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Policy changes and the future of the Fund

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

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Coke and labor rights in Colombia

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

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

COLOMBIA

Faculty and staff rally for City Tech

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

EQUITY

FACULTY NOT CONSULTED

CHANGING THE TENURE CLOCK?

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Wrong time to tinker with tenure

CUNY central administration will soon propose legislation to extend the time that faculty members at CUNY serve before they are considered for tenure. I feel that this is a terribly inappropriate time to approach the State Legislature on a matter of such great importance. CUNY has been severely under-funded for many years. The issue of tenure changes, whatever its intrinsic merits or faults, needs to be handled with sensitivity by the Legislature and in a spirit of cooperation with and support for CUNY. One cannot look at the record of the current Legislature and Governor and believe that they have been supportive of CUNY.

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

David Kotelechuck
Hunter

Welfare Fund and SSNs

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

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

Dinah Moche
Queensborough

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

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

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

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

 Savings with Guardian

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

The Guardian plan includes over 6,000 dentists in the Tri-State area, and my personal experience has proven very gratifying. My wife and I had been visiting a periodontist for a maintenance treatment, called subgingival curettage, and paying $110 each for every visit. Our periodontist belongs to Guardian, and under the Guardian discount plan the maximum permitted charge for the treatment is $78. For two treatments a year, Guardian will also pay $50 to the dentist, leaving a patient’s responsibility at $28.

Where we had been writing a check for $220 for the two of us, we now wrote a check for $58. What a deal! For a third treatment within a year, we will each pay the full $78 – but this still saves us $31 apiece, a dramatic improvement.

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

Lawrence J. Kaplan
Retirees Chapter, Chairman Emeritus

No threat to freedom

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

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

These departments are funded to provide Arab speakers to the government. Few have been produced. We might question whether these departments should be training grounds for the government, but it’s absurd to promote the idea that they have the right to act against the wishes and policies of the government funding the program. HR 3077 was created to remove politics from the academy. Bayoumi makes support for the nation a political issue while anti-Americanism is accepted as being apolitical.

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

 Bernard Bilavsky
Queensborough

Bayoumi responds:

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

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

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

Chithra Karunakaran
BMCC

Sit-ins and salaries

Re “Silencing dissent” (December 2003): As a member of UN’s Class of 1938 I actively participated in the struggles for academic freedom as part of the concept of democracy as a fundamental value in seeking social change. Together with Irving Howe, Donald Sloan, Herbert Robinson, I was an organizer of the Young People’s Socialist League (YPSL).

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

Oscar Shafiel, another victim of the witch hunts, was fired by Queens College in 1952-53. He later received a faculty position at Pratt Institute, which had a sub-standard salary structure. Shafiel came to the offices of the United Federation of College Teachers (one of the predecessor organizations of the PSC), asking the UPCT to stage a demonstration on the Pratt campus with placards calling for salary increases. The outpouring of faculty was spectacular.

A woman faculty member, Estelle Horowitz, led a campaign that resulted in collective bargaining with a contract offering sizeable salary increase and back pay for women faculty.

Israel Kugler
PSC Deputy President Emeritus

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

By PETER RIGNESS

PSC members picketed CUNY central administration headquarters on January 29 in a protest against contract violations at the NYC College of Technology (NYCCT). Management has refused to implement the one-hour reduction in City Tech’s teaching load that was won in the current contract.

"It was one of the coldest days of the year, one of those single-digit days," said Mary Bryce Jennings, a member of the Retirees Chapter. "I thought, ‘Oh, it’s so cold, no one’s going to be there.’ Well, it turned out everybody was there!" About 180 PSC members from 15 campuses joined in the protest. Along with a strong turnout from full-time faculty from City Tech, other groups within the union were well-represented.

SOLIDARITY

"This is a truly incredible show of solidarity," City Tech’s PSC Chapter Chair Bob Cermele told the crowd. "We’ve got full-timers, adjuncts, HEOS, CLTXs, retirees! When one group has an issue, if we all come out to support it, we’ll have the kind of strength that is unbeatable." NYCCT offers both two-year and four-year degrees, as do three other CUNY senior colleges. But under the previous contract, City Tech was the only one of these "comprehensive colleges" with a teaching load of 27 contact hours per year. The labor agreement negotiated in 2002 reduced this to 26 hours, but College President Fred Beaufait refused to implement a reduced workload schedule. Instead, he paid faculty for the 27th hour at a non-contractual rate – unless they could construct a schedule of exactly 26 hours in a single year, which is hard to do.

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

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

"I just think it’s ridiculous that we don’t have the same workload as other senior colleges," said Peter Parides of City Tech’s social science department. The one-hour reduction is just the first step toward equity with CUNY’s other senior colleges, he said, and faculty must insist that it be carried through. Former adjunct Gerald Singh, a full-time since 2001, agreed. Singh said he came despite the cold because “I decided it was time to stand up and be counted.”

PLEASURABLE PICKET

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

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

"You may be retired, but you feel the injustice," said Jennings, explaining why she had come. "And the reason you have unions is to stop people from being treated unfairly!" The unseasonably cold weather had her wondering whether to make the trip; she added: "It was so gosh-darn cold! But then you think, ‘Why not give an hour? It’s only an hour.’ Chanting and clapping helped to keep the picketers warm. "This may be the first of many such actions," said PSC Treasurer John Hyland. "Wherever and whenever CUNY does not live up to the contract, we will be there."

Potential admissions crisis at CUNY

By STEFAN TRINES & ROBERT BOORAS

On January 29th, Lester Jacobs, director of the University Application Processing Center (UAPC), announced that UAPC is likely to lose its experienced workers if it isn’t used to pay for us.”

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Instead of offering a counter-proposal, the RF counters that we have.” Perry said the issue of inequitable treatment towards a particular nerve. "York is also marginalized within CUNY," she said. "Management tries to separate the weak from herd – and we can’t let them."

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Contract campaign on the move

**CUNY Week starts March 15**

By TOMIO GERON and PETER HOGNESS

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

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

“We’re passing out pledge cards to ask people to do something for themselves in this fight,” said Michael Fabricant, co-chair of the contract campaign and member of the bargaining team. The cards offer a number of simple ways for members to get involved, from making some phone calls, to sending e-mails, to attending a demonstration. (You can also sign up online at www.psc-cuny.org/contractcam-paign.htm or call 212-854-1252 to request a pledge card by mail.)

**CARD SIGNING**

“We had a meeting at our campus this week, and almost everyone signed a card,” Steve Barrera of York College said. “People want to help make a change.”

At Clariion press time, meetings had been held at most campuses, with the remainder scheduled for later in March. Those still to come include BMCC on 3/17 at 200, CSI on 3/25 at 1:30, Hunter on 3/17 at 1:00, John Jay on 3/16 at 3:15, Queens on 3/30 at noon and KCC (date not yet set). Sessions will be held for the CLE chapter on 3/9 at 6:00 and the HEA chapter on 3/10 at 6:00. (For locations, see www.psc-cuny.org or call 212-854-1252.)

These sessions with the bargaining team are building toward Teach CUNY Week, beginning March 15, when each campus will hold its own event. One of the key actions will be a petition campaign demanding that CUNY provide full funding for Welfare Fund benefits. “People are tremendously concerned about the Welfare Fund, and this petition can pressure CUNY to increase its contributions,” said Nancy Homer, contract campaign co-chair.

“We need to get every member to sign this petition: ‘Don’t kvetch, organize!’”

Tabling and events that week will also feature letter-writing to high-level other contract demands, and some events on campus-specific issues. Teach CUNY Week will also feature voter registration and a union breakfast with City Council members.

This Spring the PSC is making a special effort to work with the nearly 1,000 new full-time faculty who have started at CUNY in the last four or five years. A junior faculty working group is organizing a March 12 event at Baruch on “how to survive and thrive at CUNY” (see Calendar, p. 9, for details).

The meeting will provide practical help on such topics as tenure, research funding, publication and junior faculty’s rights under the PSC contract, according to Penny Lewis and David Kazanjian, co-chairs of the working group.

**“Excellent” adjunct fired**

Academic freedom at issue

By PETER HOGNESS

Mohamed Yousry, a CUNY adjunct faculty member who was fired after his indictment in a controversial terrorism case, was entitled to due process that would have allowed him to continue teaching. The American Association of University Professors (AAUP) is investigat- ing whether CUNY’s actions in the case were a violation of academic freedom.

The PSC contended that the Uni- versity should have treated Yousry as innocent until proven guilty. “Ad- juncts, who teach the majority of courses at CUNY, need to have aca- demic freedom,” said Steve London, PSC First Vice President. “The union will continue to fight with every fiber of its being for academic freedom for all of CUNY’s instruc- tional staff.”

Yousry had served as legal trans- lator for attorney Lynne Stewart, who represented Sheikh Omar Abuhamad in his 1995 trial for conspir- ing to bomb New York land- marks. In April 2002 Stewart was indicted by US Attorney Gener- al John Ashcroft on a charge of help- ing Ramon pass messages to a ter- rorist organization called the Islam- ic Group. Yousry and a paralegal were indicted as well.

**Guilty until proven innocent?**

In July 2003 a federal judge dis- missed the government’s main charges, of providing material sup- port to a terrorist organization and acting as its “quasi-employee,” as “unconstitutionally vague.” Judge John Koellt said that the law was so broad that it could treat normal ac- tions of a lawyer as criminal, mak- ing it impossible to defend a client. Last November Ashcroft tried again, re-indicting Stewart and the others on a similar set of charges.

Yousry had taught in York Col- lege’s cultural diversity program since 1995. Immediately after his in- dictment, CUNY central administra- tion directed York College to sus- pend Yousry with pay for the re- mainder of the semester. Chuck Coleman, the program’s coordina- tor, says he told Yousry’s provost that “the University’s decision was in vi- olation of academic freedom and constitutional rights.”

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

Both students and colleagues say that Yousry was an out- standing teacher. In class- room evaluations he was consistently rated “excell- ent,” and praised for his “al- ways balanced and fair” handling of volatile issues such as the Arab-Israeli conflict.

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

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

The PSC filed a grievance on Sep- tember 2, asking that Yousry be re- hired. In the grievance and arbitra- tion hearings, the union cited the contract’s statement that CUNY and the PSC “subscribe to Academic Freedom for faculty members” in- cluding “full freedom of inquiry, teaching, research and publication.”

The union argued that Yousry should not have been denied the ability to teach for reasons unrelated to performance in the classroom, and that CUNY did not give suffi- cient notice of non-reappointment.

“Yousry had a great record at York,” said Marcia Newfield, PSC vice president for part-time person- nel. “Why didn’t 80th Street trust the judgment of York’s own faculty and college president who wanted to keep him? The federal courts contin- ue to approve Mr. Yousry for work as a legal translator – yet CUNY dis- missed him.”

**“NO REASON”**

Since Yousry was an adjunct, management had the right to not appoint him “for any non-discrimina- tionary reason, or for no reason at all,” CUNY stated in its initial March 2001 grievance decision. The University stated that it excluded Yousry from the classroom because “adjuncts serve as role models in students’ lives.”

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

The final arbitration decision, is- sued on January 16, 2004, concluded that the specific provisions of the contract do not bar CUNY from act- ing as it did. “Even though the PSC has developed this matter as a ques- tion of academic freedom and civil rights, the jurisdiction of this arbi- tractor rests within the terms of the collective bargaining agreement,” the arbitrator stated, deciding the is- sues on a narrower basis.

“What the arbitrator decided was that the University had a legal right to do what it did,” said Stuart Licht- en, the attorney who represented the PSC’s case in arbitration. “That doesn’t mean it was the right thing to do.”

The time was a point of prin- ciple for the PSC, said London. “We felt we absolutely had to pursue it because this was an attack on acade- mic freedom,” he told Clarion.

ASHCROFT-ISM?

“The PSC Academic Freedom Committee will follow the AAUP’s investi- gation closely,” said Steve Leberstein, committee chair. “If a well-regarded adjunct can be barred from teaching simply because he is indicted by John Ashcroft, this could portend a re-emergence of Mc- Carthyism.”

“In a time when a cabinet officer casually describes the nation’s largest teachers’ union as a ‘terror- ist organization,’” said Newfield, “we need to be particularly vigilant in defense of the rights of those who teach.” (See p. 6.)

The AAUP began investigating CUNY’s treatment of Yousry in Oc- tober 2002. An October 2003 AAUP report on academic freedom and na- tional security since September 11, 2001, expressed concern about the “apparent breach of the adjunct facul- ty member’s rights” in the Yousry case. An ad hoc investigating sub- committee of the AAUP’s Commit- tee A on academic freedom has been in communication with CUNY, and has asked to meet with University officials this Spring.

**INVESTIGATE**

CUNY has taken the position that since Yousry lost the grievance, there is nothing for the AAUP to investi- gate. Schaffer maintains that nothing in CUNY’s conduct has been contrary to the AAUP’s 1940 “Statement of Principles on Acade- mic Freedom and Tenure.”

In a February 6 letter, AAUP As- sociate General Secretary Jordan Kurland responded: “As we have consistently stated over the decades, the fact that an action may be contractually permissible does not determine its soundness under generally accepted academic stan- dards. We shall therefore be pro- cceeding with the investigation.”

**Clarion | March 2004**
LaGuardia RF workers ready to vote for PSC

March 16 election set

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

March 16 election set

BY MARIA DOHERTY and TOMIO GERON

After months of organizing, CUNY Research Foundation (RF) workers at LaGuardia Community College will get to vote for the PSC on March 16. “I know my rights as a professional will be well represented and protected by the union,” said Lucy Holland, who works at LaGuardia’s Performing Arts Center. Elaine Merchant, who works at the Family Institute, agreed: “I’m voting ‘Union Yes’!”RF workers requested the election when they brought stacks of blue union cards to the National Labor Relations Board (NLRB) office in Brooklyn on February 3. With signatures from a strong majority of the roughly 400 RF employees at LaGuardia, they delivered a message that was loud and clear: We want the PSC.

ONE YEAR

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

The election date was set in a February 12 agreement, after Research Foundation management decided not to delay the vote with legal challenges. The RF has caused lengthy delays for the union vote at CUNY’s Graduate Center, where a date for the election has still not been set.

The PSC is working to organize all RF workers at CUNY, and RF workers at the University Applications Processing Center, who voted 85% for a union, are negotiating for a contract.

Our petition to the NLRB was a beautiful thing,” said Julie Sterling, an RF employee since 1996 and member of the “I Want a Union” Committee. “It was wonderful to feel what happens when you’ve worked and supported a belief that is about to become real. We hope that in a year’s time we can celebrate our own contract.”

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

At LaGuardia, those who receive a paycheck from the RF and not directly from CUNY face substandard working conditions, even though their jobs are often similar. “There is very little security,” said Sterling. “Your job could be gone tomorrow. Then there’s the practice of [employing people] less than 20 hours a week to get around paying benefits. There are RF employees who have been here eight years who have no medical coverage.”

OUTREACH, TUTORS, ADMINISTRATIVE

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

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

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

Union wins settlement on summer pay

By PETER HOGNESS

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

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

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

EXTRA WORK

The problems revolved around the contract provision negotiated in 2001 that states that department chairs must be paid for the work they do in the summer. The way this was implemented last summer was “an administrative bureaucratic farce,” Glenn Petersen, chair of sociology and anthropology at Baruch, told Clarion last August.

Campus administrations across CUNY failed to implement this provision correctly. Many chairs were never consulted by their college presidents, as required in the contract, about what summer work their departments required. Some chairs worked during the summer but received no pay; others were paid but at a lower rate (the 60% non-teaching adjunct rate). In response to these widespread contract violations, the PSC filed both a grievance and an improper labor practice charge with the Public Employment Relations Board.

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

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

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

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

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

Howard Ruttenberg, chair of York’s council of department chairs, said that the council is proposing that all chairs be paid for at least ten months, and more in certain cases. Coleman said there was a strong consensus: “We’re going to stick together and say as a group that this is what is needed.” The chairs’ council at BCC is taking a similar stand.

Sullivan hoped that management would realistically assess the necessary amount of summer work. But the bottom line is that “if chairs aren’t being compensated, they shouldn’t do the work.” When chairs held to this standard, he said, better treatment is more likely to follow.

ACTIVE ROLE

Councils of department chairs played an active role in the dispute. The issue helped spark independent meetings of department chairs at several campuses where such bodies had not previously existed, including at BCC, CSI and Hunter.

“We stuck together and were able to achieve something,” said Stern. “I’m cautiously optimistic.”

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

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

By Peter Hugness

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

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

CUNY management's first public statement on the matter came in a January 21 letter from Vice Chancellor for Legal Affairs Frederick Schaffer. "The current time frame is often too short for faculty members to build a sufficient publication record," Schaffer wrote. "As a result, colleges may be forced to make the tenure decision based upon manuscripts accepted for publication, rather than published and reviewed works. Thus, tenure decisions may have to be made upon promise rather than performance."

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

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

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

Anne Friedman of BMCC said that the proposal ignored the real issues affecting junior faculty. "How about a focus on reducing course loads, providing childcare for parents - not just women - on the campuses? How about reducing class sizes, and providing start-up packages for lab sciences?" She said it was ironic that Schaffer's letter, which stresses high-quality research, cites no research to support its claims.

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

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

Gail August, a junior faculty member at Hostos, said that CUNY junior faculty do need conditions more like those at the University of Michigan, but not the tenure clock. "In their first three years of teaching, there is no committee work and no administrative work," she said. In contrast, August has two or more committee meetings a week, an administrative job and 35 students to advise. "Their teaching load is 6 to 9 hours," she said. "Mine is 27." 

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

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

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

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

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

"What we need is a discussion of how to get a contract that will deliver real research support, childcare and more reasonable teaching loads," said PSC First Vice President Steve London. "This is a fight that we can win."
right about the solution. If management really wanted to enhance our ability to do research, then they would provide the conditons that make research possible: a reason- able course load, a full year of junior faculty leave, start-up funding for all lab scientists, fully funded sabbaticals, child care on cam- pus and adequate parental leave. Let’s start with some serious progress on that list — every single item of which has been pro- posed by the PSC and rejected by manage- ment — before we entertain a proposal to change the whole structure of tenure.

The truth is that this is an attempt to align CUNY with a putative na- tional standard while doing nothing to improve substandard working conditions. It’s the familiar CUNY syndrome of “improve- ments” without investment.

Other models exist: when Stanford University decided to make it more possible for its junior faculty to achieve tenure, it added a year of junior faculty research leave at full pay and provided start-up support packages for lab scientists. When Smith College wanted to help its lab scientists, in- cluding Morris Schappes, for their union activism and politi- cal positions (Schappes was ac- tually fired after his department chair, appointed by management, observed him teaching an essay by Shelley and mistook it for Marx.) Through this effort, CUNY became one of the first universities in the country to recognize tenure, and one of the very few to provide tenure by law, rather than by contract or by law. (That’s why the law needs a change in the law to extend the tenured pe- riod.) Understand, then, what tenure is: a re- sponse to persecution of academics for unpopu- lar political views, a concept rooted in the fast-disappearing idea that uni- versities exist in the public interest. “The common good depends upon the free search for truth and its free expression,” the AAUP wrote in its 1940 document, still the authori- tative statement on the subject.

But the fundamental issue for us is that there is no evidence to support the claim that lengthening the tenured period from five years to seven would help junior faculty in achieving tenure. Although we may feel squeezed by the five years, the fact is that CUNY’s rate of successful tenure candidacy is well within, perhaps slightly above, the national norm. The national average rate of successful tenure candidacy is in the 20s to 30s, and 90%, according to the US Department of

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The 1940 law that estab- lished tenure at CUNY is one of the landmarks in the history of tenure in this country, won through orga- nized student and faculty protest after the firing of 12 City College professors, in- cluding Morris Schappes, for their union activism and politi- cal positions. (Schappes was ac- tually fired after his department chair, appointed by management, observed him teaching an essay by Shelley and mistook it for Marx.) Through this effort, CUNY became one of the first universities in the country to recognize tenure, and one of the very few to provide tenure by law, rather than by contract or by law. (That’s why the law needs a change in the law to extend the tenured pe- riod.) Understand, then, what tenure is: a re- sponse to persecution of academics for unpopu- lar political views, a concept rooted in the

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PSC opposes cuts to CUNY's budget

By TOMIO GERON

CUNY faces a mix of threatened funding cuts in recent budget proposals from New York State and the city. Unlike last year, this year Governor George Pataki does not call for drastically slashing State aid to the CUNY system. But Pataki's $8.9 billion budget does propose $5.6 million in cuts to the operating budgets of all but two of CUNY's senior colleges. Overall, Pataki's proposal would increase State spending on senior colleges by $28.6 million, or 4.9%—but most of this goes to mandatory benefit increases and energy costs. An additional $18.6 million in mandatory increases are left unfunded, according to CUNY.

To celebrate CUNY's resurgence, as the Executive Budget does, and then propose cuts to the operating budgets of the senior colleges is a cruel joke," said PSC President Barbara Bowen at a legislative hearing in Albany in February. She urged legislators to go "beyond patching the worst of the budget holes" and make a significant investment in public higher education. "You have the chance to guarantee that the renewal at CUNY is deep and lasting," Bowen said.

For full text of the testimony, see www.psc-cuny.org/Budget2004 Testimony.htm.)

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

In what is becoming an annual ritual of the budget process, Pataki is trying to close a $5.1 billion budget gap in part by cutting both SEEK and College Discovery by 5%, and by withholding one-third of a student's Tuition Assistance Program (TAP) grant until after graduation. Though the governor calls this an "incentive" to graduate, the PSC and student groups argue that this will actually make it harder for low-income students to get their degrees. "The governor is still playing games," said Cecelia McCall, the PSC's legislative coordinator. "Our message is: hands off TAP. Students need that money while they're in school, not after." Low-income independent students with no dependents already receive little to no tuition assistance from the State.

CAPITAL BUDGET

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

Pataki also threw his support behind private colleges in their effort to secure public funding for capital improvements. The governor's proposed Higher Education Capital Matching Grants Program, providing $350 million over five years, would in theory be open to both public and private institutions. Critics argue that this would require a 3-10 to 1 match—that is, 75% of a project's cost would have to be raised elsewhere—the money is likely to go overwhelmingly to private colleges. The PSC opposes the policy, while CUNY administration has asked that the required match be more reasonable.

Meanwhile, Mayor Michael Bloomberg has called for a mid-year budget modification that includes $5.4 million in cuts to City funding for CUNY, as well as a $1.9 million increase to cover pension costs. His budget for next year recommends a net rise of $1.3 million in the City's CUNY funding, again because of mandatory spending increases for energy and benefits. Bloomberg's budget includes significant cuts, such as eliminating the $4.5 million "Safety Not" financial aid program, enacted last year to mitigate the impact of CUNY's tuition increase on community college students.

"Our funding is completely outrageous," said Friedman, calling the proposal an "abdication of responsibil- ity" to those students who are "poorest and most at risk." In separate budget items, Bloomberg also proposed to scrap the $5.5 million Peter Vallone Scholarship Pro- gram and to cut $124,000 from the Hunter Campus Schools.

New City Tech remedial policy criticized

By TOMIO GERON

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

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

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

The new City Tech policy will allow students to enroll in its A.A. pro- grams if they pass two of the three skills tests and need remediation in only one area, or if they have near-passing scores and do not need low-level remediation in any subject.

College Council delegate Peter Deraney estimates that the new policy will exclude 360 students a year. Their admission will be deferred while they take remedial courses elsewhere, for example at the Brooklyn Educational Opportunity Center (BEOC) or City Tech's University Summer Immersion Program (USIP).

VERY DIFFICULT

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

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

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

While A.A. programs at CUNY's other comprehensive colleges have some admissions requirements beyond having a high school diploma (such as a minimum GPA), no oth- ers require a certain score on the SKAT in order to enroll.

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

TASK FORCE

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

When this task force proposed a change to A.A. program admissions criteria in 2002, it was therefore a limited one: students could enroll if they passed just one of CUNY's SKATs. This would affect about 100- plus students per year.

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

A LOT OF PRESSURE

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

Beaufait presented the change as necessary to cement City Tech's sta- tus as a four-year college. "The trou- ble is, the president really missed faculty and staff," PSC Chapter Chair Bob Carmelo told Clarion. "He dismissed the financial impact on the college in order to get this done."
Welfare Fund coverage changes

Drug, dental & vision options: CIGNA changes

By TOMIO GERON and STEVE LONDON

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

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

New retail pharmacy option

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

Most members have become accustomed to using mail order, and many prefer it. But those who prefer to get regular refills at their local pharmacy can do so. Since mail order costs are lower, the Fund is asking members who choose this option to bear the additional cost.

Co-payments at retail pharmacies for the second and subsequent refills will be $5 for generics, $15 for formulary and $30 for non-formulary prescriptions or 35%, whichever is greater. These rates are for a maximum of three months supply of medication; refills by mail order can cover a 100-day supply.

CIGNA changes for GHI participants

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

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

For an individual, the CIGNA major medical deductible will change from $500 to $1,000 for those who have the GHI Optional Rider, and from $2,000 to $4,000 for those who do not. Family deductibles will increase in a similar fashion. The coinsurance will change from 80% to 50%. The out-of-pocket maximum, however, will remain at $3,000 after deductible, and there is no annual maximum for benefits.

New voluntary dental insurance

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

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

Adjunct vision benefits

All part-time instructional staff can use this new benefit, offered through General Vision Services’ Vision Pass. Part-timers at CUNY will be able to get an eye exam and a pair of standard glasses for $60 to $70, or an eye exam and contact lenses for $80 to $100. This benefit is also good for family members and can be used as often as you want.

To use Vision Pass, you must first obtain a six-digit referral number by calling 800-884-3332. Tell the Vision Pass representative that you are a member of the PSC/CUNY Welfare Fund Optical Program for Part-Time Instructional Staff, and give the program’s account number (4800).

Transparency policy

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

Correction

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

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

PICA changes in the mail

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

- There will be CO-PAYMENTS for PICA drugs as of April 1.
- There will be MANDATORY MAIL ORDER after two (2) retail fills. If you are on a maintenance drug, any refill after April 1 must be through mail order.
- Certain drugs will require PRIOR AUTHORIZATION (a letter of necessity from your doctor). If you are currently taking one of these medications, you will receive a separate letter from NPA/Express Scripts, with instructions.

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

CUNY IN BRIEF

Students denied Hostos library access

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

Beaufait, Regan step down

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

By SEGUNDO PANTOJA

BMC

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

 Colombian unionists have reason to make security a priority: in the last decade and a half, about 4,000 of them have been killed. In Bogotá, we met with members of the National Executive Board of SINALTRAINAL (National Union of Workers of the Food Industries), which represents Coca-Cola workers. President Javier Correa, of medium build and soft-spoken, told us that transnational corporations like Coca-Cola have learned to take advantage of the current political violence. Attacks by death squads and firings and threats from employers have reduced SINALTRAINAL membership from 5,500 in 1996 to 1,400 today. SINALTRAINAL has seen the assassination of 19 members, 27 attempts against the lives of others, 67 death threats, 15 members unjustly incarcerated, several leaders forced to exile, and another 48 obliged to abandon their homes. These numbers do not include threats against family members, some of whom have been kidnapped.

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

MOTORCYCLE CONVENTION

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

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

When asked about such similarities, workers explained that for security reasons unionists are often forced to move to Bogotá and other faraway places.

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

VIOLENCE

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

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

Back in Bogotá, we met with several workers who had been displaced from other provinces. We heard, for instance, from Oscar Giraldo and Herman Manco, two union leaders who survived the extermination of workers in Carepa, in the province of Antioquia, in 1985 and 1996. The Coca-Cola bottling plant in this rural area of northwestern Colombia became famous for the vicious attacks on the union and its members, events that are the subject of a lawsuit against Coca-Cola filed in US federal court. As Oscar and Herman shared with us the tragedy they had witnessed, they looked more like peasants lost in the metropolis than veteran unionists defying one of the world’s largest multinational companies. They told us how they had left Carepa in response to death threats after other leaders were assassinated, their union hall burned and the union dismantled. It was at Carepa’s Coca-Cola plant that paramilitaries gathered the workers and made them sign letters of resignation from the union under threat of death—letters that had been written and printed on the company’s computers.

SOCIAL CLEANSING

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

Cuartas recounted the events during her administration in a particularly violent period, from 1995 to 1998. It was during this time that Alvaro Uribe Velez, now president of Colombia and then governor of Antioquia, implemented his vision of social cleansing on behalf of multinationals and private entrepreneurs. In the words of Ms. Cuartas, the paramilitaries were legalized by the Uribe administration. The Antioquia government sponsored private security associations known as CONVIVIR, which soon became known as the legal face of the death squads. Available for hire, they carried out many massacres in the region.

These paramilitaries often conducted their assassinations and threats in broad daylight, Cuartas said. She noted that the Coca-Cola workers suffered the violence of paramilitaries even though a base for 3,000 troops and a police station were both nearby. Colombian unionists say that Cuartas and her husband, then governor of Antioquia, who was first tried, with 1,200 persons assassinated in her jurisdiction alone. Uribe was elected in 2002 on his promise to apply the same design of “pacification” through force, known today as “Democratic Security,” which is funded in large part by the US government through the $2.5 billion “Plan Colombia.”

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

STONENALLING

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

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

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

Mailing changes

Among part-timers working at CUNY, campuses and depart- ments tend to change more often than where they live. In order to distrib- ute Clarion more effectively, we are no longer sending the paper to part-timers at their home address. Any comments on this change? If so, e-mail phongness@pscmail.org, or call 212-354-6231.
What the numbers tell us

By STEVE LONDON
PSC First Vice President

The hardship endured by members during the Welfare Fund’s painful restructuring is not lost on many asking why benefits had to be cut. Now that the Fund is getting closer to financial stability and we begin planning how to enhance our benefits, it is important for members to have a clear appreciation of the causes of and solutions to the Fund’s financial difficulties.

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

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

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

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

**MYTH #1:** PSC dues go to pay for Welfare Fund benefits. The Welfare Fund and the PSC are two separate legal entities; the WF Board of Trustees has fiduciary responsibility for the Fund (see Clarion, December 2003). Union dues support the union’s activities—contract negotiations, grievance, lobbying on the State and City budgets, supporting our state and national affiliates, organizing new academic workers, etc. The PSC budget for these and many more activities is about $10 million, with the details reported regularly to the Delegate Assembly and in Clarion.

Not one penny of union dues goes to the Welfare Fund.

**So where does the Fund’s money come from?** From the PSC negotiations with CUNY and the City to provide funding for Welfare Fund benefits.

The Welfare Fund gets most of its income from the per capita contributions made by CUNY—currently $1,375 per year for active full-time members and $1,550 per year for full-retirees. Increases in these management contributions are negotiated in city-wide “pattern bargaining” between the Municipal Labor Committee (MLC), a coalition of municipal unions that includes the PSC, and the City of New York.

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

Beyond the amounts negotiated through the MLC, the PSC works to secure additional funds in direct negotiations with CUNY. These have taken the form of one-time lump sum contributions and recurring contributions to pay for adjunct health benefits, the latter currently at $2.8 million per year. Taken together, CUNY’s annual contributions to the WF now total about $24 million.

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

Most PSC members know that the 1996-2000 contract was a concessionary agreement with many givebacks, including two years of 0% increases in salary. Less well understood, but very consequential for our Welfare Fund, was that this contract also grossly underfunded benefits. As the chart above shows, the WF received only a $76 increase per member, per year, precisely at the time when health care inflation was taking off like a rocket. The combination of underfunding and increasing costs meant that the Fund ran ever bigger deficits, and the Fund’s reserves were rapidly depleted.

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

Should the PSC have devoted an even bigger portion of our resources to CUNY’s financial difficulties? It was the previous contract (the 1996-2000 agreement) that actually provided poor financial support. Most PSC members know that the 1996-2000 contract was a concessionary agreement with many givebacks, including two years of 0% increases in salary. Less well understood, but very consequential for our Welfare Fund, was that this contract also grossly underfunded benefits. As the chart above shows, the WF received only a $76 increase per member, per year, precisely at the time when health care inflation was taking off like a rocket. The combination of underfunding and increasing costs meant that the Fund ran ever bigger deficits, and the Fund’s reserves were rapidly depleted.

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**MYTH #3:** Benefits had to be cut to full-timers because of resources devoted to adjuncts. The Welfare Fund receives resources for three groups: core, retirees, and adjuncts. In FY 2003, the adjunct account was the only one of the three accounts in balance—that is, with enough income to cover expenses—though the Fund projected a $10 million deficit this year due to rising health insurance costs.

There are about 1,100 adjuncts eligible for health and prescription drug benefits from the WF. This group is only covered by the Fund for individual health and prescription drug coverage. Family coverage has to be purchased at the adjunct’s expense. Adjuncts are not eligible for disability, union insurance, or major medical benefits.

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

Adjuncts more than 20 years ago did not make a commitment to provide health insurance to eligible adjuncts. This was the right thing to do then, as it is now. Our role is to see that CUNY keeps that commitment, either through adequate funding of this benefit or by working with the PSC to provide a State or City health insurance option.

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

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

By DAVID BACON

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

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

A NECESSITY

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

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

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

In each of the last three years, the premiums charged by private health insurance plans have gone up 15%; the predicted future rise is 12-14% annually. Safeway wants to cap its contribution, which would leave workers paying for those hikes. An even bigger threat was Safeway’s proposal to begin hiring new workers at lower wages, with an insurance plan most wouldn’t be able to afford. Safeway says it wants to pay $1.35 an hour for their medical care. The company pays about $5 an hour for its current employees. If new hires don’t go into the existing plan, as the workforce it covers grows older, they will become more expensive to insure, and their premiums will rise for that reason alone.

Meanwhile, few new hires will be able to pay the difference between the company’s contribution and the actual cost of health insurance premiums.

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

Once Norton and his coworkers struck, the two other large grocery chains in southern California, Albertsons and Ralph’s (a division of Kroger Stores), locked out their own workers in a common front with Safeway. Though this is a long-standing practice, California Attorney General Bill Lockyer concluded that it violated anti-trust laws and filed charges against the grocery chains on February 2.

WAL-MART

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

Safeway and the other two grocery chains claim Wal-Mart represents an immediate threat to their market share. Yet most southern California Wal-Marts don’t sell groceries, and even if the company carried through on its announced plans to build 40 “super centers” through-out the state, it would only gain 1% of its grocery market, compared to the 60% held by the big three.

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

SB-2

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

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

LOSSES MOUNT

Meanwhile, the grocery chains are taking a large hit from the continuing strike. In February, Safeway posted a loss in its most recent quarter of $490 million, saying that the strike had cost the company up to $2.4 million per day.

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

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

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