

Clarion

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GOVERNOR FOCUSES ON CUNY AND SUNY

SPOTLIGHT ON PUBLIC HIGHER ED

New investment in New York's public higher education systems was the centerpiece of Governor Spitzer's State of the State address in January. The PSC has told Albany since 2000 that CUNY has suffered from chronic underfunding, and the governor's Commission on Higher Education now agrees. But the fate of this year's budget for CUNY is uncertain. The PSC is pressing for a turnaround in funding to begin without delay. **PAGE 3**



BLACK HISTORY

The Great Debaters

Professors, philosophy & politics under Jim Crow.

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Spring semester contract actions

Union members and leaders are organizing to support PSC demands on paid family leave, salaries, adjunct job security and more. Member pressure is needed to win a fair contract. **PAGE 5**



A GUIDE

CUNY's patchwork policy on family leave

It's not easy to sort out how to care for a new child or ailing parents – and CUNY's leave policies make it tough to juggle job and family. Here is a guide to your current options. **PAGE 8**



SOCIAL SECURITY

WMDs = Whoppers about Massive Deficits

The Bush administration tried and failed to privatize Social Security. But they're not giving up. Would you buy some misused statistics from this man? **PAGE 9**

Clarion wins top awards in 2007

By **STEPHANIE HORVATH** and
DANIA RAJENDRA

For the third consecutive year, the International Labor Communications Association (ILCA) has named *Clarion* the best union newspaper of its size in North America.

In awarding the paper a first-place prize for general excellence, ILCA judges described *Clarion* as "outstanding" and said its articles featured "good analysis and no fluff." The award was presented at the ILCA's 2007 convention, held October 18-20 in New Orleans.

NO FLUFF

The ILCA, a labor media organization for unions in the US and Canada, also honored *Clarion* with awards for photography, illustration, a feature story and collective bargaining coverage. Awards were based on issues published in 2006.

New Orleans was not just the location of the labor press convention: it was the main focus of the meeting itself. Labor journalists fanned out across the city to examine the rebuilding of New Orleans – or the lack thereof – and how Bush administration policies and local corruption have affected the city's working people. The ILCA organized bus tours of devastated neighborhoods and coordinated teams of labor reporters to follow particular stories over the course of the four-day meeting. Local labor leaders, workers and organizers were invited to address the con-

Labor journalists report on New Orleans



Nearly 100 labor journalists from around the country converged in New Orleans, where they interviewed activist residents like Stephanie Mingo (above). Mingo is fighting for the right to return to her home in public housing, seen in the background.

vention, and delegates discussed what the human catastrophe in New Orleans means for the union movement and the nation as a whole.

"Every challenge that this nation's workers and their unions face is here, but in a concentrated and exaggerated form," said ILCA President Steve Stallone. "Reporting on and broadcasting these challenges and these stories not only furthers their cause but informs our reporting wherever we live and work." The work that

ILCA members produced is available at www.neworleanslabormedia.org.

MORE AWARDS

In addition to the recognition from the ILCA, *Clarion* also received awards in 2007 from the American Federation of Teachers, New York State United Teachers (NYSUT) and the New York Metro Labor Communications Council.

NYSUT judges also gave *Clarion* first place for general excellence, in

this case among teacher union locals of the same size in New York State. "There's no competition when the *Clarion* is in the running," commented the judges, who praised the paper's stories, photos and the "top-notch layout" by *Clarion* designer Margarita Aguilar. NYSUT also gave *Clarion* a first place award for best news article, citing Associate Editor Dania Rajendra's article on a union arbitration victory at LaGuardia Community College. The

story was "told with verve, and the prose shines," judges wrote.

Steve Leberstein, chair of the PSC's Academic Freedom Committee, won NYSUT's Solidarity Award for his op-ed about the threat to academic freedom posed by the so-called "Academic Bill of Rights," which would invite government monitoring of academics' political views. (The award was given jointly to *Clarion* and to *The Answer*, the publication of the Bay Shore Classroom Teachers' Association.) NYSUT judges also cited *Clarion* for best front page and best original cartoon.

BEST NEWS

The American Federation of Teachers Communicators Network (AFTCN) honored *Clarion* with a first-place award for best news story, for Editor Peter Hogness's March 2007 article about the severe problems experienced by many retirees when TIAA-CREF introduced a new computer system. Judges praised the article's thorough reporting and said the result was a "complicated issue well explained."

Clarion was invited to make a presentation at the AFTCN meeting to describe how the paper's Letters to the Editor section had developed into an active, open forum for members' views. It was one of several presentations in a discussion of "success stories" in labor communications, with other locals encouraged to learn from these examples.

At the 2007 meeting of the New York Metro Labor Communications Council, *Clarion* won a first place award for best reporting in 2006, for Peter Hogness and Esther Kaplan's joint article on the formation of a municipal bargaining coalition. (Kaplan was then newspaper editor for Communications Workers Local 1180, and the article was published simultaneously in both union's papers. She is currently investigative editor at *The Nation* Institute.)

COLLABORATION

Judges praised the article for "in-depth, candid reporting of an event with broad significance to the New York labor movement," noting that the "well-researched" piece "presented a forthright examination of internal debates among municipal unions."

The PSC website, administered and maintained by Bill Friedheim of the Retirees Chapter and PSC Communications Coordinator Dorothee Benz, also won awards in 2007. ILCA judges gave the website a first-place award for best content, remarking that "while the design is a bit rough, the content covers a wide range of useful information."

Clarion also came in for some constructive criticism: NYSUT judges, for example, noted that certain articles "could use some trimming." In one case, they wrote, "the length and density make this read more like an academic paper" than a newspaper article.



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Adjuncts, health care & retirement

● "Reimbursement for Medicare Part B" (January 2008 *Clarion*) states incorrectly, "If you are a CUNY retiree who is 65 or older, you're entitled to a full reimbursement of your Medicare Part B premium payments – more than \$1,000 per year." Currently, this benefit applies only to full-time CUNY retirees and a tiny number of retired continuing education teachers.

One of the PSC's contract priorities is to shift eligible adjuncts onto the New York City Health Benefits Program. The terms of the City program are different than what adjuncts have through the Welfare Fund, such as family coverage offered at no extra cost. The Welfare Fund should then get CUNY contributions on behalf of eligible part-timers, which would mean that part-timers would get full dental and optical coverage as full-timers do.

Once part of the City health plan, part-timers could achieve eligibility for retiree health insurance, en-

abling them to take their health insurance into retirement and get reimbursed for Medicare Part B when they reach age 65. Both eligible adjuncts and the Welfare Fund would greatly benefit from this change.

To keep abreast of our campaign for this important change, sign up at www.psc-cuny.org for the PSC's weekly e-newsletter. I urge part-timers to act on their own behalf by joining our subcommittee on health insurance for adjuncts and graduate employees. (Contact mnewfield@psccmail.org for more information.)

Marcia Newfield
VP for Part-Time Personnel

Part-timer proposal

● I appreciate the improvements that our union has achieved in the working conditions for adjuncts. Adjuncts whose primary source of income is their teaching still suffer from low pay, lack of office space and other challenges.

To provide better pay and conditions costs money. For some adjuncts, like myself, teaching is a part-time job in addition to another full-time job. I teach one course a semester. I enjoy the experience of teaching for the non-financial benefits it provides. Compensation is low. I suspect there are other adjuncts like myself for whom teaching is not the primary source of income. I can manage quite well without office hours, office space or a computer, which I can provide myself.

Other adjuncts whose teaching is their career (working at several campuses), have needs that are greater than mine. If we could subdivide adjuncts based on the number of courses they teach and/or the hours of instruction they provide throughout CUNY, we may be able to create a system that is fair without being overly costly to the University.

Of course, this is just my opinion, and we need to survey adjuncts to

see if this is acceptable to the majority of them.

Richard Weiss
Queens College

Illustration = 1,000 words

● Kudos to *Clarion's* staff for the choice of illustrations by Gregory Nemeč in the January issue.

While I do enjoy seeing photographs of both the new and the well-known faces of my colleagues who are active in the PSC, sometimes drawings like these can best convey concepts like "Free Speech," or "Rebuilding CUNY."

Hope to see more in the future – please carry on the grand tradition of labor graphics!

Paul Sheridan
Brooklyn College (retired)

Editor's note: *The illustrations referred to appear on pages 3 and 12 of the January 2008 issue, at www.psc-cuny.org/communications.htm.*

Spitzer spotlights need to invest in higher ed

By PETER HOGNESS

Public higher education took center stage in Governor Elliot Spitzer's "State of the State" address on January 9. "Without world-class education, we cannot have a world-class economy," the governor declared. Citing the initial report of his Commission on Higher Education, Spitzer called for large new investments in the CUNY and SUNY systems.

But it remains to be seen how City University will fare in Albany's appropriations for the coming fiscal year. The governor's executive budget proposes some cuts for CUNY's operating budget and also some additions, some new capital investment, and no dramatic new initiatives this year. Still, advocates say, the new focus on higher education funding gives them an opportunity they have not seen for many years.

DISINVESTMENT

"In 2000, we were the lone voice in Albany talking about the severe disinvestment in CUNY," PSC President Barbara Bowen told *The Chief*, New York's civil service weekly. "To go from crying in the wilderness to the governor's headline is very gratifying."

Spitzer backed his commission's call for hiring a total of 2,000 new full-time faculty for CUNY and SUNY over the next five years. To provide funds for this and other new initiatives, the governor proposed creating an endowment of "at least \$4 billion, which would generate \$200 million in operating funds each year." Money for this initial fund would come from "securitizing" the New York State Lottery, leasing its future proceeds in exchange for a large payment up front.

Governor Spitzer did not support his commission's call for regular annual tuition hikes at CUNY and SUNY or its proposal to allow public colleges to set different rates for tuition. "Our goal must be to make an outstanding education affordable for every New Yorker," Spitzer said, and he proposed no tuition increase this year.

Spitzer's stance on tuition drew the PSC's support. "Most CUNY students are people of color and come from low-income families," said Bowen. "Shifting the burden onto CUNY students would inevitably restrict access for precisely those who need it most." New York got an "F" on college affordability in the most recent "report card" from the National Center for

Little change in this year's budget



Marty Kerins

Deborah Glick (left), who chairs the Assembly higher education committee, with PSC members Eileen Moran and Bob Cermele.

Public Policy and Higher Education; Bowen said that the State should aim to solve this problem, instead of making it worse.

The PSC welcomed Spitzer's broad emphasis on the need to dramatically increase support for public higher education and his call for more full-time faculty. "CUNY has suffered from chronic underfunding since the fiscal crisis of the 1970s," said PSC First Vice President Steve London, "and we

thank the governor and the commission for putting a spotlight on this problem." CUNY alone needs 5,000 new full-time lines to restore its losses since the mid-1970s, London told *Clarion*, and he said Spitzer's plan would be an important step toward that goal.

DEBATE

Spitzer's lottery proposal drew a cautious response from legislators. "I am from the school that we should debate the idea and that we should see the upside and the downside," Kenneth LaValle, chair of the State Senate's higher education committee, told *The New York Times*. Deborah Glick, chair of the higher education committee in the Assembly, called the idea "bold and creative," but said she needed to hear more details.

"We applaud the governor's effort to identify new sources of funds for higher education," Bowen said in her January 30 testimony. "The PSC is still analyzing [this]

proposal," she told legislators, "and we look forward to discussing... both the promise and the potential difficulty of this approach."

Some commentators have expressed concern at funding a public purpose through an increase in gambling or asked who would control the endowment. Others have emphasized that endowment revenue must not be offset by cuts elsewhere – that there must be a clear political commitment to use every dollar of endowment revenue to increase public support for higher education.

In the immediate future, Governor Spitzer's executive budget proposal contained mixed news for CUNY in Fiscal Year 2009. State support for the senior colleges' operating budget would include an additional \$52.7 million for mandatory cost increases, in areas such as fringe benefits or building rentals – but this is offset by proposed reductions of \$16.7 million, resulting in a net increase of \$35.9 million, or 3.6%. There would be an additional \$1 million for nursing programs, but last year's legislative add-ons of \$652,000 for SEEK and \$500,000 for the Murphy Institute for Worker Education and Labor Studies would be cut.

Citing a budget deficit estimated at \$4.4 billion, the executive budget proposes that State support for community colleges be reduced by \$50 per full-time equivalent student (FTE). This would add up to a \$3.1 million cut, although increased enrollment means that the net reduc-

tion in FTE money would be about \$1 million. The executive budget also adds \$2.7 million to cover higher building rental costs, so the final result is a very slight increase: total State aid to CUNY's community colleges would be about 1% above last year.

RESTORATION

The PSC is seeking restoration of the \$50 cut in aid per FTE, plus a \$250 increase. "The governor's Commission on Higher Education says that the State should pick up 40% of localities' costs for the community colleges," said London. "If the State were to do that next year, it would have to increase CUNY's funding by \$1,500 per FTE. This is significant as a measure of what really needs to be done."

In capital spending, the executive budget proposes \$2.58 billion over five years for the senior colleges and \$260 million for the community colleges. About half of the total would be devoted to critical maintenance needs. PSC leaders said this represented a substantial increase, but still falls short of full funding for CUNY's urgent needs.

This year "should not be a lean year for higher education," PSC President Bowen said at a January 30 budget hearing in Albany. "If New York is to begin a transformation of the higher education sector, our first conversation should not be about a budget cut – even one [that is] relatively modest."

ADDING

Bowen pointed out that since 2000, CUNY's hiring of thousands of new full-time faculty has only led to a net increase of 144 per year – while enrollment increased by 35,000. "CUNY is adding students much faster than it is adding full-time faculty," she told legislators. "At the current rate of funding, it will take CUNY 34 years to achieve the student/faculty ratio it had in the mid-1970s."

"We applaud the governor for recognizing the need to invest in SUNY and CUNY over the long term, but it must also do so over the short term," commented Fred Floss, acting president of SUNY's United University Professions. "The lack of State budget funding for more full-time faculty leaves New York's economic engine with no fuel."

"There is a growing consensus around the diagnosis of the problem: CUNY and SUNY have been severely damaged by chronic underfunding," London told *Clarion*. "Now it is important for the legislature to follow through on a solution."

Members take action in Albany

By PETER HOGNESS

In May of last year, the PSC had already started planning its strategy for this year's budget debate.

That was the month Gov. Spitzer announced the appointment of his Commission on Higher Education. "Now the commission's report is the subject of wide discussion," said PSC First Vice President Steve London, "and we have a plan in place to make sure our voice is heard."

The last week in January was a busy one. "We held our legislative breakfast in Albany on January 29, a few days after the governor's executive budget was released," said London, "so that we could get our message out right away." The next day PSC President Barbara Bowen testified at a joint Assembly and State Senate budget hearing. The day after that, Bowen and other union members spoke at a hearing on the commission's initial report held by the City Council's higher education committee; more members will testify at an Albany hearing on the report on February 8.

PRESENCE

On February 15, PSC activists will go to Albany for the annual meeting of the Black and Latino Legislative Caucus. Then on February 25, a contingent of PSC members will return for Higher Education Lobby Day, sponsored by the PSC's statewide affiliate, New York State United Teachers; and another lobbying day follows in March.

Member action will also be key in the fight over this year's City budget. In January Mayor Bloomberg announced plans to cut aid to CUNY in FY2009 by about \$30 million, a reduction significantly more severe than those proposed in the State executive budget.

"The PSC is reaching out to faculty and staff at the community colleges to organize a strong response, as we did last year," London told *Clarion*. "We need to overturn these proposed cuts, even in this difficult economic climate."

"Particularly this year, we need people to join the PSC's Legislative Committee and become political catalysts on their campuses," said Eileen Moran, the committee's co-chair. "Only public pressure will move elected officials to commit the substantial public resources that our members and our students deserve." If you'd like to get involved, contact Britt Minott at (212) 354-1252 or bminott@pscmail.org.

To be continued

Clarion's series on CUNY and the adjunct labor system, which began with articles in our December and January issues, will continue in March.

Members voting on proposed UUP deal

By DANIA RAJENDRA

United University Professions (UUP), SUNY's union of faculty and professional staff, has reached a tentative contract settlement with New York State. The proposed agreement was endorsed by the union's negotiating committee on January 10, and ratification ballots were mailed to the UUP's 34,000 members across the state in February. Votes will be counted by the American Arbitration Association in March.

ATTRACT & RETAIN

"The agreement provides competitive salaries and strong benefits that will attract and retain top-quality faculty," said UUP acting President Fred Floss, who was the union's chief negotiator. "The terms of this agreement reflect [members' expressed] concerns, and we are pleased the State heard them at the bargaining table."

The proposed contract would run from July 2007 to July 2011, with annual salary increases of 3% in each of the first three years and 4% in the fourth. Employees who receive permanent appointments would get a one-time \$500 salary advance, and part-timers who have taught or complete teaching eight years at a single campus would get a one-time \$500 bonus. Some bargaining unit members would get discretionary raises, set at 1% per year systemwide.

The tentative agreement features a sizeable increase to the extra pay given members who teach in areas with a higher cost of living, an amount known as the "downstate differential." By 2011, the new contract would pay an additional \$3,026 annually to those in the New York City metro area, and \$1,513 a year to those in the mid-Hudson region. This followed the general pattern of New York State's recent settlement with the largest State workers' union, CSEA, which won a doubling of its downstate differential.

TUITION

(No employee of the City of New York receives any "downstate differential.") The City argues that its basic rates of pay are sufficient to meet the cost of living in NYC.)

The tentative UUP agreement also features free SUNY tuition for members' dependents – a long-time UUP goal. This change would go into effect in Fall 2008, after a joint labor-management committee works out the details.

Still no financial offer from CUNY

By PETER HOGNESS

Four months after the last PSC-CUNY contract expired, management has still made no financial offer in bargaining for a new agreement. "The union negotiating team has voiced the anger of faculty and staff at not receiving an offer," said PSC President Barbara Bowen. "While we understand that there are delays at the level of the City and the State, it is an abuse of our loyalty to expect faculty and staff to keep working so hard without even a discussion of a raise. We need an economic package that allows for restoration of CUNY salaries to competitive levels."

ARGUE

"The chancellor needs to argue, both publicly and privately, that our salaries are too low to recruit and retain the faculty and staff that the University needs," said PSC Treasurer Mike Fabricant. "He needs to use some political capital to make the case and prevail."

'Productive' talk on other issues

Most faculty and professional staff titles have seen the real value of their wages decline by a quarter to a half since 1971 – and CUNY faculty now make about one-quarter less than their counterparts at comparable schools like Rutgers or the University of Connecticut. (A detailed analysis by the union is available at www.psc-cuny.org/Salary_Issue.htm.)

With the State reaching contract settlements with its employee unions (see sidebar), there is even less excuse for CUNY's delay in putting a financial offer on the table, PSC negotiators said. In the December 21 bargaining session, Barbara Bowen cautioned management that raises in the 3% range are not likely even to reach the level of inflation, let alone address the erosion of CUNY salaries in the past 30 years. "We can't make it as

an institution on a below-inflation package," Fabricant told *Clarion*.

Though the lack of a financial offer has been a major impediment in the negotiations, union negotiators said that the two sides did have

CUNY continues talking but puts no money on the table.

some productive discussions on other issues when they met at the end of the semester, on December 14 and 21. At the December 14 session, the PSC presented petitions with more than 700 signatures demanding health insurance for CUNY's graduate fellows, graduate assistants and other graduate students. Union negotiators invited Carl Lindskoog, chair of the Doctoral Student Council's Adjunct Project, to speak on the importance of this demand.

As *Clarion* went to press, dates for bargaining sessions in the Spring semester were under discus-

sion by the two sides. A new face at the talks will be Vice Chancellor for Labor Relations Pamela Silverblatt, who will serve as CUNY's chief negotiator. She comes to CUNY after six years as first deputy commissioner in the NYC Office of Labor Relations.

RESTRUCTURED

Silverblatt's appointment coincides with a restructuring of CUNY's former Office of Faculty and Staff Relations (OFSR), which is being split into separate departments for human resources and labor relations, each with its own vice chancellor. The new vice chancellor for human resources is Gloriana Waters, who had served as interim vice chancellor for OFSR after the departure of Vice Chancellor Brenda Malone.

A number of PSC members attended the December contract talks as observers. If you would like to observe a bargaining session this Spring, contact Barbara Gabriel at bgabriel@psmail.org or (212) 354-1252.

Negotiations at a very slow Pace

By JOHN TARLETON

When Eric Marshall began negotiating a first contract for the Union of Adjunct Faculty at Pace (UAFP) in October 2004, John Kerry was running for president and Alex Rodriguez was finishing his first season as a Yankee. Today, Marshall is still waiting for Pace's administration to address the main concerns of adjunct faculty – health insurance, wages and job security.

"Three years of bargaining without a contract is absurd," says Marshall, who serves as UAFP's lead negotiator. "To still be without a contract is ridiculous and infuriating."

SIZE AT ISSUE

But in late January, UAFP won what *Inside Higher Ed* called "a key legal battle" over the size of the bargaining unit – and this could spark some progress at the table.

In the dispute, the union maintained the unit should include any adjunct teaching at least three credit hours per week. Pace wanted to include only those who taught this much in two of the last three academic years. After the National Labor Relations Board ruled in favor of the union, Pace went to court to overturn the decision. On January 25, the US Court of Appeals in Washington rejected Pace's claim. That means the unit will include about 1,100 adjuncts not 700, according to UAFP.

"This dispute has been the ostensible cause of much of management's delay," Marshall told *Clarion*. "Now, in the wake of this decision, we'll see whether they're really willing to get things moving."

But UAFP legal victory may speed talks



Pace workers and supporters rallied in August outside the office of the head of the university's Board of Trustees.

Pace adjuncts voted to join New York State United Teachers (NYSUT) in May 2004. Among the key issues in bargaining for a first contract is part-time faculty's total lack of health care coverage. Pace did not address the issue until October, when it offered to sponsor a group plan – but adjuncts would pay for it.

VOTED FOR UNION IN '04

"The fact that they finally put something on the table is a step in the right direction," Marshall said. "But this would be prohibitively expensive."

UAFP is also looking to replace the semester-by-semester hiring of adjuncts with a system of longer-term appointments, of up to three years. And the union is pushing for

wage equity with full-time professors. Part-timers teach more than half of Pace's classes but are paid about \$2,500 per course, or about a fourth of what full-timers make.

"We're getting a lot less pay for doing the exact same work," says John Pawlowski, president of UAFP, who has taught biology at Pace for 35 years.

In August, nearly 400 UAFP members and supporters rallied outside the office of Aniello Bianco, chair of the Pace University Board of Trustees. On December 11, UAFP gathered in front of Pace's campus in Westchester County. Two days later, the union protested in the sleet and driving rain outside the Pace campus in lower Manhat-

tan, and a dozen PSC activists were on hand.

"College education is an industry," Jim Perlstein, chair of the PSC's Solidarity Committee explained. "We need solidarity across campus lines."

Marshall himself is a former CUNY adjunct activist who was PSC vice president for part-time personnel from 2000-2002, when he became a NYSUT staff member.

Another NYSUT staff member, Daniel Esakoff, told *Clarion* he would like to hear from any PSC members who teach at Pace or are alumni or have family members attending the university. "If you have any connection to Pace, call us," Esakoff said. He can be reached at (212) 989-3470.

Pace drags its feet, say adjunct faculty.

Spring semester contract action

By PETER HOGNESS

This semester, PSC members are organizing in support of important demands the union has raised in bargaining.

Rank-and-file members and union leaders have been making the case for higher salaries in Albany and with the Commission on Higher Education as well as at the bargaining table over the past several months. To support the PSC's push for higher salaries, union leaders urged members to start the semester by filling out an online form that documents CUNY's "Lost Professors and Staff" (see below).

MEETINGS & ACTIONS

Problems recruiting and retaining faculty because of uncompetitive salaries and workload, the need to preserve the salary step structure, and keeping department chairs in the bargaining unit were all the subject of union meetings with department chairs in November and December. Department chairs on 10 more CUNY campuses will be invited to meet with union leaders to discuss these and other issues of common concern.

Public actions to highlight the need for paid family leave are planned for Valentine's Day at many CUNY campuses. With signs and postcards that say, "CUNY, Stop Breaking our Hearts! Let Us Spend Time with our Families!" union members will speak out in support of this demand. (To find out what's happening on your campus, contact Nick Cruz at ncruz@psc-mail.org, or (212) 354-1252.)

BEHIND THE TIMES

"If you compare us to schools in the region, we're clearly behind the times," said PSC paid-family-leave activist Keena Lipsitz, an assistant

On salaries, paid family leave



PSC activists, including QC faculty Karen Strassler (left) and Julie George, met in the PSC Union Hall with their children on December 2 to strategize about how to win a fair family leave policy from CUNY.

professor at Queens College. "Most of those schools offer six to eight weeks paid leave for the birth mother [CUNY requires birth mothers to use their sick time], and on top of that, a lot of them will allow fathers, adoptive parents and other new parents to take a certain amount of time for child care leave," she explained. "Even places like the California State system and Michigan State system offer at least six weeks paid, and then they offer some flexibility for working part-time for parents. There are a lot of ways you can

be creative, and there's really no excuse for the kind of policy CUNY has," Lipsitz said.

Adjunct activists are coordinating a push for job security, to rally support for the PSC's demand for a Certificate of Continuous Employment for long-serving adjuncts (similar to the CCE now earned by full-time lecturers). They will also be speaking out about the need to bring CUNY adjuncts onto the City health plan and to increase adjunct pay.

As a first step, part-timers in the PSC are being asked to make sure the

union has their home e-mail address, to keep them informed as the campaign develops: "We will be calling on you to take action," said Marcia Newfield, PSC vice president for part-time personnel. "It can be as simple as sending a letter via the union's website or as committed as coming out for a big event later in the semester to show the strength of CUNY's part-time personnel." (Send your name, e-mail and campus to mnewfield@pscmail.org.)

"We need to push all of management's concessionary demands off the table," said PSC Treasurer Mike Fabricant, co-chair of the union's Organizing Committee. "We need to get CUNY to withdraw its demand to eliminate step raises. Management wants to confiscate that money so it can be given entirely at the college president's discretion. That makes it vulnerable to various forms of misappropriation," he said.

JOB SECURITY

"Management keeps coming back to the table with efforts to reduce the little job security we HEOs have," said bargaining team member and HEO leader Iris DeLutro. "People who provide the level of commitment the professional staff give to this University should be treated with respect and given the highest level of job security," she said.

Job security for full-time faculty is also under threat, said PSC First Vice President Steve London. "The administration wants to create full-time faculty positions without tenure," he told *Clarion*. "This is a threat to the future of tenure at this University." Nationwide, he noted, today only 29% of college faculty positions are on tenure-bearing lines. Full-time, non-tenure-track positions are currently the fastest growing category of academic employment.

A recurring theme of members' reports has been unsuccessful searches to fill open positions, despite the many hours of work they entail. "It's been constant losses of people who are hired and constant drama in trying to hire new faculty, because of the outrageous difference in the cost of living in metro NYC and everywhere else in the US...versus the paltry salaries and benefits offered by CUNY," wrote a faculty member at Lehman. After repeated unsuccessful searches, some departments have difficulty getting faculty to serve on search committees at all.

"There is now statewide attention on the need to hire more full-time faculty at CUNY," commented PSC President Barbara Bowen. "But unless our salaries are significantly increased, we won't be able to fill those positions - and we will lose many of the best people who work here today."

Members tell of colleagues who love CUNY but can't afford to come or to stay.

Each of these concessionary demands would be bad for PSC members and bad for the University, London said, and the union is determined to resist them. "Management needs to keep its hands off our basic rights," he told *Clarion*.

Members join together to win a good contract.

For members who want to help win a good contract, the first stop is their next chapter meeting: "You can connect to local organizing and get the latest information on bargaining," Organizing Committee member Nancy Romer said. "We are working locally and CUNY-wide to push back against management demands and build support for the PSC's bargaining priorities. Members' active support will be important to our success."

To find out the time and place of your next chapter meeting, call your chapter chair. Contact information is on the web at www.psc-cuny.org/chapterdirectory.htm.

CALENDAR

FRIDAY, FEBRUARY 22: 6:00 pm / Labor Goes to the Movies shows *Frantz Fanon: Black Skin, White Mask*, Isaac Julien's 1996 experimental film about Fanon and French colonialism in Algeria. Featured speaker is Aida Sy, of the University of St. Andrews, Scotland. In the PSC Union Hall, 61 Broadway, 16th floor. ID required to enter building. For info call Sue Li, (212) 354-1252 or sli@pscmail.org.

SATURDAY, FEBRUARY 23: 9:30 am - 12:30 pm / International Committee meeting. For location and further information, contact Renate Bridenthal, RBriden1@juno.com.

MONDAY, MARCH 3: 1:00 pm / Retirees Chapter meeting, including a discussion with Central Labor Council Executive Director Ed Ott about the presidential election. In the PSC Union Hall. Contact Linda Slifkin, (212) 354-1252 or lslifkin@pscmail.org.

TUESDAY, MARCH 4: 6:00 pm / Legislative Committee meeting at the PSC office, 61 Broadway, 15th floor. Contact Eileen Moran at eyedon@earthlink.net.

FRIDAY, MARCH 14: 12:00 pm / The PSC Women's Committee's sixth annual women's history celebration, with a panel discussion on "Family-Friendly Workplaces: Evolution, Vision and Action." Guest speakers include Gemma Adaba, UN representative from the International Trade Union Confederation. At the PSC Union Hall; lunch will be served. RSVP to Marcia Newfield, mnewfield@pscmail.org or (212) 354-1252.

FRIDAY, MARCH 14: 4:00 pm / "First Friday" Part-time Personnel Committee meeting rescheduled to this date. At the PSC office. For info, e-mail mnewfield@pscmail.org.

'Lost professors' loom large

The PSC has launched an effort to track CUNY's "Lost Professors and Staff," asking members to help track the many people who have left CUNY or turned down a job offer to take a higher-paid position elsewhere. The effort is part of the union's campaign to document the urgency of restoring nationally competitive salaries. A form for this purpose can be filled out on the PSC website, at www.psc-cuny.org/LostFaculty.htm.

Forms submitted so far describe a problem that has become a crisis. "Virtually all our first-choice hires in recent years have declined our best offer," wrote one professor. "This is a disaster!" After describing a young colleague's departure for a post with higher pay and lower teaching load, he added, "I know other junior and senior col-

leagues...who are actively looking (can't give names for obvious reasons), and whose departure if they all went at once would bid fair to destroy the department."

A faculty member at Queensborough Community College mourned a dedicated colleague who had left for a higher-paid position: "She loved teaching at QCC and didn't want to leave." Despite those feelings, "she couldn't afford to stay in NYC and teach at QCC because of [the] poor salary and high cost of living."

OPEN POSITIONS

A College Lab Technician at Lehman wrote that "the problem is just as serious for competent full-time staff." He described a co-worker hired away after 14 years at CUNY; he had reached the top of the

senior CLT scale and concluded that his pay had reached a "dead end."

Other sources tell the same tale. A study at Queens College by Dean Savage, former chair of its sociology department, found a growing trend of faculty leaving the college early in their careers. "While the great majority of those who left in the 1990-1996 period were tenured senior faculty, the pattern reversed for...1996-2002," Savage wrote in a report to the University Faculty Senate, "and 63% of those who resigned to go elsewhere were untenured junior faculty." In the most recent period, "80% of those voluntarily resigning between 2002 and 2008 were untenured or just-tenured faculty members."

Members tell of colleagues who love CUNY but can't afford to come or to stay.

- PH

LABOR IN BRIEF

US union membership up for first time in 25 years

The rate of union membership in the US workforce grew slightly between 2006 and 2007, according to the federal Bureau of Labor Statistics (BLS). Although the change was only from 12.0% to 12.1% of the workforce, it was the first reported gain since 1983.

Construction unions, several of which have devoted more resources to organizing in recent years, showed one of the largest gains, from 13.0% to 13.9%. Education and health care unions also showed above-average growth, from 8.3% to 8.8%. Union membership in manufacturing continued to decline, from 11.7% to 11.3%.

The low rate of US union membership "stands in remarkable contrast to worker desire for unionization," noted analysts for the Center for Economic and Policy Research. Polls of non-managerial workers indicate that about half are not union members but would like to be. Union membership is still much more common in the public sector, where it stands at 35.9%, compared to 7.5% in private employment.

While an increase this small might just be the result of variations in BLS data collection, many analysts had anticipated that union membership would fall due to higher unemployment in industries like auto production.

End impunity, says union meeting in Guatemala

International union federations and Guatemalan labor groups organized a conference in Guatemala City to discuss how to end violence against labor activists and the climate of impunity that protects their killers.

"Guatemala is one of the world's most dangerous countries for trade unionists," said a statement from the International Trade Union Confederation (ITUC), one of the meeting's sponsors.

Rosalio René González Villatoro, head of an independent agricultural union, was murdered on January 21, just a week before the conference opened. Last year's killings included leaders of the dock workers' and banana workers' unions.

From January 29 to 31, delegates discussed how "to develop and implement political and trade union strategies to promote core labor standards, to strengthen the unions' capacity to fight impunity, and to ensure that the murders of trade unionists are fully investigated and that those responsible are brought to justice," the ITUC reported.

Guatemala is a signatory to the Central America Free Trade Agreement (CAFTA), which passed the US Congress by a narrow margin in 2005 amidst criticism that it did little to protect labor rights.

Fresh Direct immigration audit leads to firings, fear

By JOHN TARLETON

"I was about to begin using Fresh Direct," said PSC member Shirley Frank, "when I read about their treatment of immigrant workers. That was enough to make me pause — and now I find out that they are also union-busting!" Like many New Yorkers, Frank thinks Fresh Direct's labor practices are unappetizing.

The online grocer found itself in the news in December, after it was accused of using immigration authorities to crush an organizing drive at its food warehouse in Long Island City just two weeks before workers voted on union representation.

"For this to happen two weeks before a union election is outrageous," Ed Ott, executive director of the New York City Central Labor Council, told *Clarion*. "It's not an accident." Ott and other New York unionists said the timing pointed to a management effort to interfere with the vote through intimidation. "Under the guise of checking illegal aliens," he said, "they deny everyone the right to a fair vote on joining a union."

It was the latest in a string of intimidation tactics, said Ott, including firings of union supporters, intense pressure from supervisors and hiring "an infamous union-busting law firm" to oversee the anti-union campaign.

CONTROVERSY

The latest controversy erupted on December 9, when Fresh Direct management sent a memo to its 900 warehouse workers announcing that Immigration and Customs Enforcement (ICE) was preparing to audit the I-9 employment papers of its mostly immigrant workforce.

"This caused mass hysteria at the workhouse," said Joel Brooks, lead organizer for Teamsters Local 805. "Besides wiping out half the workforce, it terrorized those who were left. It was pretty much a death blow to the campaign."

"The effect this had was tremendous," said José Merced, lead organizer for United Food and Commercial Workers Local 348-S, which was also seeking to unionize the warehouse workers. While the controversy got some media attention, Merced told *Clarion* that most coverage downplayed the human impact. "This put hundreds of people on the street over the Christmas holidays," he explained. "It cost some people their homes."

More than 300 workers fled the plant in short order, according to Brooks and Merced. Dozens more were dismissed in the following days, after the company's human resources department ruled that

300 workers flee; unions lose election



Fresh Direct workers and supporters rallied in December.

they had not submitted the proper paperwork.

When union elections were held on December 22 and 23, the remaining workers cast a lopsided vote against union certification. The final tally was 423 votes against unionization and a total of 107 votes in favor. Before the crackdown, both Brooks and Merced said they had been optimistic about a union victory. "The employer ran a campaign of fear and terror," Merced said. "People were petrified."

Both organizers are convinced that Fresh Direct was responsible for the audit. The company has denied the charge, while ICE has been unwilling to confirm or deny the origins of the audit. ICE's own regulations forbid it from being used to target workplaces for raids or audits during an organizing campaign, according to Brooks. He said that immigration officials told him that the timing of the Fresh Direct audit was a "coincidence."

Merced believes that Fresh Direct used a 2006 government initiative called the ICE Mutual Agreement between Government and Employers (IMAGE). Under IMAGE, companies that employ undocumented workers are allowed to turn themselves in and not face any penalties for their previous violations of immigration laws if they agree to comply with a series of "best practices" when hiring employees in the future. The first requirement for participating in IMAGE is agreeing to let ICE perform the I-9 audit.

"What a great situation for the employer," Merced remarked. "You can blow the whistle on yourself and face no liability." It adds up to a growing trend, he told *Clarion*. "Employers are using ICE as muscle to break up organizing efforts," he warned. "This is only the beginning of what's to come."

"This is a wake-up call to the New York City labor movement," added Brooks. "It's a part of the Bush-employer assault on workers. They've laid down the gauntlet and now we have to respond."

UNDERPAID

Founded in 2002, Fresh Direct markets itself as a convenient alternative to regular grocery stores, with internet-based shopping and home delivery. While the company brags about its wide range of "earth-friendly organic and all-natural foods," most of its warehouse workers make under \$9 per hour, have practically no health care coverage and work shifts of 12 hours or more in 38-degree temperatures. Workers at unionized food warehouses in New York typically earn \$10-20 per hour and receive good health care and retirement benefits.

Fresh Direct's drivers and delivery workers affiliated with Local 348-S in 2006 after two unsuccessful organizing drives by Teamsters locals. Teamsters Local 805 started organizing warehouse workers in June and quickly built a list of more than 300 supporters within the warehouse, according to Brooks. Local 348-S soon became involved as well.

"I busted my tail to do what I could," said Ezra Valentine, a warehouse worker and union activist who still works at the Long Island City warehouse. And Valentine isn't giving up. "We lost the fight," he told *Clarion*, "but we haven't lost the battle."

NO HEALTH CARE

Valentine works a 12-to-13-hour shift six nights a week in the dry goods section of the warehouse. His base pay is \$8.10 per hour. He said he had to take an unpaid week off from work in November when he hurt his back lifting boxes.

"The issue is no health care," said Valentine. "Fresh Direct is getting away with murder." Valentine said the company gave workers new lockers and work jackets before the vote but has since reneged on promised pay raises.

According to Merced, Fresh Direct committed multiple violations of labor law during the election period, and many unfair labor practice complaints have been filed against the employer. A request that the election result be overturned by the NLRB and another vote held has been filed. Such challenges typically take a long time to be resolved; in the meantime another union election can't be held for a year.

But both the United Food and Commercial Workers and Teamsters say they are committed to trying again in the future, and both unions are optimistic about the eventual result. "The company will be the best organizer," said Brooks. "They're not going to change."

THE GREAT DEBATERS

Professors, politics & Jim Crow

By JONATHAN ADAMS

As a former high school debater from the South who unabashedly maintains long affairs with both philosophical inquiry and Lifetime movies, I may be the perfect target audience for *The Great Debaters*. But even those who are more skeptical about a film structured around simple clichés may find that it leaves them moved. The film's powerful political themes and tearful dramatic scenes push past the limits of its predictable format.

The Great Debaters is, as the saying goes, "based on a true story." It chronicles a black debate team from Wiley College that – through their coach's inspiration – integrates the halls of ivy to stand against the top white debate teams in the country. These debaters were not only arguing the competition's given topics, but, as the movie shows, the students were asserting their existence as equal human beings amidst the harsh realities of Jim Crow.

Produced by Oprah Winfrey, directed by and starring Denzel Washington, *The Great Debaters* has been criticized for embellishing the team's actual history. Often cited is the fact that the "national champion" that Wiley College defeated in 1935 was the University of Southern California, not Harvard, or that there was no woman on that team.

NAVIGATING THE COLOR LINE

But Wiley College did defeat USC, Oxford University and a string of other white institutions. Wiley's was the first black team to debate – and defeat – a team from a white school, in a 1930 contest against law students from the University of Michigan. And at that time, the team did include a remarkable woman named Henrietta Wells, who is still alive and was interviewed by *The Great Debaters'* creators. In the end, their revisions took nothing away from the film for me.

Washington plays Melvin Tolson, Jr., Wiley College's debate coach during the 1930s. The real Melvin Tolson had brought the intellectual ferment of the Harlem renaissance to the backwater town of Marshall, Texas. A scholar and a poet (another piece left out of the movie), Tolson used words as both tools of art and political weapons. As a professor at Wiley College, the rhetorician taught his students American authors and German philosophers and raised existential questions about freedom and equality in class discussions. Like many artists and scholars during his time, Tolson was rumored to be a Communist. At night, he organized secret meetings to unionize local sharecroppers.

The juxtaposition of Tolson's two selves (the daytime professor and the nighttime organizer) is the truest success of this film. Tolson's dual role shakes up the notion of a "Talented Tenth" intellectual; he sees that intellectuals build social power not by separating themselves from "the masses," but rather by finding ways to connect with them. Tolson wanted not just the accolades of academia but to be part of a movement for change in the broader world.

The tension in the movie between Tolson and religion professor James Farmer Sr., played by Academy Award-winner Forrest Whitaker, also highlights the relationship between the roles of scholar and activist. Farmer Sr. wants his son, James Farmer Jr., to steer



From left: Jurnee Smollett, Nate Parker and Denzel Whitaker as students at Wiley College.

clear of social conflict and focus simply on his studies, staying on the safe path to a church-going middle-class intellectual like his father, who is the college's president. Tolson, in contrast, believes that a "righteous mind" can only exist concurrently with action.

This plays out not only in the relationship between Tolson and Farmer Sr. but also in the relationship that each has with the white men in town. In a town where lynching and violent intimidation were used daily to thwart change, Tolson and Farmer choose different ways to navigate the treacherous conflict along the color line.

James Farmer Sr.'s dealings with white men reflect not only the mechanics of structural racism but the know-how needed to maneuver within this system. When his car hits a white sharecropper's pig, he is forced to bow his head to the power of race despite having more money, education and intelligence than the man who threatens him. The college president is resolved to accept humiliation to protect his family, a decision that seems as painful as it necessary. Farmer is not a radical man, and challenging racism is not an option for him.

Tolson, on the other hand, makes a decision to work against Jim Crow by organizing with the Southern Tenant Farmers' Union. Tolson illegally gathers this group of men not to debate the poor conditions of the sharecroppers but to tackle the problem. It is a decision that carries some risk: when black and white sharecroppers start meeting together, the local authorities are determined to stop them.

CLASS LINES

The same white man who had humiliated Farmer Sr. and called him "boy" also heckles Tolson as he addresses a sharecroppers' meeting. But the heckler stays at the meeting because the union is key to changing his economic situation, even if he has to be led by a black man. By bringing men across the

color line to work together, and by crossing a class line in order to do so, Tolson, as a scholar-activist, confronts inequality beyond the realm of debate.

The young students in the movie, played by Denzel Whitaker, Jurnee Smollett and Nate Parker, also learn the importance of flexibly working at the nexus of rhetoric and action. After being attacked by a lynch mob and seeing Tolson being punished for his work with the union, the team members discuss whether their participation in the debating society is worthwhile. They resolve the question by putting the violent reality of segregation at the center of their argument on-stage and by resolving to challenge it in their lives after graduation. James Farmer Jr., the character most closely based on an actual debate team member, goes on to found the Congress of Racial Equality (CORE).

LINKS TO THE PRESENT

Despite what might be the emotionally manipulative qualities of its made-for-TV approach, *The Great Debaters* gives the audience more than a convenient cry. It offers an indelible lesson about working toward change. This feel-good movie makes clear that change does not come from a feel-good discussion; it requires a grueling struggle, like Tolson's, that is most certainly multiracial, intergenerational and involves working across class lines.

This kind of unity does not come easy – it's also a product of struggle. The movie's tagline, "When the nation was in need, he inspired them to give us hope," describes Melvin Tolson as a unifying protagonist. This is one-sided or even misleading; Tolson was a skilled practitioner of confrontation. Here the movie's debates, in which the Wiley debate team grapples with race and change, stand in contrast to today's presidential debates, where the word "change" is used often but the substance seems lacking.

The movie's tagline reminds me of the way Barack Obama's image has been portrayed in this campaign. This youthful black man has become a symbol for many people who sincerely desire change. The success of Barack Obama's presidential campaign is only possible because of the work of Melvin Tolson and others like him to challenge the status quo – and from the vantage of the time in which the film is set, the idea of a black president looks almost revolutionary.

TODAY'S CONFLICTS

But while Obama is said to have inspired a generation, this inspiration has yet to strike me as *The Great Debaters* did, because Obama's grand government prose is missing something. He promises to lead the nation down a path toward reconciliation on race, but it isn't possible to resolve a conflict without first addressing it. Like Farmer, Obama is a black man who seems to deal with race only when he is forced to do so. In his attempts to transcend race with his rhetoric, he misses the opportunity to lead the way to real change.

Barack Obama should follow the movie's example if he wants to make his rhetoric real. If he directly addresses today's conflicts around racial and economic injustice – like the Wiley debaters did on the Harvard stage or like Tolson did in his organizing work – Obama can be a unifying figure for the nation. Before there can be real unity, we need more than a feel-good discussion: we have to confront the problems that divide and stratify this country. Only then can we begin to change them.

Jonathan Adams is a communications associate for the Applied Research Center, a racial justice think tank. He is a writer and activist who works on social justice issues within communities of color in the US and the Caribbean; the views expressed here are his own.

CUNY IN BRIEF

Student rights vs. recruiters

For two years, the Queens College PSC chapter's Anti-War Committee has asked the college administration to inform all students of their right to keep their personal information private from military recruiters. Unless students complete a non-disclosure form, colleges are required by law to make such information available to the Pentagon. In January the chapter scored a victory: the college agreed to send every student a letter notifying them of their right to privacy and how to submit the form if they so choose.

A hole grows in the Bronx

The sinkhole at Bronx Community College, reported in *Clarion* in May, is expanding, and PSC members are redoubling their efforts to form a joint PSC-DC37-management health and safety committee. When *Clarion* first reported the hole, it was the size of a small car, but now it can swallow an SUV.

The hole is just one of many health and safety problems on campus. BCC PSC members and their DC37 colleagues are calling their campaign, "Look What's Crumbling at CUNY." See page 12 for ways you can address health and safety concerns on your campus.

Change requires a grueling struggle.

The law, the contract and CUNY policy on family leave

By CLARION STAFF

CUNY does not currently provide paid parental or family leave to its faculty and staff – but the PSC is fighting to change that (see sidebar). CUNY's current policy on family leave is not only inadequate, it's also complex. The article below outlines information you need in order to navigate your way through it.

1) What is the FMLA?

The Family and Medical Leave Act (FMLA) is federal legislation that entitles employees to up to 12 weeks of unpaid leave per "leave year" to care for themselves or other family members because of a serious medical condition. At CUNY, the "leave year" is defined as September 1 through August 31. The employee is entitled to continuing health insurance coverage while on FMLA leave and to return to the same or equivalent position at the end of the leave.

2) When can you use it?

Full-time members of the CUNY instructional staff are eligible for FMLA leave if they have been employed for at least 12 cumulative (but not necessarily consecutive) months by CUNY. Part-time employees must have a minimum of 1,250 hours of CUNY service during the 12 consecutive months immediately before the effective date of the leave, so few CUNY part-timers qualify.

FMLA leave can be used 1) for the birth or care of a newborn or newly adopted child; 2) to care for a spouse, domestic partner, child or parent with a serious health condition; and 3) because of a serious health condition that makes the employee unable to perform the essential functions of his/her job.

3) What form of paid leave is available if I or my spouse give birth to a child or need to care for a sick family member?

Under the PSC contract, full-time employees can use accrued sick leave for the period that their doctors say they should not work during pregnancy or after childbirth. This applies only to the mother, not the father, and sick leave cannot be used to care for a newly adopted child. Except for CLIP teachers, part-timers at CUNY cannot accrue sick leave from one semester to the next.

Sick leave cannot be used for absence from work due to the illness of a family member or if a spouse gives birth. CUNY professional staff, as well as library and counseling faculty, have often used annual leave for this purpose.

4) How is paid sick leave or annual leave used in conjunction with an unpaid FMLA leave?

CUNY's present policy requires that paid sick leave, or annual leave

What are your rights today?



Taking time for a new family member is a challenge for CUNY workers.

used for illness of an employee or family member, must run concurrently with any unpaid FMLA leave. The union has objected to this policy, arguing that unpaid leave under the FMLA should begin only *after* the employee has used up all applicable paid leave. If this CUNY policy were changed, employees could get the benefit of up to 12 additional weeks of guaranteed leave. Although this time would be unpaid, it would extend the period during which employees have their health insurance paid for and their jobs protected.

5) What happens to my health and pension coverage when I'm on an FMLA leave or sick leave?

During an FMLA leave or paid sick leave, the University is required to maintain an employee's health coverage on the same terms as before.

If you take an unpaid Special Childcare Leave after your 12 weeks of FMLA leave are finished (see #7 below), CUNY will not pay to continue your health insurance coverage. To continue it yourself, you must pay the monthly premium through COBRA, covering the cost of the employer's contribution to the City health

plan, until you return to work.

Pension contributions are made only while you are on paid leave.

6) What change in family leave policy does the PSC want in this round of contract negotiations?

The union is demanding that CUNY provide a semester-long leave at full pay for the introduction of a new child into the household (by birth or adoption) or for the medical care of a family member. (See sidebar.)

7) What other forms of leave are currently available to PSC members, for full-time faculty, part-time faculty and other staff?

Full-timers earn sick leave under Article 16 of the contract, which provides for "temporary disability leave"; this can be used during pregnancy or after childbirth if a doctor determines that the employee is unable to work. (Federal law requires that any leave available for temporary disability be available for pregnancy.) Other kinds of leave include:

Special Leaves for Child Care: Unpaid leave for a new child for any full-

time member of the instructional staff for the care/support of the child for up to one semester. Can be used to care for a newborn infant by an individual member who has legal responsibility for the care and/or support of the child. Extensions granted for up to one year from end of the original leave. Child-care leave affects annual leave accruals but does not affect salary increments if leave is less than one calendar year. (For details see Article 16.8 of the PSC-CUNY contract available at www.psc-cuny.org.)

Leaves for Special Purposes: The college president may grant full-time members of the instructional staff paid leave for personal emergencies of not more than 10 working days. (For details see Bylaws of the City University of New York, Section 13.5.a.)

Leaves for Teaching and Non-teaching Adjuncts: Limited time, but not limited to illness. For up to 1/15 of the total number of clock hours in a particular session or semester, paid time off due to personal illness or personal emergencies including religious observance, death in the immediate family or similar personal needs that cannot be postponed. Reason must be satisfactory to the department chairperson or supervisor. (For details see Article 14.8 of the PSC-CUNY contract.)

8) Faculty librarians accumulate annual leave differently than other full-time faculty; the same is true for HEOs and CLTs. How do full-timers in these positions use annual or sick leave to attend to a family need as outlined by FMLA?

Faculty librarians, HEOs and CLTs accumulate annual leave and may take it at any time subject to supervisory approval. Thus, for their own medical conditions – including recovery from childbirth – faculty librarians, HEOs and CLTs first use all available sick leave, followed by accrued annual leave.

However, paid sick leave cannot be used to care for a family member, including to care for a newborn or adopted infant – so in this case only accrued annual leave can be charged. FMLA leave runs concurrently with any accrued paid leave – and lasts for up to 12 weeks, even if paid leave is exhausted sooner.

Other full-time faculty must take annual leave during the summer – except for faculty counselors, who may be assigned to take annual leave at certain other times at the discretion of the college. (See Articles 14.1 and 14.3 of the contract for details.)

PSC organizes for paid family leave

In the current round of contract bargaining, the PSC is demanding a semester-long leave at full pay for "the introduction of a new child into the household or for the medical care of an immediate family member."

A committee of union members has been organizing a CUNY-wide network to build support for this demand, and actions on many campuses are planned for mid-February. For more information or to get involved, contact Nick Cruz at the PSC office, at (212) 354-1252 or ncruz@psccunyu.org.

The union's efforts have drawn some attention in the local press, including a report last semester on WNBC-TV. Lack of paid family leave "affects our ability to attract new faculty, and keep new faculty here," Karen Strassler, an assistant professor of anthropology, told WNBC. "So it's really about the health of the institution as a whole, and I hope the CUNY administration will recognize that."

See the full WNBC report at www.psc-cuny.org/psc-currents.htm.

– PH & DR

For full-time faculty who do not accumulate annual leave, time off to care for a family member can be requested either under Section 13.5.a of the Bylaws (paid – see #7 above) or under FMLA (unpaid).

9) If I need to take any unpaid FMLA leave before achieving tenure, does the tenure clock stop or pause? What about service credit for other kinds of job security (CCE or 13.3b)?

Regardless of length, the unpaid leave period serves as a "bridge in service" between the employment periods before and after it. The leave is not considered a break in service but "bridges" the period of creditable service (service that counts toward tenure, CCE or 13.3b) immediately preceding the leave with the creditable service achieved after the leave. The "bridge in service" itself does not count as creditable service.

For those who have already achieved tenure, CCE or 13.3b, the period of the FMLA leave is not considered a break in service.

10) Does CUNY provide financial assistance with child care expenses?

No, but the NYC Employee Benefits Program (which administers health insurance) permits payment for eligible dependent care expenses from a Dependent Care Flexible Spending Account. Employees may choose to enroll and contribute pre-tax payroll deductions which reduce taxable gross income.

RETIREMENT

Social Security scare tactics

By DEAN BAKER

You remember George W. Bush, the guy who tricked the country into a never-ending war in Iraq with tall tales about Saddam Hussein's weapons of mass destruction and links to Osama bin Laden. Well, he still has 16 months left in the White House and he's determined to do yet more damage with his famous "Bush stories" before he leaves town.

The latest Bush story is that Social Security is going bankrupt and will impose an unbearable burden on our children and grandchildren. Of course, this is not the first time President Bush has gone after Social Security. Immediately after the 2004 election, he tried to use his new political capital to privatize Social Security. As a result of a massive nationwide organizing campaign, the privatization drive soon hit a dead end.

In fact, the Congressional Budget Office (CBO) calculates that Social Security can pay full benefits without a single adjustment for the next four decades. But in an apparent effort to lay the groundwork for a future president to privatize and/or cut the program, the Treasury Department is circulating a new set of Bush stories designed to convince the public the Social Security program is in urgent need of radical change.

CLAIMS

The main thrust of these Bush stories is the old "massive burden" line. The first claim they make is that the program faces a \$13.6 trillion shortfall. That should make everyone really scared.

This number looks considerably less scary if we examine it more closely. The bulk of this projected shortfall is attributable to deficits projected for the 22nd century and beyond. Life expectancies are projected to continue to rise through time. So if the retirement age remains at 65, we would end up supporting ever-longer retirements.

Somewhere down the road, our great-great-grandchildren will have to decide how much of their lives they want to spend working and how much they want to spend in retirement. Assuming our great-grandchildren



George Bush says Social Security is in dangerously shaky shape. Should we believe him?

teach their kids arithmetic, this should not be a very difficult problem. Remember also, that in 2100, living standards are projected to be three times higher than they are today – so we probably should not shed too many tears if the Social Security tax rate is somewhat higher in 2107 than in 2007.

If we retreat from the science-fiction future to Social Security's 75-year planning period (ending in 2082), the Social Security trustees have projected a shortfall of \$4.7 trillion. This still sounds very scary because almost no one has any idea how much money \$4.7 trillion is over a 75-year period. If we express it as a share of projected income over this period, the projected shortfall comes to 0.7%, or 70 cents on every hundred dollars of income.

Still scared? Suppose we use the numbers from the non-partisan CBO instead of the Social Security trustees, since four of the six trustees are political appointees of the president. CBO tells us the projected shortfall over the next 75 years is equal to 0.4% of

projected income. This is approximately 40% of the current spending on the war in Iraq and about one-fifth the size of President Bush's tax cuts. In other words, if the projected Social Security shortfall has you worried, you should be absolutely terrified about the cost of the war in Iraq and paralyzed with fear by the revenue lost as a result of President Bush's tax cuts.

DISTANT

Of course, the projected Social Security shortfalls are not trivial, but at this point they are still relatively distant. It is entirely possible the situation will have improved somewhat in the next 40 years and that any tax increases and/or benefit cuts can be pushed even further into the future.

Furthermore, if adjustments do become necessary, it's unclear why benefit cuts would be in order. One obvious way to eliminate much of the projected shortfall would be to raise the cap on the amount of wages (currently about \$100,000 a year) that are subject to the payroll tax. In 1983, the Greenspan commission set the cap at a level that subjected 90% of wage income to the Social Security tax. The upward redistribution of income over the last quarter century reduced the portion of wage income that is taxed to just 83%. If we raised the cap to again cover 90% of wage income, this would eliminate more than 40% of the projected shortfall.

Of course we can also take the other side of this and address the reasons that income has been redistributed. This has been largely the result of trade and labor policies that were designed to shift income upward, away from Social Security-tax-paying workers and toward the wealthy. If we reverse these policies in the years ahead, then we could more equally distribute income and at the same time eliminate much of the projected shortfall.

There are other reasons the shortfall may prove to be smaller than currently projected, for example, rapid economic growth. However, the main point is there are no serious pro-

jections that show Social Security facing any sort of crisis or a situation requiring action anywhere in the next two decades. The country was already led into a seemingly endless war by accepting one Bush story. It would be a tragedy – and an entirely preventable one – if another Bush story played a role in dismantling Social Security in the future.

CAMPAIGN 2008

In the current presidential race, politicians are not dodging a tough issue if they decline to say what we should do with Social Security in the second half of the 21st century. Rather they are staying in touch with reality. We don't know what the world will look like in 2040, 2050 or 2060. Under very plausible assumptions, Social Security will remain fully solvent through these decades with no changes whatsoever.

However, even if the program needs to be changed to maintain solvency, none of us can predict how those who have not yet entered the workforce will opt to divide their lives between work and retirement. If it is necessary to make up a shortfall, will people in 2050 prefer to retire later, get lower benefits or pay higher taxes? We don't have any real basis for answering this question. Furthermore, the people alive in 2050 will not care how we did answer this question. The country will almost certainly reshape the program again before 2050.

In a world where we have pressing problems like a broken health care system, a war with no end in sight in Iraq, and the threat of global warming, why should any rational person concern themselves with the relatively minor and distant problems projected for Social Security? Well, not all of us have the same interests at heart.

The political right has waged a quarter-century long battle to cut and/or privatize Social Security, for both ideological and economic reasons. On the ideological front, Social Security is the granddaddy of all social welfare programs. For those who want to eliminate the social welfare state, Social Security is the biggest game out there.

TRANSFER

On the economic side, the repayment of bonds owned by the Social Security trust fund will transfer trillions of dollars from the wealthy to middle- and lower-income retirees. If the Social Security program can be restructured in a way that does not require repayment of the money borrowed from the trust fund, the nation's richest people will reduce their prospective tax burden enormously.

These are some of the reasons why, despite the evidence, the Social Security scare-mongers work hard to maintain the constant drumbeat of "crisis." And they control enough media outlets to ensure that there will be politicians who respond to their cry.

Dean Baker is the co-director of the Center for Economic and Policy Research (CEPR) and author of The Conservative Nanny State: How the Wealthy Use the Government to Stay Rich and Get Richer (www.conservativenannystate.org). He also has a blog, "Beat the Press," where he discusses the media's coverage of economic issues (www.prospect.org/cs/blogs).

Reminder on taxes & pensions

CUNY employees may notice that their W-2 form has an item in Box 14 called "IRC414H." You will see this if you are a TIAA-CREF participant or if you belong to Tiers 3 or 4 of TRS – and this amount must be included in your taxable income on your state and local tax forms.

Since December 1989, these required pension contributions have not been subject to current federal income taxation, under section 414(h) of the IRS Code. However, this money remains subject to current state and local income taxes.

Thus, you must add your public employee 414(h) retirement contributions, which are listed in Box 14, to your federal adjusted gross income when you are determining your taxable wages for New York State and City.

The good news is that upon retirement, your pension income will not be subject to any New York State or local income taxes. But in the meantime, state and local income

taxes must be paid on your contributions.

More information is available online at:

- www.osc.state.ny.us/payroll/files/payroll-express/nov06.pdf#page=5
- www.nyc.gov/html/opa/html/taxes/w2.shtml
- www.osc.state.ny.us/payroll/w2.htm

(State information listed on these sites is for tax year 2006; at *Clarion* press time this was the most current available.)

If you have further questions, consult your accountant or tax preparer. — PH

Educators' tax guide

The *2008 Educators' Tax Guide* is available to PSC members at a discounted price of \$9.75. (The bookstore price is \$16.75.) Order by phone, at (314) 692-9861, or on the web at www.ntsaa.org (click on "Store," then "Publications").

Propaganda for future privatization

CON & PRO

The DREAM Act and the Pentagon's goals

By WALTER DAUM & MARK TURNER

The article "CUNY and the DREAM Act" in the January *Clarion* gave a very one-sided and therefore misleading analysis of this proposed legislation. Yes, it would expand access to college for some undocumented immigrant youth. But its main purpose – unmentioned in the article – would be to provide military recruits for the US armed forces at a time when the Pentagon is desperately short of cannon fodder for its neocolonial occupations of Iraq and Afghanistan.

The act is supposed to assist immigrant youth by granting temporary residence permits to those who have a high school diploma or GED and then offering permanent resident status to those who complete two years of college. But the reality is that few immigrant youth will be able to afford college, since under the DREAM Act they won't be eligible for federal education grants. Education is not what the act is really about. DREAM Act supporters downplay the fact that the more realistic path to permanent resident status in the bill is to "volunteer" to serve two years in the army. This scheme will reinforce the disproportionate recruitment of Latino and black youth into the military by economic pressure.

The *Clarion* article states that the DREAM Act "stalled in the US Senate last October." Yes, but it should also be noted that it was in-



Students from CUNY, NYU and other schools rallied to support the DREAM Act at City Hall.

troduced as an amendment to the 2008 Department of Defense Authorization Bill, appropriately so because of its military recruitment goal. It was backed by several Pentagon spokesmen and elected officials. "The DREAM Act would address a very serious recruitment crisis that faces our military," Sen. Dick

Durbin, the bill's author and an Illinois Democrat, said on the Senate floor in July.

DE FACTO DRAFT

The Association of Raza Educators (ARE) in California said in a statement that the DREAM Act "will create a de facto military

draft for our undocumented youth.... As educators, we also know that in predominantly Latino high schools, military recruiters outnumber college representatives five to one. We have also seen firsthand the misleading tactics military recruiters use to trick Latino youth to enlist. If the DREAM Act passes, military recruiters will further mislead and seduce our youth with false promises of instant legalization and a well-paying job." (See http://www.razaeducators.org/index_files/ARE_No_Dream_Act.doc.) ARE favors a version without the military provision, but that is not what DREAM Act supporters from Congress and the Defense Department want.

A PSC statement in 2006 opposing the war in Iraq argued that "The burden of the war – its deaths, injuries, psychological trauma and lack of support for veterans – falls disproportionately on working people, poor people and people of color, thousands of whom enlisted because they had no access to other viable options for their lives, including affordable education, healthcare and decent jobs." It is inconsistent with the PSC's own principles to present the DREAM Act as a purely educational boon without recognizing – and opposing – its militaristic and imperial aims.

Walter Daum is a retired lecturer in mathematics from City College. Mark Turner is a higher education assistant in CCNY's mathematics department and director of the Artino Laboratory for Computational Mathematics.

The DREAM Act: a tough but clear choice

By RON HAYDUK & RAMONA HERNÁNDEZ

Daum and Turner rightly contend that the version of the DREAM Act considered by Congress last October was flawed, because it contained a provision that amounts to a vehicle for the Pentagon to recruit young immigrants.

But they are wrong to say that the PSC should therefore oppose the DREAM Act. Instead, we should fight to improve it and continue to support the bill.

The PSC has fought against recruiters' efforts to target CUNY students. But the union has also supported the DREAM Act, because too many of our students face deportation to countries where they will face severe hardship or even death.

DEPORTATION

For most, their only crime was to be brought to this country at an age at which they had no say in the matter. Often the US is the only country they've ever known, and they may have few ties to their "native" land. Yet fear of deportation hangs over them throughout college and becomes even worse when they graduate and look for a job in which they can use their new degree.

The DREAM Act would provide permanent residence permits for those who attend college for at least two years. Daum and Turner write that "few immigrant youth" would benefit from this provision. In fact, thousands of undocumented immigrant students *already* attend college – including at least 3,000 at City University alone, according to CUNY sources. They make huge sacri-

fices to do so. The DREAM Act would value the contributions these students can make to our shared future.

A year ago, one of us – Ramona Hernández – was approached by a student who asked politely to speak behind a closed door. In private, she said she was sorry to have to miss the next class – but she hoped to return on Monday and complete the semester. Further explanation led to tears: though she had lived here almost her whole life and was a New York City high school graduate, this student was fighting a threatened order of deportation to the Dominican Republic. Her next court hearing would be decisive: on that day, she would either win or lose her appeal.

She never came back to class. Was she forced to return to a society she left at the age of two and likely does not want her? Or was she pushed into a life of hiding, hunted, always expecting to be caught?

This dedicated student had not received any kind of financial aid during her time at CUNY. Though three in five students of Dominican descent work for a living while attending CUNY, she could not legally do so. But these were obstacles that she and her family found ways to overcome. Family helped with tuition. She brought lunch from home, bought used books and borrowed texts from the library. Every dollar was made to count.

INELIGIBLE

The DREAM Act would not provide eligibility for Pell Grants, and that is another flaw that should be mended. But the act would make it legal for undocumented students to work and provide eligibility for both work-study and student loans. These changes would have made a huge difference to this student and thousands of others and should not be dismissed.

The DREAM Act appears defeated for now – but the next time it's considered by Congress, the details will be up for grabs. Previous versions of the DREAM Act included the option of community service instead of military service for those not enrolled in college. The next Congress will have a different political makeup, and when the DREAM Act is re-introduced we should fight to include the community service option.

But we should support the act whether or not this effort is successful. The DREAM Act has been developed and championed by immigrant rights groups and by undocumented youth themselves. When push comes to shove, who can more rightfully state what is best for those most affected?

It's right for PSC to support the DREAM Act, and the union should continue to do so.

Ron Hayduk is associate professor of social science at BMCC. Ramona Hernández is professor of sociology at CCNY and director of CUNY's Dominican Studies Institute.

What's best for immigrant students?

Clarion FEBRUARY 2008

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CUNY HISTORY

The life and death of open admissions

By JOANNE REITANO
LaGuardia Community College

Educational institutions reflect our priorities. They mirror what we are, what we aspire to be and how we define the social contract. As the third largest university in the country and the largest urban university, CUNY should be a leader in public higher education. CUNY embodies America's long struggle to implement the principles of democracy in a capitalist country. Depending on your perspective, open admissions was either the high or the low point of that quest, a rebirth or a sudden death.

Open admissions was a bold experiment in a brazen decade. The civil rights movement stimulated widespread reassessment of American democracy, and protests against the Vietnam War exacerbated the tensions and brought ferment.

In New York City, uprisings at CCNY in 1969 precipitated a crisis. African American and Puerto Rican students demanded greater enrollment of students of color and more courses in Black and Puerto Rican studies. For two weeks in April they occupied the South Campus, calling it the University of Harlem. Protests spread to other CUNY units. May brought violence among the students – whites against students of color, liberals against conservatives. When the police were called to campus, President Gallagher resigned. When a fire broke out in the college auditorium, it was the last straw and CUNY decided to “let everybody in.”

FIRE

Of course, it wasn't just the fire. The administration was already admitting underprepared students through SEEK and College Discovery. CUNY planned to begin open admissions in 1975, but the students accelerated the schedule. By the sixties CUNY admitted only 13% of NYC high school graduates and only 4% of African American graduates. Despite heated controversies over quotas, open enrollment was supported by administrators, the public, the mayor, the University Faculty Senate and the Central Labor Council.

The Board of Trustees endorsed open admissions in 1969, to be implemented in 1970. Reflecting the spirit of the sixties, the plan sought the “ethnic integration of the colleges” and offered every NYC high school graduate entrance to CUNY. Students ranking in the top half of their class or holding an 80 average went to the senior colleges; all others went to the community colleges. Most importantly, the plan expanded SEEK and provided developmental education for underprepared students in bachelor's degree programs, not just in associate degree programs.

As such, open admissions was a path-breaking attempt to expand access to senior colleges and to ensure, as the board said, that the open door would not become a revolving door. During its 30-year life span, open admissions was sustained by innovative faculty who addressed the learning needs of the non-traditional entrants with

computers, portfolio assessment, collaborative learning, clusters, pairs and immersion programs. They became national leaders in developmental education.

They were motivated by the democratic mission of the original Free Academy, which was founded in 1847 to see “whether the highest education can be given to the masses.” Upholding the national faith in education as the key to social mobility, open admissions tried to level a grossly uneven playing field.

DOOMED

In retrospect, however, the experiment was doomed, not because it couldn't work – studies by David Lavin and others have shown it did work – but because there wasn't enough will to make it work. Maybe it happened too quickly. From the Fall of 1969 to the Fall of 1970, there was an astounding 75% increase in enrollment. Suddenly, CUNY's traditional students were vastly outnumbered by non-traditional students, many of whom were significantly unskilled and strikingly dark.

The shock was particularly great at CCNY, the Harvard of the proletariat, perched high above Harlem. Many professors there and across CUNY believed that open admissions subverted standards, debased the University and guaranteed its demise. They represented another fundamental American ideology – that competition produces a real meritocracy and that individual initiative should trump social engineering. They saw a fatal conflict between access and excellence.

But it wasn't just the faculty. Open admissions also infuriated alumni who feared the devaluation of their degrees. Count among them Board of Trustees Chair Herman Badillo, a fierce foe of open admissions, who was determined to bury it. Backed by Gov. Pataki and the Manhattan Institute, Badillo and Rudy Giuliani, the most anti-CUNY mayor in history, attacked open admissions, demeaned CUNY students and disparaged dissenters.

But it wasn't just Badillo and Giuliani. Open admissions also fell victim to the white backlash that increasingly defined politics during and after the sixties. Although more white students than students of color actually entered CUNY under open admissions, the program quickly became a code word for affirmative action.

And it wasn't just the white backlash. Only five years after open admissions began, the fiscal crisis provided justification for downsizing the public sector. Over 3,000 faculty members were fired, including many of the newer open admissions-oriented ones, and the adjunction of the faculty began. Moreover, although it represented only 4% of the City budget, free tuition was eliminated in 1976,

thus ending the 129-year tradition that made the original Free Academy the nation's first publicly supported tuition-free college. Tuition translated into an immediate loss of 62,000 students and a 50% drop of African American and Hispanic students within four years.

Furthermore, the national abandonment of the public sector in the name of private enterprise undermined open admissions. As public funds diminished, tuition increased. Over time, administrative policy whittled away at the already fragile framework by tightening admission and retention rules,



imposing barrier exams, and cutting funds for remediation.

If the original goal had been to keep the open door from becoming a revolving door, now the goal was to keep it from becoming a closed door.

FAILURE

The effort failed. After a tortuous battle, open admissions was killed by Badillo's Board of Trustees in 1999 and a new CUNY was born. Flagship programs, new graduate schools, the honors college, the “resurrection” of CCNY, the CPE, and higher, required SAT scores all sent the same message: standards to the rescue. After 30 years of decline, if our chancellor has his way, CUNY will soon be ranked among the top 20% of American universities.

This ambition appeals to many of us because it mirrors our own professional aspirations, but it comes at a cost. In fact, it

represents a paradigm shift in CUNY's history. One of the key determinants of status in higher education is selectivity, also known as elitism. As admissions criteria are rigidified across the University, we replace the long struggle to be more inclusive with a new eagerness to be exclusive.

Over its first century, however, CUNY's history was shaped by ever-widening, if never complete, circles of inclusion – gradually expanding from middle class white men to women, immigrants and people of color. Inclusion was the byword of all public colleges and universities for most of US history. However, as demand for higher education grew after World War II, seats became scarce and public colleges became selective.

In this context, open admissions revitalized CUNY's original objective of providing higher education “not [for] the privileged few but [for] the privileged many.” Indeed, open admissions' most controversial component was bringing America's most disinherited groups into the circle, thereby truly democratizing public higher education.

By comparison, the post-open admissions CUNY is less democratic both in spirit and in structure. We used to be a loose federation of fairly independent units; now we are centralized and controlled under the euphemism of an integrated university. We prided ourselves on serving the disadvantaged; now we gush over the advantaged. Not surprisingly, the pursuit of prestige has poisoned our priorities.

TIERS

Then there is the fact that, as our chancellor reported to the Manhattan Institute in 2006, “We have tiered the system.” The result is a scramble to the top, intended to compensate for the “scramble to the bottom” that supposedly characterized open admissions. CUNY now boasts several tiers ranging from graduate programs to the first rank senior colleges, to the second and third rank senior colleges, and very last, to the community colleges. Entrance requirements measure the gaps. As CUNY becomes more stratified and less egalitarian, it becomes a follower, not a leader, in American higher education.

All of these changes have moved down the totem pole to the community colleges, which remain the only open admissions segment of the University. In CUNY's post-open admissions world, any association with remediation is degrading, despite the fact that the original Free Academy had a

preparatory program and that 81% of today's senior colleges consider remediation a legitimate part of their public service mission.

Strangely enough, while CUNY's community colleges have been further balkanized, they have become ever more central to the University. Community colleges now bear the whole challenge of preparing students for college-level work. Senior college applicants who fail only one skills test must enter CUNY through the community colleges. Paralleling national trends, more students of color and more poor students start at community colleges. Senior college faculty, who often criticize community college courses, depend on community colleges for transfers. Ironically, the University's elitism rests on the community colleges' populism.

This paradox exposes an institutional schizophrenia. It prompts us to ask, “Who is the real CUNY?” It reminds us of the public realities and the public purposes of a public university. Most importantly, it suggests that the spirit of open admissions still lives and may yet rise again.

Pursuit of prestige has poisoned our priorities.

