Becoming my parent’s parent

One CUNY faculty member talks about caring for his mother – and the US health care system’s lack of support for our aging population.

On May 23, the PSC and CUNY management met to begin bargaining for a new University-wide labor contract. The union presented its demands and the two sides discussed ground rules for the negotiations, with the next session set for June 9. Complete text of the PSC’s demands, as unanimously adopted at the May 1 Delegate Assembly, appears in a special four-page pullout in this issue of Clarion.

PSC PRESENTS DEMANDS
BARGAINING BEGINS

HEALTH CARE

WELFARE FUND
Q & A on dental plan

BUDGET
PSC rallies in Albany

BENEFITS
Adjuncts and unemployment

An update and details on the PSC-CUNY Welfare Fund’s new dental plan. What’s behind the changes, and how to get the most out of the new plan.

Thousands demand an end to cuts in education, and help force an override of Pataki’s budget veto. But for CUNY, the result is a mixed bag.

Should adjuncts file for unemployment benefits when they have no work during the summer? Cover yourself and check out your options.
LETTERS TO THE EDITOR

Write to: CLARION/PSC, 25 W. 43RD STREET, FIFTH FLOOR, NEW YORK, NY 10036. E-MAIL: PHOGNESS@PSCMAIL.ORG. FAX: 212-362-7815.

UAPC workers fight unfair treatment

Negotiations continue

By TOMIO GERON

PSC members at CUNY’s Universi- ty Applications Processing Center (UAPC) are in their fourth month of negotiations with management for a first-time contract. Meanwhile, workers say management has been cracking down on employees in re- tali- nation for their vote to join the PSC in an election last December.

In early January, managers be- gan to demand that workers keep detailed logs of how they spend the work day, including bathroom breaks. One UAPC worker told of being forced to count how many pages she processes each hour, a tedious procedure that she said actually slows down her work.

Other new policies since the elec- tion include a change from voluntary to mandatory overtime, putting new restrictions on use of vacation and sick time, and ending the past prac- tice of adjusting workers’ schedules so that they could attend classes. These unilateral changes are ile- gal, the PSC has charged—under the National Labor Relations Act, an employer cannot change terms and conditions of employment without negotiating with the workers’ union. On April 22, the PSC filed an Unfair Labor Practice charge against the CUNY Research Foundation (RP), which manages the UAPC.

Incensed by management’s retal- iation, UAPC staff have also taken direct action. On January 9, about 50 employees marched into UAPC Ex- ecutive Director Les Ja- coby’s office to deliver a letter protesting manage- ment’s sudden refusal to adjust work schedules to accommodate classes and the new work logs. Jacobs refused to meet with the workers himself, but his representatives claimed that they did not know about the work log requirement. Eventually this practice was stopped, except in one department.

Management has also imposed new quotas on how much work staff must accomplish every day. “Super- visors are pushing for unreasonable deadlines,” one UAPC worker told Clarion. Employees have been called for individual meetings with supervisors about their productivity. Supervisors of some depart- ments, such as programming, have required daily meetings with work- ers to push for higher output.

PRODUCTIVITY

“They want you to increase pro- ductivity, yet they don’t increase your pay,” said Robert Booras of the UAPC international department, noting the lack of cost-of-living in- creases for virtually all employees. “They’re harassing us,” he said. “That’s why 85% voted yes [to the union].” On April 28, PSC members hand-delivered a letter to manage- ment protesting the new productiv- ity quotas, signed by 65 employees.

UAPC managers have also unfair- ly docked workers’ pay, according to the Unfair Labor Practice complaint. Before the union election, employees were docked 15 minutes of pay if they were 15 minutes late—but now the UAPC takes away one hour of pay for 15 minutes of lateness.

Workers also face new restric- tions on how they can take vacation. The UAPC recently changed the maximum consecutive vacation time an employee can take to two weeks. “This is a change in terms and conditions of employment,” said Booras. “In the past people could take three consecutive weeks.” Many PSC members at the UAPC are immigrants and in the past have used three-week vacations to visit family in Africa, South America or Europe, trips they can afford only every two or more years.

Management has also started re- quiring doctor’s notes for workers who call in sick for just one day. Pre- viously, a note was required only when workers were sick for three days or more.

Booras, who is also on the PSC negotiating team, said that the unilat- eral changes are retribution by management for last December’s vote. “Definitely, they are a punitive response to the union,” he said.

The PSC’s Unfair Labor Practice charge has gone to the National La- bor Relations Board, which is now collecting information on the case.

Meanwhile, negotiations for a contract continue and the union bar- gaining team reports slow progress. “It’s going well. It’s taking a little longer than I expected,” said Booras. “This is the first time we’re talking to management on equal terms. It’s the first time we can influence poli- cies that will affect us.”

TRS transfer system must change

No unopposed slates

It is nearly impossible to success- fully run as the only independent candidate in an election dominated by the unopposed 25-member New Cau- cus slate.

Notwithstanding this disability, I chose to run for the position of Uni- versity-wide Officer and earned the votes of 660 members who selected each candidate separately instead of merely placing a single “X” in the one slate box that appeared at the top of the ballot.

For these votes I am most grate- ful, especially since they represent- ed approximately 18% of the effec- tive total vote count in this election (or nearly one out of each five votes). It is ironic that I received many more “non-slate” votes than any one of my five New Caucus opponents—even in some cases up to twice as many!

While this does not reward me a victory, it does point up the inherent unfairness of the unopposed slate vote when it is matched against a single independent candidate.

Based upon this experience, I would propose the elimination of unopposed slates in future PSC elec- tions whenever there are one or more independent candidates. Such a change in the election rules would encourage more independent candi- dates and thus lead to a more demo- cratic election.

Adjunct unemployment

As a new adjunct grievance coun- selor for the PSC, I have heard a lot of calls from adjuncts regarding their eligibility for unemployment insurance (UI) for the summer. Their questions turn upon whether an adjunct is considered to be still employed after the Spring semester. The New York State Department of Labor conducts hearings to deter- mine the issue.

The UI hearings between adjuncts and CUNY focus upon the “letter of reappointment” — a letter in the Spring from CUNY reassuring the adjunct of employment (e.g., a course to teach) in the Fall, subject to several conditions (e.g., sufficient registration). In UI hearings or other tribunals, this is generally referred to as “a letter of reappointment.”

Adjuncts who file for UI say this letter is an illusory promise; CUNY says the letter is given in good faith. Sometimes the adjuncts win; some- times CUNY wins. And sometimes the decision is the result of a default by one party or the other (i.e., a de- cision based on one party’s failure to appear), creating mistaken expecta- tions about the outcome of future UI hearings.

What has been your experience?

Write and tell me at Michael@ Gregorek.com.

Michael J. Gregorek
City College

Problem of 21st century

It is amazing how relevant W.E.B. DuBois’ “The Souls of Black Folk” is. It is nearly as deadly. The neglect inflicted on this continent to date has been at least as deadly. DuBois described how the “veil” was removed and people of color, marking them off from the white skin privilege granted in our “democratic” society.

Actor Jeffrey Wright broke down while reading a passage from “Pass- ing of the First Born,” DuBois’ ac- count of the death of his two-year old son, a near-celebration of the child’s escape from the veil, from the path of disappointment that had awaited his life. And when Danny Glover, chair of TransAfrica’s board, read a passage about endless war still determined by the color line, the audience murmured a quiet recognition. It is, indeed, still the problem of the 21st century.

Glover closed the event with an expression of concern, in the light of the current Iraq war, about possible future attacks on oil-rich countries on the African continent. One might add that the assault of malign neg- lect inflicted on this continent to date has been at least as deadly.

Renate Bridenthal
Brooklyn College (emerita)

Write to Clarion

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

By TOMIO GERON

The PSC and CUNY management opened negotiations for a new labor contract on May 23. The PSC presented its demands and the two sides discussed ground rules for bargaining.

“Even in a tough fiscal climate, the PSC believes that investment in our professional lives must continue if CUNY is to thrive,” said PSC President Barbara Bowen, the union’s chief negotiator. “The union seeks to continue the progress we’ve made in restoring salaries, improving workplace conditions and rebuilding the University. Much more remains to be done, and we are ready for serious and productive negotiations.”

**RESEARCH AND DISCUSSION**

The negotiations follow months of research by PSC negotiators and discussion among union members. The PSC’s demands were approved by the Executive Council on March 6 and presented to the Delegate Assembly (DA) two weeks later.

Delegates had a month to review the proposals and made a number of suggestions that were incorporated into the document. With these changes, the demands were adopted by a unanimous vote at the DA’s May 1 meeting. (The full text appears in a special pullout section in the center of this issue of Clarion.)

The union’s demands emphasize nationally competitive salaries and outline several ways to address CUNY’s heavy teaching load. A number of proposals aim at winning equity for adjuncts, Higher Education Officers (HEOs) and College Lab Technicians (CLTs), library and counseling faculty, and those in Continuing Education and the Educational Opportunity Centers.

Other items address CUNY’s payments to the Welfare Fund, promotions, care for family members, health and safety, intellectual property and more.

PSC members had a chance to discuss the contract proposals directly with the union negotiating team in a May 12 open meeting held at Baruch College. Several members stressed the importance of winning equal treatment for library faculty in reassigned time and summer leave. “I do not yet have tenure,” said Miriam Laskin of the Hostos library. “If I had a regular faculty schedule, I would have a lot more time to do my research and publishing. I think this is crucial for librarians,” she said to strong applause.

Lorraine Cohen, co-chair of the PSC’s Women’s Committee, suggested that such inequities in time and leave may stem in part from gender discrimination. “How many of the library and counseling faculty are women?” Cohen asked. “Does that have anything to do with the fact that these groups have been under attack ever since I came to CUNY?” She invited library and counseling faculty to join the Women’s Committee in trying to answer these questions. (To contact the Women’s Committee, e-mail Norah Chaso at nchaso@kcc.cuny.edu, or call 212-354-1552.)

**DISTANCE LEARNING**

At the May 1 DA, Greg Dunkel, a HEO at the CUNY Computer Center, linked the demand for protection against excessive workload for HEOs with CUNY’s introduction of new educational technology. “This is going to be a key issue, because there will be a major expansion of distance learning in this University,” Dunkel said. “This will have a big effect on HEOs, and I’m speaking as one who works 40 to 50 hours a week.”

Agreement on a new contract is not likely to come quickly, given the unsettled condition of both City and State finances. CUNY management’s negotiating team is directly accountable to Chancellor Matthew Goldstein and the CUNY Board of Trustees, but any settlement will also need the backing of New York City and State, which provide most of CUNY’s funding.

Most other municipal unions have not yet begun to bargain seriously for new contracts. Mayor Bloomberg’s demand for $800 million in concessions and his call for “productivity” to fund wage increases has acted as roadblocks in municipal labor negotiations.

At the May 12 meeting, PSC First Vice President Steve London asked members to get involved in pushing for the best possible contract.

“We’re putting on this page is what we believe we deserve and what our members have told us is important,” said London. “I can’t promise that we will win on every point, but I can promise that we will fight very hard – and if we fight with 20,000 members, then we will walk away with a lot of our demands in the new contract.”

**PSC presents demands**

On May 16, CUNY Research Foundation employees who work at the University’s Graduate Center filed a request for a union election with the National Labor Relations Board.

A majority of Research Foundation (RF) workers at the Graduate Center have declared their support for the PSC, and organizers expect the upcoming election to be the next victory for RF employees across CUNY who want union representation.

More than 200 people work on Research Foundation lines at the Graduate Center. Most of them do research and administrative support for grant-funded projects of every academic stripe. A significant number work at the Graduate Center on jobs not directly funded by grants. Many are CUNY graduate students.

Tuition reimbursement, job security, and greater leverage in dealing with the Research Foundation top the list of demands animating the organizing drive. “We are organizing because a collective voice will make the RF accountable to its workers,” says Ron Nerio, a Ph.D. candidate in sociology and a grant-funded employee. “I hope tuition reimbursement is something that we can achieve.”

**TEMPORARY?**

Because grants are limited in duration, all grant-funded employees are considered “temporary” – even those whose grants are renewed regularly or those who work for years in Graduate Center administrative offices. Building protections for this kind of so-called temporary employment is a priority for Grad Center workers – protections such as severance packages, a seniority system that could help those on defunded grants find new jobs, and cushions to protect benefits between projects.

Many of the RF employees point out that other workers on campus enjoy the rights and protections that come with a union; they say the PSC has always been a positive force at the Graduate Center. “We’re excited to be joining the same union that many of our colleagues belong to,” says Thurston Domina, a researcher and graduate student in sociology who belongs to the organizing committee. “By joining together, we hope to improve not only the quality of our jobs but also the quality of our research, by improving communication with the RF and negotiating away organizational hurdles.”

Frances Fox Piven, distinguished professor of political science at the Graduate Center, put it this way: “All CUNY workers, whether they are graduate students, researchers, or administrators, need and deserve a union to protect their rights in the workplace.”

In the next few weeks, workers and management will discuss what jobs would be included in the bargaining unit – and thus who gets to vote. Organizers hope this phase will move quickly and that an election will be scheduled in the near future. “The sooner the better,” says Hillary Webb, a researcher and union activist. “Research Foundation workers here are ready to be members of the PSC.”

Apparently they’re not alone. “The PSC has been receiving calls from all over CUNY,” says Mary Ann Carlise, the union’s Associate Executive Director. “There are nearly 7,000 CUNY employees paid on Research Foundation lines. They’re expressing a lot of interest in having PSC representation and a strong, fair contract.”

**SHADOW WORK**

They deserve it, says PSC President Barbara Bowen. “The RF is part of CUNY’s vast ‘shadow university,’” Bowen says. “Thousands of unorganized workers do teaching, research, and program development – often exactly the same work as unionized PSC members – but without the protection of a union contract. It’s time for this gross inequity to end.”

The PSC has represented workers at the RF’s central office since 1973. And in a December 2002 election, 85% of RF employees at CUNY’s University Applications Processing Center voted to unionize with the PSC.
State budget mixed for CUNY

By TOM G. GERON

Senior colleges cut 12.5%

State support for CUNY’s community colleges will rise 3.5% to $135.9 million, a $4.6 million increase over the last fiscal year. The final budget also overturns the deep cuts Pataki proposed for the Tuition Assistance Program (TAP), which helps public and private university students statewide.

CUNY’s senior colleges, however, have been cut by $83.1 million (12.5%) compared to last fiscal year. To close the gap, the Legislature’s plan proposes – in effect requires – raising “tuition and other revenue” by $121.5 million. This means imposing a tuition hike at CUNY senior colleges of up to $850 per year for in-state residents and nearly $5,000 for those from out of state.

“We are pleased with the restoration to the community college budget and opportunity programs and TAP,” said PSC Secretary and Legislative Director Cecelia McCaull. “However, we are extremely unhappy that there is no restoration to the senior college budget. We do not feel a tuition increase at CUNY is a restoration.”

Tuition hike

Even before this increase, New York’s public colleges were the 14th most expensive in the country. Over the past nine years, Pataki has proposed $2.4 billion in cuts to colleges and universities, and CUNY has seen its State support decline by over 40% since 1990.

The adopted budget means a $950 senior college tuition hike is possible.

CUNY funding is maintained, but scholarships are threatened.

CUNY funding is maintained, but the Legislature’s budget proposal out of hand, claiming that they were worth a mere $20 million in real savings instead of the $600 million asserted by the MLC. But when the MLC proposed that the real value of its plan be assessed by a three-member panel – State Comptroller Alan Hevesi, City Comptroller William Thompson and a third person named by the mayor – City representatives said they weren’t interested.

For months the mayor has demanded $800 million in immediate money-saving concessions from City unions, including longer work hours, increased health care payments, cuts in vacation days and reduced pension benefits for new employees. The MLC countered with its own proposals to save money through early retirement incentives, a stretchout of City pension plan contributions, $100 million in health care savings and a $200 million loan that the Daily News said would be “virtually interest-free.” The City rebuffed the MLC proposals out of hand, claiming that they were worth a mere $20 million in real savings instead of the $600 million asserted by the MLC.

Mayor rebuffs union plan to avoid layoffs

The City budget was still up in the air at the end of May, leaving residents wondering about everything from their children’s schools to the local firehouse to the pungent odor of garbage in the summertime.

Mayor Michael Bloomberg has already laid off over 2,000 city workers, including drug addiction counselors, foster care caseworkers, sanitation workers and homeless shelter staff.

Earlier in the month the State Legislature passed a series of measures that will plug $2.7 billion of the $3.8 billion hole in the City budget. The package includes a rise in the City’s sales tax, a City income tax surcharge for individuals earning over $100,000, and a State takeover of $550 million a year in City debt service from the 1970s. The day after he vetoed the State budget, Governor Pataki vetoed the City aid package as “another multi-million-dollar tax grab,” but only May 19 both houses of the Legislature voted for an override.

Bloomberg set aside plans for a “doomsday budget” with layoffs of 10,500 municipal workers, which he said would have been necessary if the State aid had not come through. But Bloomberg moved ahead with over 4,000 layoffs that he insisted were necessary to fill the City’s remaining budget gap. Over 2,000 city workers found themselves jobless on May 17, with the rest slated to be axed in coming weeks.

Bloomberg rejected an appeal from the Municipal Labor Committee (MLC) to “stop the clock” on the layoffs while negotiating over the MLC’s cost-saving proposals. The City and the MLC (which includes the PSC) sat down to discuss the union plan on May 15 – but the next day City representatives walked away from the table, and the layoffs went ahead.

MAYOR’S DEMANDS

For months the mayor has demanded $800 million in immediate money-saving concessions from City unions, including longer work hours, increased health care payments, cuts in vacation days and reduced pension benefits for new employees.

As many as 30,000 people attended an April 29 rally against city budget cuts sponsored by DC 37, the union that is most heavily affected by city layoffs.

Those targeted for the next wave of layoffs include almost 1,000 teacher’s aides in the public schools. Two-thirds of teacher’s aides are African American or Latino, and the United Federation of Teachers has filed a lawsuit charging that the cutoff plan has a disproportionate impact along racial lines.

CUNY FUNDING

The drama of the layoffs held center stage, the City Council Higher Education Committee held hearings on Bloomberg’s proposed budget for CUNY for the 2003-2004 fiscal year. The mayor has proposed maintaining direct City support for CUNY at its current level of $124 million, essentially doing the minimum required by the State’s “maintenance of effort” fund for CUNY’s community colleges.

However, Bloomberg has once again proposed elimination of the Peter F. Vallone Scholarship Program, which provides $5.3 million in tuition aid for NYC high school graduates who maintain at least a B average at CUNY. Last year money for the scholarships was restored by the City Council in large part due to lobbying by PSC members.

The mayor also wants to slash $124,000 from the Hunter Campus Elementary and High Schools and another $2.7 million from CUNY’s adult literacy efforts and various University administrative costs.

The Council will vote on the budget sometime in June.

SALES AND INCOME TAX

The Legislature’s budget measures include a 0.25% rise in the State sales tax and an income tax surcharge on individuals earning over $180,000 a year. A total of $1.9 billion was restored to Medicaid and education funding.

Unions have been active in the campaign to restore funding to State services – rallying in Albany (see fac page), lobbying, and rippling Pataki in television ads. The efforts seem to have made an impact, helping stave off many of the proposed cuts.

Pataki’s approval ratings dropped to 37% – almost his lowest ever – as the budget crisis came to a head, according to a Marist College poll in May. Voters said they were against Pataki’s handling of budget issues, with 56% opposing his veto and only 26% backing the move.
May 3 rally in Albany

By CLARIION STAFF

On May 3, thousands of people came to Albany to demand support for public education, from pre-K through post-grad. Opposing the deep cuts proposed in Governor Pataki’s budget, they filled the plaza in front of the State Capitol.

“Look around you,” PSC President Barbara Bowen told protesters. “This is what power looks like! Let’s make this the beginning of a people’s movement to reverse the history of inadequate and unequal funding of education in this state.”

The protest was organized by a broad coalition of teacher unions, local school boards, PTA’s, college student clubs and community groups like ACORN and the Campaign for Fiscal Equity. New York State United Teachers (NYSUT), the PSC’s state affiliate, played a central role.

UPSTATE & DOWN

“We were all there for the same reason,” said Terry Parker, a CLT in the library at LaGuardia Community College. “People from upstate and from downstate, and that was good. It felt like being part of history – you felt lucky to be there.”

For several students on the LaGuardia bus, it was their first demonstration; they told Parker it made them want to come to more.

Scott Dexter is an assistant professor in computer science at Brooklyn College. When asked why he’d come to Albany, he said, “I’m teaching intro courses this year, and I’d like to see those students come back. One of my students is on this bus and he’s totally TAP. With a tuition increase, it’s going to be hard for him to stay in school.”

Also on the Brooklyn College bus was Yvonne Armstrong of the NAACP’s NY branch. “The Central Labor Council told us about the rally,” she said, “and we came for the children in the public schools. In NYC now, the system is in disarray. Hundreds of buses converged on Albany, including 16 from the PSC. With the demonstration coming at the end of the semester, chapters often found that mobilizing was a challenge. The most successful was probably City Tech, which sent a contingent of 90 people.

ACTIVISTS GET THE CREDIT

“I was stunned when I saw the numbers,” said PSC Chapter Chair Bob Cermele. “I wish I could take personal credit, but I can’t. We had some very active activists in the continuing ed division who really turned people out.”

NYSUT put the entire crowd at 40,000, and it was one of the largest that many politicians present had ever addressed. The timing was ideal, coming just after the State Legislature had voted for a budget restoring many of Pataki’s cuts, but before the governor’s veto (see p. 4).

Terry Parker said that the timing and the turnout had a real impact. “When I left Albany, I was wondering if the legislators would follow through on their credo of a veto, because politicians never follow through on their promises,” he said. “But they did. I think we got them to do what was right.”

CUNY IN BRIEF

Labor board upholds PSC’s right to represent

The PSC recently settled two Public Employment Relations Board charges against the Manhattan Educational Opportunity Center (MEOC) and Hostos Community College. In both cases, the PSC stated that management had illegally attempted to intimidate PSC members while they were representing other workers. When the Director of the MEOC spoke to PSC Chapter Chair Gene Plumback about a grievance the PSC had filed, she threatened to close evening classes at the MEOC, which would result in 10 employees losing their jobs. She also directed personal insults at Plunkett. In the other case, Ralph Ranald, a grievance counselor, was representing Hostos faculty in a grievance hearing when Franklin Perez, representing the Hostos administration, personally insulted Ranald and Chapter Chair Norma Peña de Llorens and threatened to terminate Ranald’s sick leave. In signing the agreements, CUNY recognizes the PSC’s right under the Taylor Law to vigorously represent its members in grievances and to engage in protected activity.

Award nixed

Dean Kristin Booth Glen of the CUNY School of Law rejected students’ selection of Lynette Stewart to receive the school’s Public Interest Lawyer of the Year Award at graduation. In an e-mail to students, Glen argued that the school’s funding could be threatened by the choice of Stewart, who has been indicted on federal charges of aiding terrorism while representing Sheikh Omar Abdel Rahman, now serving a life sentence for plotting to bomb the United Nations. Many civil liberties lawyers have criticized Stewart’s indictment as an attack on the ability of attorneys to represent unpopular clients. The NY Law Journal reported that in a later meeting with students, Glen said conversations with CUNY Trustees had led her to be concerned that the law school might even be shut down. After a petition from 73 students did not change Glen’s mind, graduates honored Stewart in a private ceremony.

Mayor vs. welfare bill

Mayor Bloomberg filed a lawsuit challenging the legality of a City Council welfare-education bill earlier this month, as the bill, introduced in an attempt to allow welfare recipients to keep up to $500 in Social Security benefits, was stalled in the City Council. In a June 15 suit, the mayor’s lawyers, led in State Supreme Court on May 8, argues that the bill usurps control from the Human Resources Commission and conflicts with state and federal laws.

Battle over rent rules

Stronger rent laws or none at all?

CUNY faculty and staff are caught in the scissors between sub-standard salaries and New York City’s sky-high housing prices. The cost of housing in NYC is a key obstacle to recruiting new faculty, and many PSC members are only able to live in the city thanks to rent regulation.

Tenant groups estimate that over 4,500 PSC members live in buildings with rent stabilization or rent control, and State rent laws are due to expire at midnight on June 15.

But a simple renewal of the laws in their current state would mean the continuing erosion of rent regulation and its eventual demise. Every year more units are removed from rent regulation through various loopholes. If the laws are not strengthened, there will be fewer and fewer regulated tenants – and eventually tenants will not have the political power to renew rent and eviction protections.

SPIRITED RALLY

On May 13 in Albany, tenants from across the state rallied to demand tougher legislation. “We had a spirited rally,” said Arlene Geiger, an adjunct at John Jay, who was one of thousands wearing yellow caps that said Stronger Rent Laws Now! “It’s vital we pass stronger rent laws,” said Geiger, “because we’re hemorrhaging hundreds of apartments by the year.”

The number-one goal of tenants, unions and community activists is the repeal of “vacancy decontrol.” This has become a way for landlords to take their apartments out of rent regulation forever, often by subjecting tenants to illegal pressure to move. These units then become unaffordable to most renters.

The pro-tenant coalition also wants the rent laws changed to cover Mitchell-Lama rental buildings first occupied after 1973 and project-based Section 8 buildings, if the landlord opts out of either program. Without these changes, tenants in these buildings can face immediate displacement.

Another loophole, high-income decontrol, kicks in if a regulated rent goes over $2,000 and tenants earn above a certain threshold. It has resulted in the decontrol of very few apartments, but creates enormous fear among tenants. It does nothing to increase the supply of affordable housing, but rather results in rents that only rich people can afford. Short of repeal, tenant groups want this provision modified and adjusted for inflation, with elderly and disabled tenants exempted.

Today rent increases for building-wide Major Capital Improvements are permanent and compounded with base rent. This can mean staggering run-ups of rents in just a few years, helping landlords jack up the rent to the $2,000 decontrol threshold. Bills now in the Legislature would change these temporary rent surcharges.

Simple renewal would mean a phaseout of rent regulations.

Tom Waters of Tenants & Neighbors urged PSC members to call their legislators before June 15. “Tell them a simple renewal of current laws is unacceptable,” he said. “Even pro-tenant legislators need to hear this.” For an up-to-date, check with Tenants & Neighbors at tenantsandneighbors.org or (212) 608-4320, or Met Council on Housing at metcouncil.net or (212) 979-0611.
Library funding gap

CUNY facilities get much less

By DONNIE R. NELSON
John Jay and PETER HOGNESS

CUNY libraries are funded at less than half of the national average and less than a third of the average for New York State, according to data from the National Center for Educational Statistics. Libraries at CUNY also get significantly less money than those at SUNY, on average receiving about two-thirds as much per student.

For all CUNY campuses, including the Graduate Center, mean library expenditure per full-time equivalent student (FTE) was $281 for Fiscal Year 2000. The average figure for all SUNY campuses was $409, while the national average for all academic institutions was $528. The average for all colleges and universities in New York State was much higher – $876 per FTE.

What this means for CUNY library users is unavailable books and journals, insufficient staff and a lack of development of electronic resources. “I haven’t been able to buy any sociology books for two years,” said Richard Uttech, chief of public services at the City College library. “We did not have enough money to buy both the books and journals that we need. We chose to keep our journals, because the articles are more current.” Last year, he said, the CCNY library spent about $750,000 on print and electronic journals and about $30,000 on books. None of the book money came from tax-levy funds.

Faced with such financial pressures, there are no good decisions. “Sometimes CUNY libraries have stopped subscribing to periodicals,” said Susan O’Malley, chair of the University Faculty Senate. “So if you go to the Hunter library, for example, there’ll be a whole set of years for which something is not available because they couldn’t keep up the subscription.” Information is a necessity, not a luxury,” commented Susan Vaughn, the University’s director of electronic collection development. For CUNY to be a “major player” in academic research, she said, it must have well-funded libraries. Without them, CUNY’s faculty and students simply cannot do their work.

Average library spending for CUNY’s senior colleges and the Graduate Center was $297 per FTE, less than half of the $647 average for SUNY’s 4-year liberal arts colleges and doctoral and professional institutions (such as SUNY-Buffalo). In other words, libraries at these CUNY schools got 44% as much money per student as their upscale and suburban counterparts.

The Graduate Center library had the highest FTE expenditure within CUNY, at $485. But this is still less than half of the $1,052 average for doctoral institutions at SUNY, and only 53% of the national average for doctorate-granting institutions.

DISCREPANCY

The discrepancy between CUNY’s community colleges and those outside NYC is not as severe, but is still pronounced – library spending per FTE was $160 at CUNY’s two-year schools, about 70% of the amount for SUNY community colleges ($232) or for community colleges in the US as a whole ($227). But CUNY’s community college faculty do far more research than those at two-year schools nationally and many more of them hold Ph.D.s. Thus, this understates the shortfall for CUNY’s community colleges.

There are differences among CUNY schools as well. Senior college libraries range from City Tech ($147) and John Jay ($179) at the bottom to CCNY ($455) and Lehman ($407) at the top. Community colleges at CUNY range from BMC’s average of $114 to LaGuardia’s $216. All, however, are still far below comparable averages for SUNY or for the US as a whole.

“What’s happened is that when college presidents don’t have enough money, they often take it out of the libraries and give them less than the year before,” said UFS Chair O’Malley. “One of the things we’d like to do is get library funding in the capital budget.”

PSF Secretary Cecelia McCall told Clarion, “The data show that both CUNY and SUNY are underfunded in this area. This is one more example of a crucial need that is being shortchanged by budget cuts in public higher education.”

McCall noted that, “Local decisions on library funding are clearly being influenced by the size of the pie.”

“Mr. CLT” and the formation of the PSC

Harold Wilson remembered

By HILARY RUSSE

Wilson was 90 years old when he died April 9 from heart failure in Bergenfield, NJ, where he had lived for some 30 years. “I think his system was just plain worn out,” says Seltzer, recalling his 58-year-old son Paul, a retired CLT from Baruch who now works part-time in the biology department at City Tech. Besides being a devoted father, says Paul, Harold Wilson was “a confidant and a role model and a good friend.”

Born in the shipbuilding town of Barrow-in-Furness, England, Wilson witnessed German dirigibles float overhead on spying and bombing missions in WWI. During a prolonged economic depression in the early 1920s, his parents moved the family to the United States. His father was a union man who worked on the Independent (IND) subway line in New York. Harold eventually became a chemistry lab technician at the campus that later became Baruch, setting up and breaking down laboratories and preparing lecture hall demonstrations.

Wilson’s contributions to the union were singular. In the 1960s, the Legislative Conference (LC) pressed for higher salaries and pensions on behalf of full-time faculty at the four “city colleges” – Brooklyn, City, Hunter and Queens. Not everyone believed that non-classroom professionals such as technicians should be included at the bargaining table, but to Wilson this was essential. In the mid-1960s, “Harold was the basic force behind the founding of the first CLT chapter,” recalls Irwin Polishok.

Once again, says Yellowitz, “Harold Wilson was the one who argued that they should be together to form a much stronger union.” Wilson became the PSC’s vice president and from campus unions, where he represented all non-faculty professional staff. “He did a lot for everybody,” notes Seltzer, “but he loved us best.” Wilson was “Mister CLT,” says Bob Wurman, a recently retired CLT from Queens.

“Not only was Harold a great speaker, he never shied away from a confrontation,” recalls retired CLT Ray Keywork. “He instilled in a lot of people a deep loyalty.”

Colleagues remember Wilson as a steadfast and diplomatic negotiator. At the bargaining table, “he would hold onto certain principles, but he was flexible in terms of strategy and tactics,” says Yellowitz. He also helped form the PSC’s first health and safety committee. “We got calls from all over the country asking how they could organize safety and health,” remembers CLT Chapter Secretary Randy Smith.

In fact, Wilson’s efforts stretched beyond CUNY. In the 1970s, he was sent to California with Zeller to organize the Cal State system for the AFT. The National Education Association had a strong foothold and proved hard to beat; in the end the AFT lost the election. But Wilson and Zeller “were magnificent out there,” Seltzer says. “It was a long shot, and they made the election close. Nobody thought they had a chance.”

Wilson remained active at the PSC until he retired in the mid-1980s. “He loved the work,” recalls Seltzer. “Not only was Harold a great speaker, he wrote – memoirs, reports, letters – so many people, and he did it almost alone.” Wilson played a crucial and sometimes unacknowledged role, Seltzer says: “Without him, we would have been lost.”
A new bargaining agenda: 2003

With these demands for collective bargaining, the PSC inaugurates its new campaign to restore the University – and our own lives as CUNY faculty and staff – through the contract. The last round of collective bargaining saw a conceptual breakthrough: the idea that the contract could be an instrument for rebuilding the University. Now the union seeks to further that breakthrough and usher in other long-term improvements, while also addressing growing areas of crisis in our professional lives.

You’ll see familiar subjects in the seventy demands that follow – salary increases, competitive workloads, equity for part-timers, improved grievance procedures – and the union’s commitment to them remains intense. Fair salaries are the Keystone of the contract, and the current demands seek to continue the restoration of CUNY salaries begun in the last agreement. CUNY has historically attracted some of the best scholars in the country, drawn by its vibrancy, mission and location. If this history is to continue, our contracts must continue to undo the salary erosion of past decades.

But there are also new emphases in the proposals below. For the last six months, the negotiating team has been listening to members as you have spoken in various forums about your most urgent needs. Several new concerns emerged from the membership survey, including job security, an urgent demand for preserving professional autonomy, a strong vote for added benefits funding. All of those areas are reflected here. Members also spoke about the need to consolidate the gains of the last contract and extend them to groups for whom they were not achieved last time. You’ll see evidence of that approach in several of the demands below.

**SALARIES AND MORE**

Two themes dominated your responses to the question of the next contract: first, support for the approach the union took last time –combining across-the-board salary increases with equity adjustments and structural change; second, a growing sense of alarm about the absence of professional conditions at CUNY that are routine at comparable universities. The negotiating team heard your concerns, and, as a result, this new set of demands gives special attention to issues such as the right to paid leave to care for a new child or other family member, the health and safety of our workplaces, the dangerous decline in students’ access to counselors, the provision of tuition waivers for employees and their families. The demands also develop a blueprint for achieving a competitive workload – including reduced class size and real sabbaticals – and propose a fair approach to faculty and staff rights to their own intellectual property.

As you read through the demands, you’ll see that they are organized by contractual area rather than by constituency: the demands for any one group, such as HEOs or full-time faculty, appear in several sections. You may also feel that some of the demands are only the beginning of a longer discussion of an issue; keep in mind that behind each of these demands are hours of research and elaboration by the negotiating team, on which we will draw at the bargaining table.

This list is shorter and more focused than the one we took to the previous round of negotiations, but still transformative for the University. In approving this set of demands, the union’s Delegate Assembly made a commitment to a serious agenda for bargaining, one that balances the urgent concerns of many parts of our membership. We approach this set of negotiations as a union, in which our ability to represent the entire membership creates our greatest source of strength.

**WITHIN REACH**

No one would deny that the current politically created fiscal climate makes this a difficult time to open negotiations. But a solution to the budget constraints is within reach, if City Hall and Albany have the political will to restore revenue lost through billions of dollars of tax cuts over the last few years. The PSC joins unions around the state in insisting that public employees not take the brunt of fiscal shortfalls we did not create. Investing in the PSC contract is investing in the future of the city and the state. Every dollar invested in CUNY generates significantly increased income for New Yorkers – to say nothing of the immeasurable increase in education in the quality of people’s lives.

The PSC is seeking a contract that will consolidate and extend the rebuilding of CUNY begun with the last agreement. But another way, we are trying to create the conditions in which it is possible to do the work we love. Consider these demands a personal invitation to become part of the effort to win the conditions we need. To press a serious agenda for change in the toughest fiscal climate in a generation, we will need to develop a new concept of member participation. It won’t be enough to offer support from the sidelines, or certainly to sit back and wait for “the union” to bring home a raise. What’s called for is a real change of the culture of the University so that we realize and exert our considerable power. Imagine a campus where no one considered themselves exempt from union work – then you’ll have a sense of the transformation we need.

– Barbara Bowen for the negotiating team

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**PROFESSIONAL STAFF CONGRESS/CUNY 2003 DEMANDS FOR SUCCESSOR AGREEMENT**

**RECOGNITION AND NON-DISCRIMINATION**

1. All employees who perform functions that are the same as or similar to those in the bargaining unit shall be included in the bargaining unit, regardless of the funding source for their positions.

2. All computer titles within an academic or instructional area of the University shall be presumed to be included in the bargaining unit. All computer titles within an administrative area shall be presumed to be included in the bargaining unit if the majority of the job responsibilities are instructional in nature or support the instructional activities of the University.

3. CUNY Health and Safety Officers and all other CUNY employees who perform health and safety functions shall be included in the PSC bargaining unit.

4. The exemption of Continuing Education titles from certain articles of the Agreement, including but not limited to Articles 20 and 21, shall be discontinued.

5. Amend Article 8.1 (“Non-Discrimination”) to include “army service veteran status, including service in the Vietnam War and the Gulf War.”

6. A labor-management committee shall be formed to develop a proposal to increase the racial, gender and ethnic diversity at all levels of the faculty and staff, and to provide a comparison of salaries of bargaining unit members by race, gender and ethnicity. The committee will be provided with modest funding to support necessary research by CUNY scholars in this area. The committee will be charged with presenting a plan and a timeline for achieving faculty/staff diversity comparable to CUNY’s student diversity.

7. The titles in the CLT series shall be renamed to reflect the changed scope of these employees’ work: Technical Associate, Senior Technical Associate, Chief Technical Associate.

8. Under the definition of Continuing Education programs, Article 1 in the Continuing Education Agreement, the word “typically” shall be deleted. Article 6 of the Continuing Education Agreement shall be deleted, and replaced by the following: “Employees in the Continuing Education Teacher title who teach non-credit-bearing remedial or ESL institutional programs shall be placed at the appropriate salary step in the Lecturer or Assistant Professor title.”

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**All illustrations Contract Special: Joel Guzman**
PSC-CUNY RELATIONS

9. Article 2 of the Agreement shall be amended to provide for management’s duty to negotiate with the PSC and for enforcement of this duty under Article 20.

10. The amount of reassigned time allocated to the Professional Staff Congress for enforcement of the contract shall be increased to 250 hours per semester.

SALARY

11. Salaries must be comprehensively lifted – for all titles and all ranks – so the University regains its salary competitiveness with other major universities regionally and nationwide. Historic inequities of salary must also be addressed. All members of the bargaining unit, including bargaining unit members employed at the Educational Opportunity Centers and in Continuing Education series titles, shall receive a substantial per annum across-the-board salary increase.

12. Part-time instructional staff shall be paid on the basis of parity with comparable full-time instructional staff.

13. Amend Article 24: The five-year step and the seven-year step shall be converted to one-year steps and one new step shall be added to the top of each full-time salary schedule.

14. Lecturers and EOC Lecturers shall be placed on the Assistant Professor salary scale at the appropriate step, and subsequent to the enactment of this provision the Lecturer Doctoral and EOC Lecturer Doctoral schedule shall be eliminated.

15. Higher Education Officers shall not be expected or required to work in excess of 35 hours per week. Overtime for Higher Education Officers shall be compensated at the rate of time-and-a-half for any work in excess of 35 hours a week.

16. All non-classroom instructional staff members shall receive differential pay for all work performed on weekends and evenings.

17. Annual salary and salary steps equal to that of Lecturers shall be established for continuing education teachers teaching in programs such as CLIP.

18. The Settlement Agreement of June 25, 2002 on salaries in excess of base salary shall be amended to provide for election by faculty and Higher Education Officers respectively of the pool of faculty and Higher Education Officers at each campus from which the ad hoc committees are appointed, it shall also be amended to provide for open reporting of the recommendations of the ad hoc committees.

19. The period between salary steps for part-time faculty shall be reduced from three years to one year, and the value of each step shall be substantially increased. Service University-wide shall be included when computing movement in scale.

20. It shall be the responsibility of the University to inform part-time faculty [within one week of the beginning of the semester] of the rank and salary at which they are being paid at each campus on which they are employed. In the event a salary adjustment is called for, such salary adjustment shall be retroactive to the date of employment.

21. Salary parity for all Educational Opportunity Centers with comparable CUNY titles shall be maintained.

JOB SECURITY

22. There shall be no layoffs during the course of this agreement.

23. There shall be no use of Substitutes beyond the contractually stated uses.

24. Higher Education Officers and College Laboratory Technicians shall be eligible for promotion according to the following procedures:

   a) The Higher Education Office series shall be established as a promotional series, such that employees demonstrate through preparation of a portfolio or meeting performance criteria their eligibility for a higher title. After five years of service in the Assistant to HEO title, employees shall be automatically promoted to the title Higher Education Assistant.

   b) The College Laboratory Technician series shall be re-established as a promotional series using standard instructional staff promotional procedures. The Bylaw provision stating that the CLT title is a non-teaching title shall be observed. The criteria for promotion for Chief CLT shall be amended in order to make possible promotion to Chief CLT at the community colleges. Article 22.2 shall be amended to expand promotional opportunities for CLTs.

25. Job security for Higher Education Officers and College Laboratory Technicians shall be provided through the following provisions:

   a) HEOs shall receive one-year notice of retenchment.

   b) A Certificate of Continuous Administrative Service shall be granted under Article 13.3b to HEOs for University-wide service, cumulative in all HEO series titles held by the employee. Time served in Substitute titles shall be included for HEOs when computing 13.3b status and for CLTs when computing tenure.

   c) The schedule for reappointment for employees in the HEO series title shall be amended to provide for one-year reappointment and one two-year reappointment after the initial appointment, as a pre-requisite for 13.3b status.

   d) Delete the first paragraph of Article 13.12.a and all of 13.12.b.

26. A seniority/hiring preference system for part-time instructional staff, in both classroom and non-classroom titles, shall be introduced. A seniority/hiring preference system for Continuing Education Teachers who are eligible for benefits shall be introduced.

27. A labor-management committee shall be formed to develop a plan during the course of negotiations for movement of part-time faculty into new full-time faculty positions.

28. There shall be no loss of eligibility for benefits of members of the bargaining unit who move from a part-time title to any other CUNY title, regardless of the source of funds for the position, or who interrupt service in a part-time title to accept a Substitute position.

29. Part-time faculty at the Educational Opportunity Centers shall receive one-year appointments on the same terms as were negotiated for other part-time faculty and shall be paid for professional or office hours on the same basis as other part-time faculty at CUNY.

WORKLOAD

30. Teaching loads throughout the University shall be made comparable to those at other major public universities. As a first step in this process, the undergraduate contact teaching hour load shall be reduced by three hours per year at both community and senior colleges.
31. The contact teaching hour workload at New York City College of Technology shall be reduced to achieve parity with all other senior colleges.

32. All Library faculty, regardless of when hired, shall be placed on the full-time teaching faculty calendar.

33. All faculty Counselors, regardless of when hired, shall be restored to the full-time teaching faculty calendar.

34. All untenured Library and Counseling faculty shall be assigned one semester of reassigned time for scholarly and/or creative work during their first three annual appointments.

35. The Workload Settlement Agreement Article 3b, which allows colleges that had a practice of contact hour multiples for specified courses during the 1981-82 academic year to continue such practices, shall be deleted.

36. The provision for a professional hour negotiated under the contractual agreement shall be amended so that eligibility may be reached by service University-wide.

37. Workload for courses employing new media, known variously as educational technology and distance learning, shall be governed by the workload provisions of this Agreement. The increased workload – for all members of the bargaining unit – arising from instruction in these media shall be supported by the University and fully compensated. Such support and compensation shall include but not be limited to: extra workload credit, smaller class size, and agreements on staffing levels for support and technical employees. Instructors shall retain control of the mode of instruction employed in their courses.

38. Academic departments shall have the authority to set class and section size limits. A report on class size throughout CUNY, for every class and section on every campus, shall be provided to the PSC. A labor-management committee shall be established to monitor compliance with class and section size limits specified by academic departments.

39. Class size has an impact on the workload of teaching faculty. As a result, the University has an obligation to compensate faculty if their classes exceed specified departmental limits on size. In the event class size exceeds departmental size limits, the instructor shall receive one additional contact hour credit toward the instructor’s teaching workload for each five students above the departmental limit.

40. Article 25.3 shall be amended to provide an entitlement for all instructional staff members of the permanent instructional staff and all teaching staff and counselors at the Hunter Campus Schools: fellowship leaves for a full year at full salary.

41. There shall be increased availability of reassigned time for full-time faculty, including for scholarly work, creative work, contributions to the university and the profession. The workload provision giving discretion in allocation of reassigned time to college presidents shall be amended.

42. The instructional staff at the Hunter College Campus Schools (including those on unpaid leave) shall be eligible for assignment to the bargaining unit. The provision for a professional hour negotiated under the collective bargaining agreement shall be amended.

43. All non-teaching instructional staff personnel shall earn annual leave at the same rate as personnel hired before September 1, 1987. The maximum accrual of annual leave days for non-teaching instructional staff members shall be increased.

44. Part-time instructional staff shall be included in the New York City Health Benefits Program.

45. Graduate assistants shall receive health insurance.

46. Under certain conditions, employees shall have the opportunity to bank sick days to meet special needs of others in the bargaining unit or to convert sick days to support wellness and preventive health measures for themselves.

47. Tuition shall be waived for CUNY graduate students who are employed by the University and for immediate family members and domestic partners of members of the bargaining unit. The provision for tuition waivers for part-time instructional staff shall be amended to include summer sessions.

48. The University shall establish childcare services at each campus for members of the bargaining unit and shall subsidize these services with a graduated fee schedule.
53. Family Medical Leave shall not run concurrently with sick leave; and the University shall establish full-paid three-month leave for the introduction of a new child into the household.

54. The professional development of part-time faculty shall be supported by the University.

55. The University shall recognize the right of all members of the bargaining unit to have access to all CUNY college campuses.

56. Part-time members of the instructional staff shall be entitled to adequate office space and equipment (including, but not limited to a desk, chair, phone, filing cabinets, computers with internet access and a University email account), and shall have access to and be listed in public directories for voicemail and email. Employees in the Continuing Education series shall have library privileges at the campus on which they work and shall be entitled to access to campus facilities on the same basis as other members of the bargaining unit.

57. The University shall reimburse all eligible EOC retirees and their spouses for the costs of Medicare Part B.

58. The requirement that retirees enrolled in the Optional Retirement Program must retain 33 percent of the accumulation in TIAA-CREF shall be modified.

59. Amend Article 5 of the Continuing Education Agreement to establish eligibility for the New York City Health Benefits Program for employees who teach at least 15 hours per week for at least 30 weeks per year. The provisions for sick leave accrual and longevity pay negotiated in the last collective bargaining agreement shall be extended to employees who teach at least 15 hours per week for at least 30 weeks per year.

60. Instructional staff at the Hunter College Campus Schools shall be eligible for unpaid leaves of absence for a period of one year for advanced studies, travel, community service or other purposes mutually agreed upon. Such leave shall not be considered a break in service for any purpose; seniority and pension credit shall accrue during such leave.

SAFETY AND HEALTH

61. The University shall provide heating and ventilation that meets or exceeds the standards recommended by the American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE); the University shall also comply with the highest appropriate standards of workplace sanitation, access to safe drinking water, cleanliness, temperature, light and noise control.

62. In order to ensure that construction, renovation, and repair do not interfere with the working and learning environment, the University shall inform employees in advance of the nature and projected duration of construction projects, and shall ensure that all construction contracts (with DASNY and/or sub-contractors) include implementation of appropriate standards to isolate the construction area. Campus-based Environment

INTELLECTUAL PROPERTY AND EDUCATIONAL TECHNOLOGY

66. It shall be presumed that all intellectual property that is either a copyrightable or a patentable creation and/or invention by a member of the bargaining unit shall be owned by the creator unless limit-ed by provisions negotiated with and agreed to by the Professional Staff Congress.

67. All terms within the context of University employment shall be modified so that the sharing of proceeds from intellectual property to anyone other than the creator(s) shall be negotiated and agreed to by the PSC.

68. All disputes arising from the application of the terms negotiated by the parties regarding intellectual property and educational technology shall be subject to the dispute resolution procedures of Article 20 of the Agreement.

REAPPOINTMENT, GRIEVANCE AND ARBITRATION

69. The procedures on presidential appeals shall be amended:

a) Add to Article 9.10 and to Article 9.12: “Whenever an appeal is submitted to the President under this Article, the President must respond within ten calendar days of the receipt of the appeal.”

b) Add a new section to Article 9 (after 9.10): “The employee shall have the right to submit a rebuttal to the President’s reasons within 30 calendar days of the employee’s receipt of said reasons; the rebuttal shall become part of the employee’s file.”

c) Part-time instructional staff shall have the right to receive reasons for a denial of reappointment or promotion.

d) HEOs shall be entitled to Presidential reasons in the case of a denial of reappointment, beginning with the first reappointment.

70. The grievance procedure shall be amended:

a) Add to Article 20.4: “Any grievance not responded to in accordance with time limits specified herein shall be deemed sustained by the University.”

b) Delete the bar to grievance rights under 18.2(d) and 18.3(d).

c) Expand time limits for initiating grievances at Step One and Step Two of the grievance procedure to one hundred eighty (180) calendar days.

d) Add to Article 20.5(c)(2): “Payment for multiple position teaching shall not be deducted from back-pay awards.” Amend Article 20.5(c)(2) to include CCAS.

71. Amend Article 21 on Disciplinary Actions:

a) Employees shall be informed in writing of their right to union representation prior to any meeting that may lead to the initiation of disciplinary action.

b) Delete Article 21.12 (on procedures in the case of conviction of a felony) to conform with State law.

c) Amend Article 21.8 (b)(4) to remove the restriction on the arbitrator’s considering, in the context of a disciplinary proceeding, alleged violations of the collective bargaining agreement and CUNY Bylaws or written policies.

d) The Sexual Harassment Procedure shall be modified to ensure due process and protections consistent with Articles 20 and 21 and to ensure strict confidentiality.

The Professional Staff Congress reserves the right to amend or supplement these demands in collective bargaining.

Approved unanimously by the PSC Delegate Assembly, May 1, 2003.
The New Caucus swept the April election for leadership of the Professional Staff Congress. It was unopposed by any other slate, in the first union-wide voting since the New Caucus (NC) won a close contest in 2000.

The PSC’s four executive officers – President Barbara Bowen, First Vice President Steve London, Secretary Cecelia McCall and Treasurer John Hyland – were each re-elected with about 87% of the vote.

The election was conducted by mail, with ballots counted on April 24 by the American Arbitration Association.

Recent constitutional changes expanded the PSC Executive Council (EC) by four seats, to create more equitable representation for different types of workers in the union.

For the first time, elections were held for new Officers for Part-time Personnel and an additional Cross-Campus Officer.

The New Caucus received more than 3,000 votes.

The New Caucus ticket won strong backing from delegates to the RA (see p. 9). In the cross-campus units, its candidates took 62% of the vote, and by 43% of retiree members. In addition, they voted to create a NYSUT Committee on Part-time Academic Labor, to press for fair treatment and pay equity for adjuncts.

PSC delegates made their presence felt among the thousands of educators attending the annual meeting of New York State United Teachers (NYSUT) on April 3 through 5 in Brooklyn, N.Y.

The PSC also sought to pass a resolution on another charged issue – reparations for the enslavement of African Americans.

The PSC also submitted two resolutions for NY State.

The PSC Executive Council has eight new members.

By TOMIS GERON

PSC delegates made their presence felt among the thousands of educators attending the annual meeting of New York State United Teachers (NYSUT) on April 3 through 5 in Washington, D.C.

The meeting of NYSUT’s Representative Assembly (RA) set the political agenda of NYSUT, one of the largest unions in the state.

A PSC proposal on unemployment insurance for part-time faculty won strong backing from delegates to the RA (see p. 9).

In the crowded room where the Higher Education Committee met, “there was great enthusiasm for the PSC resolutions on part-time academic labor,” said Marcia Newfield, PSC vice president for part-time personnel. “I was surprised that we got so much support.”

Delegates also voted to create a NYSUT Committee on Part-Time Labor, to press for fair treatment and pay equity for adjuncts.

The RA passed a PSC proposal on pension equity, supporting legislative action to provide some form of cost-of-living allowance (COLA) for those in TIAA-CREF and other plans in the Optional Retirement System. In addition, they voted to support legislation pending in NYS for employees in the Transit-Chek program (see p. 12).

Delegates backed a PSC resolution that commits NYSUT to lobbying for funding to address the shortages of both full-time College Lab Technicians (CLTs) and technical equipment at CUNY. Also approved was a call for legislation on indoor air quality, which would require 20 cubic feet per minute per person of fresh air in all school and college classrooms, laboratories and work areas.

The PSC’s delegates supported a resolution on the protection of intellectual and academic freedom, which calls for careful scrutiny of the provisions of the USA-PATRIOT Act and Homeland Security Act. The resolution, submitted by the United University Professions of SUNY, also calls for NYSUT to promote legislation that will protect the “free and open pursuit of information and knowledge in a teaching and learning environment.”

REPARATIONS DEBATE

A PSC resolution supporting Rep. John Conyers’ bill (HR 40) to establish a commission to study reparations for the enslavement of African Americans sparked a lively debate.

Opponents contended that the issue would be divisive, something they said NYSUT could not afford during the current budget crisis. “My first feeling was I was doubtful it was going to get out of committee,” said PSC Executive Council member Samuel Farrell, one of the authors of the proposal.

But delegates from the UFT and other locals spoke in favor of the idea, and it ultimately passed by a wide margin. Supporters argued that the history of slavery still has a profound impact on American society, and that this legacy must be better understood.

“I was very glad to see that a mixture of people came to defend the resolution,” said Farrell. He noted that the measure does not take a position for or against reparations, which probably helped it to pass. A study “will not take away the hurt and damage of slavery,” Farrell said, “but it makes the story be told.”

The PSC also sought to pass a resolution on another charged issue – the war with Iraq. “The resolution called for NYSUT to discuss the war as part of understanding what we’re facing in terms of budget cuts,” said PSC Executive Council member Nancy Romer, “and also to consider its effect in terms of limits on civil liberties.”

At a PSC-sponsored forum, scores of delegates signed up to form an anti-war group within NYSUT.

Because the US attack on Iraq had begun just two weeks before the RA met, it was not possible to submit this resolution through the normal process. President Barbara Bowen therefore had to introduce the resolution from the floor of the RA as a “special order of business.”

With no discussion, a vote on whether to consider the resolution was called, and it lost by a wide margin.

MIXED SCORE ON TESTING

The PSC also submitted two resolutions on testing, one of which was adopted.

The first proposal urged that NYSUT oppose the “dominance” of standardized testing in determining Assembly (RA), the group’s governing body, adopted 13 out of 15 resolutions proposed by the PSC. Resolutions passed at the RA set the political agenda of NYSUT, one of the largest unions in the state.

A PSC proposal on unemployment insurance for part-time faculty won strong backing from delegates to the RA (see p. 9). In the crowded room where the Higher Education Committee met, “there was great enthusiasm for the PSC resolutions on part-time academic labor,” said Marcia Newfield, PSC vice president for part-time personnel. “I was surprised that we got so much support.” Delegates also voted to create a NYSUT Committee on Part-Time Labor, to press for fair treatment and pay equity for adjuncts.

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MIXED SCORE ON TESTING

The PSC also submitted two resolutions on testing, one of which was adopted.

The first proposal urged that NYSUT oppose the “dominance” of standardized testing in determining Assembly (RA), the group’s governing body, adopted 13 out of 15 resolutions proposed by the PSC. Resolutions passed at the RA set the political agenda of NYSUT, one of the largest unions in the state.

A PSC proposal on unemployment insurance for part-time faculty won strong backing from delegates to the RA (see p. 9). In the crowded room where the Higher Education Committee met, “there was great enthusiasm for the PSC resolutions on part-time academic labor,” said Marcia Newfield, PSC vice president for part-time personnel. “I was surprised that we got so much support.” Delegates also voted to create a NYSUT Committee on Part-Time Labor, to press for fair treatment and pay equity for adjuncts.

The RA passed a PSC proposal on pension equity, supporting legislative action to provide some form of cost-of-living allowance (COLA) for those in TIAA-CREF and other plans in the Optional Retirement System. In addition, they voted to support legislation pending in NYS for employees in the Transit-Chek program (see p. 12).

Delegates backed a PSC resolution that commits NYSUT to lobbying for funding to address the shortages of both full-time College Lab Technicians (CLTs) and technical equipment at CUNY. Also approved was a call for legislation on indoor air quality, which would require 20 cubic feet per minute per person of fresh air in all school and college classrooms, laboratories and work areas.

The PSC’s delegates supported a resolution on the protection of intellectual and academic freedom, which calls for careful scrutiny of the provisions of the USA-PATRIOT Act and Homeland Security Act. The resolution, submitted by the United University Professions of SUNY, also calls for NYSUT to promote legislation that will protect the “free and open pursuit of information and knowledge in a teaching and learning environment.”

REPARATIONS DEBATE

A PSC resolution supporting Rep. John Conyers’ bill (HR 40) to establish a commission to study reparations for the enslavement of African Americans sparked a lively debate.

Opponents contended that the issue would be divisive, something they said NYSUT could not afford during
Q&A on dental plan changes

How to get the most out of the new plan

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

Recent changes in dental and other benefits stem from a simple fact: the Welfare Fund has run an operating deficit for 11 out of the last 14 years and the deficits have been getting worse. Consequently, Fund reserves are running out at an alarming rate and unless benefit change is instituted, the Fund will go broke.

Even though we won millions of dollars more for the Welfare Fund in the last contract, prescription drug and other benefit costs have skyrocketed. In this environment, pouring more money into the Fund without changing our benefit structure will not solve the Fund’s financial problems.

Members wanted us to maintain the same prescription drug benefit for both retirees and active members. Because this is expensive, we had to cut $1.5 million out of the $4 million we spent on dental benefits last year. There is no way to do this without causing hardship for some.

Cutting benefits is never easy. I can assure you that the Trustees agonize over these decisions and nothing was done without much discussion and concern for the impact on members. Below are answers to some of the most common questions about changes in the dental plan.

Q How does the new plan work?
A Guardians provide the Fund’s membership with access to its panel of dentists, who have agreed to honor the Fund’s fee schedule. Because this is expensive, we had to cut our operating deficit by $4.3 million and add one-time contributions of $21 million. The last contract increased annual employer contributions by $4.3 million and added one-time contributions of an equal amount. The PSC also successfully negotiated with CUNY to retire a $28 million Fund liability.

The Welfare Fund derives its revenue almost exclusively from CUNY in amounts negotiated with the PSC and between the Municipal Labor Committee and the City of New York. In FY 2002, employer contributions totaled $21 million. The last contract increased annual employer contributions by $4.3 million and added one-time contributions of an equal amount. The PSC also successfully negotiated with CUNY to retire a $28 million Fund liability.

The PSC and the Welfare Fund are separate legal entities and derive their operating revenues from different sources. No PSC dues money is paid to the Welfare Fund.

Q Is there a deductible under the new dental plan?
A No, there is no deductible.

Q Why did the Trustees choose Guardian?
A We considered three factors: access, cost and quality. Today, dentists charge different prices for the same procedure. For example; if you walk in off the street and are not part of any dental plan, you may be charged $1,000 for a crown. This is the “usual and customary fee.”

If you are a member of a PPO, the dentist will charge you less for the very same procedure. The Delta Dental PPO tends to be the most expensive (a crown may cost a Delta member $390), while Guardian costs less (a crown may cost $80).

A Some PPOs offer even lower rates. However, more dentists belong to PPOs that pay them more for each procedure. The Trustees had to balance access (the number of dentists in a PPO’s panel) with members’ out-of-pocket costs.

Guardian provided the best mix of these two factors: access and out-of-pocket cost. Also important is that Guardian has a good national reputation for the quality of dentists in its panel.

The third largest national PPO, Guardian has over 6,000 participating dentists in the metropolitan area and 64,000 nationwide. Unlike the SIDS panel, which totaled only 1,300 nationally and less than 1,000 locally, Guardian will provide our members with broad access to quality dentists at a substantial discount.

Q Why did the Trustees put so little subsidy on expensive procedures?
A First, Guardian advised us to put most of our limited resources into prevention, because that will have the best long-term payoff. Second, given other choices we have made, we don’t have enough resources to provide a substantial benefit for defraying the cost of expensive procedures for all of our members. Preventive services will cost all members very little, and for the 80% of Fund members who used non-participating dentists for expensive procedures in the old plan, out-of-pocket costs should not be substantially higher.

A Over the years, our dental benefit structure developed in an uneven way. It is true that 20% of our members were using a disproportionate amount of dental benefit and getting a good deal.

At the same time, many members complained bitterly about the old dental plan and the limited number of participating dentists. In fact, during our membership meetings last fall, many members commented that our dental plan was worthless and should be ended altogether.

The Trustees were in a difficult position, because we had to cut over a third of the dental benefit’s funding and still try to fashion a dental plan that meets some of our members’ needs. By expanding the panel of participating dentists, the Trustees, for the first time in years, are providing a dental benefit that reasonably allows all members the opportunity to participate in an equal quality benefit. The discount plan limits the expense and provides some relief at the high end.

Q Will I now have to use a Guardian dentist to get a benefit from this plan?
A No. You can still go out-of-network, but the benefit you receive will depend on the procedure. For preventive care, the benefit exceeds the out-of-network subsidy under the old dental plan. For more expensive procedures, the out-of-network benefit is minimal.

Q Aren’t retirees being disadvantaged by this plan since they have more expensive procedures than younger, active members?
A Benefits should be seen as a whole. Unlike other teacher’s unions (e.g., the UFT and UUP), the PSC/CUNY Welfare Fund provides the same benefit structure for both retirees and actives. The prescription drug benefit, the most expensive benefit provided by the Fund, goes disproportionately to the retirees. Other benefits, such as CIGNA’s major medical coverage, go disproportionately to younger members.

Q How is the Welfare Fund funded? Does the money come from dues?
A The Welfare Fund derives its revenue almost exclusively from CUNY in amounts negotiated with the PSC and between the Municipal Labor Committee and the City of New York. In FY 2002, employer contributions totaled $21 million. The last contract increased annual employer contributions by $4.3 million and added one-time contributions of an equal amount.

The PSC also successfully negotiated with CUNY to retire a $28 million Fund liability. The PSC and the Welfare Fund are separate legal entities and derive their operating revenues from different sources. No PSC dues money is paid to the Welfare Fund.

Labor in Brief

NYSUT and UAW agree on organizing

The New York State United Teachers (NYSUT), the PSC’s state affiliate, and the United Auto Workers (UAW) have reached agreement on organizing academic employees on New York college campuses. NYSUT and the UAW will now coordinate organizing efforts across the state in hopes of strengthening both unions’ campaigns. “Now instead of competing, we’ll be cooperating,” said NYSUT President Tom Hobar. “It’s a win-win for everyone.” Last year the UAW and NYSUT/AFT both sought to represent adjuncts at New York University, with UAW eventually winning the election. The UAW and NYSUT will now support each other’s organizing campaigns, including at the New School, where the UAW is organizing both full- and part-time faculty, and at the CUNY Research Foundation, where the PSC has a growing campaign (see page 3).

Mental health break

Getting active in social movements is not just good for the world, it’s good for your health. According to researchers at the University of Sussex in Britain, people who take part in marches, picketing and direct action can gain a sense of empowerment and confidence that contributes to psychological health. Such emotions were most strongly associated with actions that developed a sense of collective identity, unity and mutual support. The in-depth study of 40 activists found that participation in protest crowds and social movements can result in deep feelings of happiness — and even euphoria.

Wednesday, June 4 / 6 pm: Forum on “Public Workers and the Right to Strike.” Josh Freeman, Jim Pope, Roger Toussaint and Barbara Bowen. At NYC Central Labor Council (CLO), 31 W. 13th Street. Sponsored by the CFA and Progressive Trade Unions.

Tuesday, June 10 / 9 - 3 pm: Pre-retirement conference. Please note the new date. At the Graduate Center, 365 5th Ave. Call 212-354-1252.

Thursday, June 12 / 6 pm: PSC Women’s Committee Meeting. At the PSC office, 25 W. 43rd St.

To file or not to file?
Adjuncts and unemployment insurance

By MARCIA NEWFIELD
PSC Vice President for Part-Time Personnel

Summer is here and many adjuncts and other part-time instructors are without work. No work means no pay — so can an adjunct collect unemployment compensation?

If you received a letter of non-reappointment, indicating that you will not teach a class in the fall, you should be able to get unemployment insurance (UI) benefits without a problem. You can file a claim over the phone, by calling the Telephone Claim Center at 888-209-4142. Benefits would start two weeks after your claim is filed (check www.labor.state.ny.us for details). If your claim is denied, you have 30 days to ask for a hearing. Meanwhile, continue to call in weekly and claim your UI benefits, so that if and when you win the hearing, your benefits will be retroactive.

REAPPOINTMENT

If, on the other hand, you were sent a letter of reappointment, the situation is less clear. CUNY maintains that the letter constitutes “reasonable assurance” of a job in the fall — though the letter acknowledges that job’s existence is “subject to sufficient current enrollment, financial availability and curriculum need.” When a new term begins, many adjuncts are told — with little or no advance notice — that their classes have been cancelled or that they will be replaced by a full-timer or a different part-time instructor.

For adjuncts, the issue of “reasonable assurance” is the question upon which the decision to grant or deny UI benefits will turn. If you got a letter of reappointment and file a UI claim, your claim will often be initially denied by the NYS Department of Labor. Jon Bloom, executive director of the Workers Defense League (a nonprofit that advocates for UI claimants), advises people to then request a hearing. This must be done within 30 days of the date of the notice of denial. At the hearing, an administrative law judge (ALJ) will consider whether your letter of reappointment constitutes “reasonable assurance” of a job.

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

If you are granted UI benefits but this decision is later reversed, will you have to pay the money back? According to a 1998 modification of the UI law, the only Department of Labor can ask a claimant to return monies is if he or she made factually false statements or took benefits in bad faith (e.g., the claimant was working at another job but did not report it).

The Workers Defense League can help you free of charge, with advice, written materials, and sometimes representation; they can be reached at 212-627-1861.

TREATED DIFFERENTLY

Why are adjuncts treated differently from other workers who may experience job losses in employment? Current New York State law says that part-time employees of educational institutions cannot collect UI benefits between academic years or terms. "If they have an offer of contract or reasonable assurance of employment in the period immediately following..." The PSC has been working to change the law so that part-time instructors will be treated like other seasonal workers, without having to win disputes over what constitutes “reasonable assurance.” A union-backed bill is sponsored in the Assembly by Susan John, chair of the Assembly Labor Committee (A2190), and in the State Senate by Martin Golden (S5047). NYSUT, the PSC’s state affiliate, voted to support such legislative action at its 2003 Representative Assembly (see p. 7).

LOBBYING

Adjuncts and other PSC members have traveled to Albany to lobby for this change. Through the PSC Web site, you can send a letter urging your representatives in Albany to support the bill (go to www.psc-cuny.org and click on “ACT NOW”). If you would like to help organize on this issue, contact Marcia Newfield at the PSC office (212-354-1252).

Meanwhile...to file or not to file?
That is the question. Whether "tis nobler in the mind to suffer the slings and arrows of outrageous fortune or to face the crucify of CUNY management sending their lawyers to prevent the Department of Labor’s awarding of unemployment benefits to part-timers who are without work...You’ll have to decide for yourself.

A prescription drug program for seniors?

Bush plan is no solution

By LAWRENCE J. KAPLAN
PSC Retiree Chapter Chair, 1991-2000

During the past decade, the steady rise in the cost of prescription drugs has been no secret. While 98% of older Americans depend on Medicare, the program does not include a provision essential to seniors — prescription drug coverage. The price for these drugs has been increasing at the rate of 17% to 19% a year, and will soon exceed payments to doctors.

Older Americans spend more out-of-pocket for prescription drugs than the rest of the population. They have more acute and chronic illnesses, use more prescription drugs for treatment and are less likely to have insurance to cover the cost. People 65 and over make up 13% of the population — but purchase 34% of all outpatient prescription drugs, accounting for 42 cents of every dollar spent on prescription medication.

These figures add up to a crisis, with many seniors forced to choose between paying for food or medication. The clamor for government action has pushed even free-market devotees like President Bush to propose some sort of federal program. But the Bush plan would do little to help older Americans and, in important ways, would hurt them.

EXCLUDES MILLIONS

The first version of Bush’s proposal, put forward in January 2001, would exclude millions of moderate-income Americans who earn just above the income limit. It would rule out 25 million people, or about two-thirds of Medicare beneficiaries.

The Bush plan also includes a $6,000 deductible, restricting eligibility to an even smaller group. Average prescription drug expenditures for the top 10% of US purchasers are $4,800, much less than this proposed deductible.

Bush’s proposals would not curb the exorbitant prices of prescription drugs, or offer universal, affordable coverage. A simpler, more effective approach would be to expand Medicare benefits to include prescription drugs, just as doctor visits and hospital stays are covered now.

The Alliance for Retired Americans has called for a prescription drug benefit under Medicare that would be voluntary, affordable and would hold down prescription drug costs. Specifically, such a program would include a monthly indemnity premium of $35, a $100 annual deductible, a 20% co-insurance payment and a $2,000 cap on out-of-pocket costs. H.R. 1199, a bill supported by the AFL-CIO, embodies this alternative, and the PSC has signed on with a coalition in support of the bill. The AFL-CIO has also urged Congressional action to reduce drug prices, expand the availability of generics drugs, and allow states to reduce drug costs by using the power of bulk purchasing.

On March 3, 2003, the administration proposed another version of its original plan. People in the traditional Medicare program would receive two kinds of assistance: a discount card that could be used at pharmacies and so-called “ catastrophic coverage” as protection against very high drug expenses, perhaps $4,500 to $6,000 a year.

As in the earlier version, those who want prescription drug coverage would be required to leave Medicare and enroll in a private HMO or other private insurance plan. These groups would set the premiums and also determine prescription costs. Subscribers could be dropped, as has happened repeatedly to millions of Medicare HMO subscribers around the country, if the insurance company feels it is not making enough money.

Those left in the original Medicare program would be the oldest, the sickest and the least able to pay. As Medicare enrollment would shrink, premiums would have to be increased, coverage would have be cut, or both. Newt Gingrich once called this strategy a stealthy way to cause Medicare to “wither on the vine.” Those who support this concept think that creating Medicare in 1965 was a bad idea in the first place, and their declared goal of “modernizing” or “privatizing” Medicare would mean an end to the program.

MEDICARE IS KEY

Instead of the Bush plan, Americans should remind officials that what retirees need is an affordable prescription drug program under Medicare. Contact President Bush at 202-456-1414, or at 1600 Pennsylvania Ave., NW, Washington, DC 20000. Members of Congress can be reached at 202-224-3121, or US Senators, Washington, DC 20515 and House of Representatives, Washington, DC 20515.

For the longer term, the US should adopt a single-payer, universal health care program that would eliminate uncomsionable drug prices and the outrageous profits of the pharmaceutical industry.

Let’s make our voices heard!

BENEFITS/HEALTH

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Let’s make our voices heard!
Caring for my mother

On becoming my parent's parent

By STANLEY ARONowitz

Graduate Center

My mother fell in her apartment, for the second time, on New Year’s Day. When she failed to answer her telephone, I called a neighbor—who found her on the floor.

We ordered an ambulance, which took her to NYU Medical Center. The medics determined from her dehydrated condition that she had been there for at least 18 hours and probably fell while attempting to reach the bathroom in the middle of the night.

A week later my mother was transferred to the Rusk Institute, where she spent two weeks resisting rehabilitation therapy. I visited her almost every day and spent much of the time trying to persuade her to cooperate with the therapy, warning (sometimes not so gently) that the price of refusal was long-term, perhaps terminal, dependency. Her greatest fear was that she might have to go to a nursing home so she pretended to cooperate, but when she left the hospital it was clear that she could no longer take care of herself.

About 12% of the US population is over 65, and the number over 75 is growing dramatically. This trend has exposed a huge hole in our social system: in many cases, including my own, people old enough to collect Social Security are grappling with the problem of how to care for their parents. When I and others at CUNY organized the CCNY Center for Worker Education, she transferred, mostly because she wanted a BA and the program was designed for “older students.” She earned her BA in 1987 at the age of 74.

But for the past fifteen years she has had difficulty sustaining vigorous intellectual and physical activity. A painter and violinist, she decided her apartment was too small to accommodate the easel, canvases and paint supplies and she had simply lost interest in playing music, although she remains a passionate listener. She disdains the senior citizen programs at Penn South as too “basic,” but the evening class schedule of most CUNY master’s programs discouraged her from enrolling. During the last decade the desire to do anything strenuous gradually disappeared, and she spent her days quietly at home. She said she was lonely, except for the company of her birds and occasional visits from me and her grandchildren. She had a roommate for a time but has lived alone since the mid-1980s.

Since my mother came home from the hospital, together with her full-time caregiver I have become her parent. Ellen and I pay her bills, deal with her medical appointments and pay her caregiver out of her savings account. Once I saw her about every two weeks; now I visit her twice or three times a week.

Our society has forgotten people over 75.
Behind the news

By BARBARA BOWEN
PSC President

Where in the public conversation about the State Legislature’s budget restoration is there mention of the massive hole this budget punch in CUNY’s public funding? From reading what has appeared in the press, with the exception of one Newsday op-ed by a CUNY student, you might believe that the entire cut to CUNY had been restored. Not so — unless you think that forcing students to make up for a $121 million cut is a restoration.

What happened to the operating budget for CUNY’s senior colleges is this: although some important restorations were made, state support drops by a staggering 12.5% in a single year, and tuition rises by at least 30% to make up the difference. The trick to maintaining a basically flat budget for CUNY’s senior colleges — while gouging the state contribution — was to load the cost onto students. One way of thinking about the political decision is that while Albany rightly refused to tolerate the increase in local property taxes that would have been caused by the drop in K-12 funding, it was willing to tolerate an increase in “higher education taxes” for some of the poorest college students in the country.

A RARE ALLIANCE

Before we examine what this budget will mean for CUNY, I want to make one thing clear: the PSC commends the Legislature for the restorations it did make to higher education, K-12 funding, health care and other areas. The idea that funding for such basic human needs should even be in question in an advanced industrialized country — or anywhere — still strikes me as obscene. But the Legislature did restore red and debilitating cuts, forging a rare bipartisan alliance in the fiercely partisan climate of Albany and overriding a gubernatorial veto. That is not a trivial accomplishment; it took enormous amounts of political work by the PSC, by our statewide affiliate NYSUT, and by many other unions and community groups. There hasn’t been a successful override of a governor’s budget veto in New York State since 1982.

And the adopted budget does restore $400 million to higher education funding, much of it in areas that affect CUNY. The governor’s gobalprotest of withholding one-third of a student’s TAP grant until after graduation was repudiated, as was his plan to cut in half the financial aid offered by opportunity programs such as SEEK and to reduce by $345 the per-student support from the state for community colleges. A small addition to CUNY’s budget will cover mandatory cost increases. The hundreds of PSC members who signed postcards and faxed or called their legislators were critical in bringing these restorations about.

Hard fought as this battle was, let’s remember that it was about restorations, not advances. The Legislature’s unprecedented political effort was all in service of undoing cuts; it did not even begin the reinvestment in higher education that would put New York on a par with other states.

As union activists begin an assessment of our legislative strategy, one thing is already clear. A critical factor in the public conversation has been the PSC’s analysis of the University’s funding history. In the last three years we have not only mounted a growing legislative effort, we’ve also refused to maintain a polite silence about the scandalous pattern of under-funding public higher education in this state. I am convinced that the refusal to collaborate in the fiction that all is well in public higher education is the first step in breaking the pattern of disinvestment in CUNY.

That’s one reason it’s important to tell the truth about the huge bite taken out of CUNY’s state funding this year.

This year’s budget reduces by 12.5% a state appropriation that has already been slashed for years. In real dollars, CUNY has now lost over 40% of its state support since 1990. Out of a total operating budget for CUNY of $1.126 billion, only $580 million, or 51%, will now come from public funding. Student tuition will pay for $594.7 million, or 45%, with the remainder coming from the city’s contribution and other sources. New York’s public universities are fast approaching the same level of state support provided to its private universities and colleges. One danger of the low level of public funding is that CUNY will be under pressure to increase its reliance on private support. Expect to see even more for-profit ventures within the University as the budget squeeze tightens.

LEFT OUT OF TAP

The most immediate danger, of course, is to students. No one knows how many students will be forced to abandon their college education because they cannot afford $600-950 more per year. Nine hundred and fifty dollars may not sound like a lot to legisla-
The following is adapted from the AFL-CIO’s “friend of the court” brief in the Supreme Court case Grutter v. Bollinger, a lawsuit challenging affirmative action in admissions at the University of Michigan. APT Counsel David J. Strom was part of the team that wrote the union brief, which focuses on employment discrimination.

The AFL-CIO is the largest organization of working men and women in the United States, consisting of over 13 million members. Many of these members teach, work and study on the campuses of public universities and colleges. The American Federation of Teachers, for example, represents approximately 125,000 faculty and staff members at universities and colleges and over one million teachers and others in public schools.

The experience of the AFL-CIO teaches that the unique opportunities to interact with people from other races and ethnic groups on a university campus – at the threshold of the workplace – that are fostered by the admissions policies at issue in this case, will have [a] substantial, positive impact on students, making them better citizens in our democracy as well as more productive members of society.

Public universities do not exist solely to convey benefits to individuals, advantaging them in the competitive market. Public universities exist because, as a nation, we believe in the value of education – not only that education makes people more productive as economic actors, but, more fundamentally, that education makes people better citizens of our democracy.

Let us not forget that it was only forty years ago that employers openly discriminated on the basis of race. Lamentably, employment discrimination is not a thing of the past. [One] indicator of persistent employment discrimination is the gap between the wages earned by African American and White workers. A comprehensive review of the literature concludes, “Such differentials have been remarkably persistent and have actually increased in the last 15 years among blacks versus whites.”

The study found a differential call-back rate of 50% “that can solely be attributed to the name manipulation...[These results imply that a White applicant should expect on average one call-back for every 10 ads he or she applies to; on the other hand, an African American applicant would need to apply to 15 different ads to achieve the same result.” The inescapable conclusion is “that discrimination is an important factor in why African Americans do poorly in the labor market.”

While employers seldom acknowledge discrimination, surveys of employer and employee attitudes reveal the prejudices that underlie such unlawful practices. Scholars who study employment discrimination conclude that “[e]mployers seem to possess strong racial...preferences in hiring. These preferences are the consequence of enduring stereotypical beliefs.” Two scholars of the labor market explain, hiring “decisions are often made on limited information – typically, a one-page resume and an interview averaging perhaps twenty minutes. It is therefore not surprising that interviewers’ judgments of individuals are influenced by generalizations about the applicant’s demographic group that the interviewer may have formed over a lifetime.”

The vast majority of Americans function in segregated settings until they reach college. Thus, higher education presents a unique opportunity and, from the vantage of the workplace, the last opportunity, to foster interaction between diverse individuals. Second, interaction with diverse individuals during higher education is likely to produce positive results due both to students’ stage of intellectual, social and moral development and to the unique environment on college campuses.

“As University of Michigan Psychologist Professor Patricia Gurin explained in her expert report, “The long-term pattern of racial separation noted by many social scientists can be broken by diversity experiences in higher education,” thereby lessening stereotypes, prejudices and fears as well as the resulting discrimination such separation breeds.

This theory has been tested and validated in countless studies. A survey of the literature reports, “The idea that familiarity breeds positivity has usually been sustained.” Sustained, individual contact with diverse students during higher education provokes critical thinking and breaks down stereotypes precisely because it contradicts the “generalizations” (of prejudice) which are formed during earlier, ordinarily segregated stages of life. The empirical research demonstrates not only that students carry the lessons learned from interaction with diverse peers into adulthood, it specifically demonstrates that they carry those lessons into the workplace.

While many factors contribute to this positive relationship between desegregated education and integrated work lives, it is clear that one important factor is the lessening of negative racial stereotypes among both African American and White students. In plain terms, “cross-race contacts in desegregated schools reduce White students’ negative racial stereotypes and fears of hostile reactions in interracial situations, [making] these White students as adults, less resistant to Blacks being admitted to coworkers...groups.” Whites in desegregated schools frequently show a decrease in their often initially high levels of fear and avoidance of African Americans, and an increasing willingness and ability to work with them.

Three of the principal scholars involved in this research conclude, “We now have considerable evidence that school desegregation is a necessary step to ensure equality of economic opportunity to minorities in US society.”

Affirmative action & the workplace

AFL-CIO on education and the workplace

Employment discrimination is not a thing of the past.

Professional Staff Congress/CUNY
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New York, New York 10036

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3) Darity & Mason, “Evidence on Discrimination,” J. of Econ Perspectives
4) Darity & Mason, “Evidence on Discrimination,” J. of Econ Perspectives
5) Darity & Mason, “Evidence on Discrimination,” J. of Econ Perspectives

10) The PSC has been pushing for legislation to include CUNY employees in the TransitCheck program, which lets you pay for public transit with pre-tax dollars. This can save as much as $400 per year. Go to the PSC Web site (www.psc-cuny.org) and click on “Act Now” to send a fax to your legislator about this bill. The letter also urges action on unemployment benefits for adjuncts (see p. 9) and pension equity (see p. 7).