures and redistribution of income upward to the rich. All these have collided with a national recession and a slow recovery. The current fiscal crisis is a result of a set of policy choices that can be undone.

## TAX CUTS

The most recent Fiscal Survey of States, by the National Governors Association and National Association of State Budget Officers, reports on the states' general fund expenditures. After increasing taxes in response to the recession of the early 1990s, states slashed taxes from 1995 to 2001. The



total cumulative impact of these tax reductions during this seven-year period was \$117 billion. Despite the tax cutting, the boom years allowed the states to modestly increase their budgets each year (ranging from 1.6% to 5.2%) and sock away some money for rainy day funds. By 2001, the ending balance in the states' general revenue fund was a healthy 7.8% as a percentage of expenditures.

But the 2001 recession collapsed tax revenues and the rainy day funds were quickly used up. Aggressive tax cutting had produced a tax structure not able to sustain current expenditures in a depressed economy: presto, instant fiscal crisis.

New York City and State followed the same trends, but are in worse shape than most for several reasons. The World Trade Center terrorist attack and Washington's slow and narrow response to recovery efforts have hurt; at year's end only \$4.5 billion of the promised \$21 billion in aid had been delivered to the City and State. Also, eight years of Giuliani and Pataki social and economic policy have left the City and State with an eroded wage base and more regressive tax structure, lopsided economic development with an over-reliance on Wall Street, a depleted public sector, and the

greatest income inequality in the nation.

But there is good news for New York in this litany of woes:

1) We are not in this alone. Democratic and Republican politicians across the country are looking to Washington for economic relief. Various forms of revenue-sharing and additional Medicaid funding are now on the national agenda. (Medicaid, increasing at an annual rate of 13.5%, is now the second most expensive budget item for the states.) In this context, New Yorkers have the most compelling case to make for assistance and we have allies in pressing our claims for relief.

2) Higher education is part of the solution to the current economic crisis. Broad-based economic development is a necessary component of recovery and CUNY is an essential part of jump-starting the city and state economies. Educating and training the working class of New York, CUNY's historic mission, is not only a matter of social justice – it is good economic policy.

This message has been road-tested. During the latest round of City budget reductions (with the mayor asking for a \$1 billion midyear cut), CUNY emerged relatively unscathed. Both City Council leaders and ultimately the mayor responded positively to the message from our members, who lob-

bied successfully for full restoration of CUNY community college funds.

3) Because New York City and State implemented deeper tax cuts for the wealthy than most states, today they have more room to recapture revenue by enacting a more progressive tax policy. Most working New Yorkers were not on board for the ride up in the 1990s and we should not bear the burden as the economy slows down. Fairness and good economic policy demand that those who benefited most from the 1990s boom should pay their fair share.

## WHO SHOULD PAY?

Nobel Prize-winning economist Joseph Stiglitz argues that during a recession it is better for economic recovery to increase the marginal tax on the wealthy than to slash public services. The reason is that dollars put into the public sector tend to go into the pockets of working people where they will be spent, increasing economic activity. Cutting public sector services, says Stiglitz, is counterproductive.

Now is the time to mobilize politically to change those policies that have failed us. While this will be difficult, we have a good chance of success. Our recent victory at the City Council is a case in point. Another positive sign is the fact that the Bush administration is being forced to deal with the states' fiscal crisis in its economic "stimulus" package. While the proposal is still a huge giveaway to the rich, it has been widely reported that the administration is feeling political pressure and is positioning itself to bargain away some of its proposed tax cuts for the wealthy for federal aid to the states. The fact that Bush doubled the size of the package to \$600 billion (in just one weekend) shows that there is money available: the only question is how it will be spent.

In the coming months, we call on you to take the time to respond to requests for political action and become a visible advocate for CUNY. We have friends and allies in this struggle – but we can't win without member involvement. Now, as always, CUNY's future is in your hands.

## POETRY

## Two by Nicole Cooley

### Mater dolorosa

Write against narrative: here is the television's blue square of light, milk needling my skin.

Yes, the book on my lap explains, in a dark time the mother's tears are signs.

The September sky burns metal blue, each day's fabric torn away from my window.

Write toward the girl, her small body made of mine, as she sleeps beside me.

All night, in the book, the mother stands straight and still, waiting, over the child.

Write against blankness, a sheet strung tight, a bed the color of ash, white, white, white.

### A caption for a still photograph of every scene

It starts with missing the original arms around me.  
It starts with the girl who was born this year.  
It starts with the sky as it leaks light, the plane circling

and circling Jamaica Bay, dumping fuel.  
It starts with edges: the two of us pressed together,  
leaves folded for safe-keeping in a dictionary.

Or those postcards I've collected: daughter to mother,  
during the war: *Welcome to Niagara Falls, The Edge of America*. It starts with the baby who renames

her world each day while we pretend not to see the television,  
pretend the plane doesn't always spin straight down.

*Born in Iowa City, Iowa, Nicole Cooley is associate professor of English at Queens College. Her works include a book of poetry, Resurrection (winner of the 1995 Walt Whitman Award), and a recent novel, Judy Garland, Ginger Love.*

## Help make your Credit Union stronger

PSC/CUNY Federal Credit Union (FCU) celebrates 23 years of service this year. Like all credit unions, PSC/CUNY FCU is a not-for-profit financial cooperative owned by the members. This means if you use the Credit Union, you are a part owner. You can be part of making your Credit Union stronger. The Board of Directors and other Credit Union committees, for example, are composed of volunteers.

You're invited to get involved with your Credit Union by becoming a volunteer on the Advisory Committee or the Good Will Team. The Advisory Committee is responsible for overseeing and recommending new services. The Good Will Team consists of volunteers who serve as representatives of PSC/CUNY FCU on the various CUNY campuses.

Please join in the rewarding efforts to fulfill the PSC/CUNY FCU mission of "People Helping People." Be a volunteer! If you are interested, call 212-354-2238 x244. And if you are not yet a member, please call to join.

# Perkins Act under fire



**15-MINUTE ACTIVIST**

by **LENORE BEAKY**  
LaGuardia Community College

## CUNY would suffer

The Bush administration is considering elimination of the \$1.2 billion Carl D. Perkins Vocational and Technical Education Act – and CUNY faculty and staff have responded with a campaign to preserve this vital source of funding.

The Perkins Act funds vocational, technical and academic support programs in community colleges, secondary schools and other educational institutions all over the United States; it is up for reauthorization in October 2003.

At CUNY, the six community colleges and four comprehensive colleges (those with both four-year and two-year programs) are scheduled to receive nearly \$9 million of the \$21 million allocated to colleges in New York State this fiscal year. “New York is the largest consumer of Perkins dollars,” said Senator Hillary Rodham Clinton in a December 3 press conference at BMCC. Eliminating the Perkins program “would have a disproportionate impact on New York,” Clinton said.

BMCC receives the largest amount of Perkins Act funding of any school in New York State, \$1.6 million. This money supports services for learning-disabled students, tutoring, supplemental instruction, laboratory staff, distance education and test preparation. “Using the services that Perkins funds is really critical,” Nizaliz Paulino, a former BMCC student now studying at Hunter and tutoring at BMCC, said at the press conference. These services strengthen “the skills [we need] to have a successful experience here at BMCC,” Paulino said. Andres Amodor, a supervisor in the Learning Resource Center, agreed: “Taking out this money would be a catastrophe for our students.”

### DEVASTATION

Marianne Pita, PSC chapter chair at Bronx Community College (BCC),

said that at her school Perkins funds are used with “a major focus on retention.” Academic advisement, tutoring, and student development at BCC all benefit from the Perkins program. Many BCC departments, from

### 10 CUNY colleges are scheduled to receive \$9 million in Perkins funds.

music to medical technology, receive Perkins aid to support their computer labs and update equipment. “The elimination of Perkins would be a devastating loss,” she said.

With so much at stake, CUNY is organizing to save the program. Word of the possible cuts spread to campuses across CUNY primarily through CC-NET, the PSC’s community college e-mail listserv. A letter-writing campaign to New York’s Senators and Representatives was begun. At LaGuardia, English professor Phyllis Van Slyck distributed her letter to legislators to the college community and urged others to write their own. BMCC student

groups encouraged their members to write letters and make calls and visits to legislators, drawing an active response.

A PSC resolution supporting full funding of the Perkins Act has been sent to New York legislators, and the union is working with its state and national affiliates, NYSUT and the AFT, to coordinate lobbying.

CUNY’s University Faculty Senate has also passed a resolution in defense of Perkins, at the initiative of the UFS Community College Caucus. The American Association of Community Colleges is spreading the word about the issue, and CUNY Chancellor Matthew Goldstein has written to Education Secretary Roderick Paige to detail the harm that would befall CUNY colleges as a result of cuts to the Perkins Act.

The Perkins program was first established in 1984, building on existing programs to support technical skills in current or emerging employment sectors, and was most recently reauthorized in 1998. While the Bush administration has not publicly called for axing the Perkins Act, Capitol Hill sources said that

## Save Perkins

**You can help save the Perkins Act. Call or write your Senators and Representative and tell them that Perkins funds are essential to CUNY. To find their addresses and phone numbers, go to the PSC Web site ([www.psc-cuny.org](http://www.psc-cuny.org)) and click on “political/legislative.” CUNY is scheduled to receive nearly \$9 million in Perkins money – and your action can help to save it.**

the White House is considering the move to deal with a budget squeeze caused by massive tax cuts and growing war expenses.

Sen. Clinton explained that eliminating the \$1.2 billion Perkins program has been proposed as a way to reduce a \$3 billion shortfall in the Pell financial aid program. “We’re robbing Perkins to pay for Pell, a very bad bargain,” she said. Clinton praised the role of community colleges and hailed them as a “unique contribution to higher education made by the United States.”

## Bush administration mixes politics with peer review

# Tampering with science?

by **PETER HOGNESS and TOMIO GERON**

“I was stunned.” That’s how Susan Klitzman, an associate professor of Urban Public Health at Hunter College, felt when she learned that her nomination to a scientific advisory panel on childhood lead poisoning had been rejected by Tommy Thompson, Secretary of Health and Human Services (HHS).

“It never occurred to me that I or any of the nominees would be rejected, because all of us are people who have made important contributions to this field,” Klitzman told *Clarion* of being barred from the Centers for Disease Control’s Advisory Committee on Childhood Lead Poisoning Prevention this fall. At the same time, the Bush administration nominated William Banner, Kimberly Thompson and Joyce Tsuji to the committee. Each has professional ties to the lead industry or has testified on its behalf.

The pro-industry slant of these appointments is threatening a planned review of “whether the CDC’s definition of ‘elevated blood lead levels’ in children is sufficiently protective,” according to an editorial in the October 25 issue of *Science*, journal of the American Association for the Advancement of Science.

These appointments are part of a larger trend, a Bush administration effort to restrict the membership of scientific advisory committees that has caused a storm of protest in the scientific community. In recent months, the administration has stacked an advisory committee on environmental health with industry-friendly members, while excluding respected scientists who lack industry connections. Committees on genetic testing and human research, which according to the *Washington Post* had offended industry and the religious right, were closed down before their work was complete.

### VIEWS ON ABORTION

When Corinne Peek-Asa, associate professor of occupational health at the University of Iowa, was nominated to a federal scientific study section, she got a call from Mike Davis of the HHS Secretary’s office. “The first question was how I describe my political views,” she told *Clarion*. “Then he asked what I think of the current Bush administration, then the Clinton administration.” In addition to discussing her views on the two Presidents’ policies on the environment, foreign affairs and health care, “he asked me very specifically what I thought

about stem cell research and what I thought about abortion.” None of these questions has anything to do with Peek-Asa’s training, or her research on accident prevention. She was not named to the study section.

Politicizing federal study sections is of even deeper concern than lack of balance in a policy advisory panel, argues Dana Loomis, professor of epidemiology at University of North Carolina. He thinks the kind of questioning Peek-Asa received threatens the process of peer review itself.

“Study sections have a very simple and rather narrow charge,” Loomis said in an interview. “To review grant proposals for scientific merit and rank them. That’s it.” He emphasized that they are not allowed to consider potential policy implications – difficult to do in any case, since the outcome of a study cannot be known in advance. Loomis chairs a study section for the National Institute for Occupational Safety and Health (NIOSH), for which three of six recent nominees have been rejected.

“The rejected nominees are established scientists who had already served as temporary members for some time, and whose qualifications had been reviewed and approved at every other level,” Loomis wrote in



Hunter College's Susan Klitzman

a note of protest. The reasons for the decision “seem ominously clear in at least one case: one of the rejected nominees is an expert in ergonomics who has publicly supported a workplace ergonomics standard.”

### QUALIFIED

That nominee, Laura Punnett of UMass Lowell, said, “No one has questioned my qualifications. Clear-

ly the message is that it’s my politics.” She added that she was offended by any implication that she could not be a fair judge of scientific quality: “I work very hard at reviewing grant applications neutrally.” The other rejected nominees include a former faculty member at Hunter College, Manuel Gomez, who is now director of scientific affairs at the American Industrial Hygiene Association. Gomez said he was baffled by his rejection.

William Pierce of the Department of Health of Human Services, defended the department’s decisions. “I think it has gotten lost in shuffle that Congress explicitly gave this authority to the Secretary, to make his appointments as he wishes,” Pierce told *Clarion*. “We’re now appointing who we want to. In science, there are different points of view – based on the science, but still different points of view.”

NIOSH’s Board of Scientific Counselors wrote to Sec. Thompson in December, expressing its unanimous concern about the “politicization of the peer-review process,” according to board chair James Merchant of the University of Iowa.

“The broader implications are potentially chilling, because this creates the appearance of an attempt to exert political control over what research gets done,” commented Loomis. “A free society should never be afraid of knowledge.”

*Thanks to the New York Committee for Occupational Safety & Health (212-627-3900; [www.nycosh.org](http://www.nycosh.org)) for help with this article.*