PSC MOVES DOWNTOWN

After decades on West 43rd Street, the PSC and the PSC/CUNY Welfare Fund moved into brand-new offices in Lower Manhattan. The new space, at 61 Broadway, 15th Floor, features big windows, many of which look out on the Hudson and New Jersey; an open layout for members to work and meet; and a union hall that will host Delegate Assemblies, Labor Goes to the Movies, and other union events. And the cost is lower than staying in Midtown. It’s close to many subway and bus stops, as well as the New Jersey PATH train. Tour the new space on Sept. 28 & 29 – details on page 12. PAGES 2, 12

IRAQ WAR
Fifth CUNY student killed
Hai Ming Hsia, 37, was a student at BMCC. He joined the Army to support his wife and son, now three years old. His parents spoke with Clarion. PAGE 5

UNFAIR PRACTICES
Online BA causes problems
CUNY’s implementation of the new Online BA is trampling faculty rights, the union says. The PSC has filed a grievance and a charge with PERB. PAGE 5

CITY UNIONS
Coalition forms, DC 37 settles
In June, several unions announced the broadest bargaining coalition in a generation. Then DC 37 announced a new deal with no concessions. PAGES 6 & 7

RETIREDMENT
Pension equity fight continues
Governor Pataki vetoed the PSC’s pension equity bill after the Legislature passed it. But the union continued its lobbying effort, and may still win this Fall. PAGE 3
Kudos for conversion lines

I would like to convey my appreciation to the PSC for incorporating into our new contract the first 100 full-time conversion lines restricted to long-serving adjuncts. My interest in this matter began in 2002 while serving on the PSC Executive Council. In that year Bob Cermele and I jointly drew up a proposed plan to create a new class of adjuncts to be known as “Senior Adjuncts” who would be converted to full-time lecturer status as a reward for their long-term devoted and outstanding service to their respective departments at a unit of CUNY.

It’s great to see this idea start to become a reality. Here’s how:

1) It will better serve our student body with additional full-time instructors.
2) It will reward our finest long-term adjuncts with the advantages of full-time employment at a single unit of CUNY.
3) It will lighten the burden of existing full-time faculty, as these former part-time instructors will be able to concentrate on teaching rather than office work.

Just for clarification: there are several similarities between the proposed description above and the new conversion plan, but there are also significant differences. The new positions will be regular full-time lines, not a special category of adjunct, and they will be filled through a regular search process within the pool of CUNY’s most experienced adjuncts.

Against tenure change

I wish to register my serious objection to the lengthening of the time to tenure from five to seven years.

Tenure is a form of job security. When one is granted tenure the burden of proof is the problem of the administration, whereas before tenure one can only be removed from tenured employment at CUNY through a disciplinary procedure. A non-tenured person has the burden of proof in a case of non-reappointment, which makes such cases harder to fight than discipline cases, as the burden of proof has been moved from the administration to the individual.

I would urge the PSC to pursue a reopening of the tenure questions subject to binding arbitration.

PSC Deputy President Emeritus

Lou Alpert
Bronx Community College

Back ing Batson

As progressive trade unionists, we’re too often faced with the “lesser evil” choice in electoral politics. In the coming Democratic primary we have a terrific candidate in Bill Batson, running in the 57th Assembly District in Brooklyn (Prospect Heights & Fort Greene). While NY State United Teachers has endorsed Hakem Jef fries, I urge PSC members to give Batson their consideration.

Batson has a long history of engagement on issues of concern to PSC members. While on Senator David Paterson’s staff, Bill was a knowledgeable advocate for the union’s legislative priorities. He has also worked for the NY Civil Liberties Union, and before that for 1199/SEIU. In all those roles he championed the cause of labor, grassroots communities and civil liberties. Most recently, as a member of Community Board 8 he has opposed Forest City, Ratner’s mega-development project, calling for affordability over the demands of developers.

Bill also has a very personal connection to CUNY – he is a student at City College’s Center for Worker Education, where he hopes to complete his degree soon. (Full disclosure: he is a student of mine a few years ago.) Bill is also an educator: he works with the American Civil Rights Education Service to organize and lead study trips to civil rights landmarks for area high school students.

A vote for Batson will be a vote for a progressive voice for the common good in Albany.

Stephen Leberstein
CUNY Center for Worker Education (retired)

Editor’s note: Sometimes we are convinced of our perspective, but we usually good at seeing things from other people’s point of view. This is true both for Ms. Molina, and they both urge us to be open to all points of view. However, they both err in minimizing that, intellectually, all views are equally weighty. In fact, most scholars consider verifiable evidence in determining the value of a position and, further, encourage true scholarship as both analytical and skeptical. We learn, over time, that truth is often slanted by those with a true vested interest in a position. Thus, those “in power” are, by that fact alone, subject to special scrutiny. Apologists for the current administration in Washington, for example, can cry all they want for equal time, but they must earn their credibility by working toward that goal.

Mr. Horowitz expresses an opinion. Virtually all of his “facts” have been discredited – and that matters. Some people argue that the Holocaust never happened, or that there are WMDs in Iraq. These, too, are opinions, but there is no room in scholarly journals or in the academic forum for such baseless musings.

Alan Hoffner
Colgate of Staten Island

Solidarity: getting it right

A note from the editor: Due to a production error, the text of Tom Angotti’s letter in the Summer Clarion was mangled. Below is the letter as it should have appeared.

In the recent PSC elections, I was very wary of candidates who criticized the union’s leadership for being solidary with other public workers, particularly the city’s transit workers, who were facing tough contract negotiations. New York City unions need to practice more solidarity, not less, especially at critical moments when it’s most needed. Some unions thought they would get a better deal by working alone. The record shows that they were wrong. They got worse contracts and also put other City unions in weaker positions.

It’s good to hear that many unions in the Municipal Labor Committee are discussing some kind of coalition bargaining. Negotiating together is a good way to build solidarity. It will make it easier for members of all the unions to support each other when that support is needed most.

If a coalition emerges, PSC will benefit from sticking with the rest of the labor movement. We have helped other unions when they needed us, and CUNY management needs to take into account that other unions can return the favor. This is Labor Unions 101 – we’re stronger when we stick together. In unity there’s power.

Tom Angotti
Hunter College
Pension bill passed, vetoed

By ROBERT CERMELE
City Tech and PETER HOGNESS

After five years of effort by the PSC, both houses of the New York State Legislature approved the union’s pension equity bill at the end of June. In August, Governor Pataki vetoed the legislation, but PSC leaders say it could still be enacted later this Fall.

Today we hear increasing demands for public worker pension give-backs,” noted PSC First Vice President Steve London. “In this political environment, to get the pension reform passed was a major victory, and we are not going to give up now. Despite Pataki, London said, the bill might yet become law either through a veto override or through a broader legislative compromise; the union is examining both options.

CONTRIBUTIONS

The bill provides for CUNY to take over employee pension contributions for participants in TIAA-CREF and CUNY’s other Optional Retirement Programs (ORP) after they reach 10 years of service. These members would no longer have to make their current contributions of either 3% or 1.5% of their salaries. The change would be phased in over a three-year period.

“The effect would be an increase in take-home pay for the thousands of PSC members whose pensions are with ‘TIAA-CREF,” said PSC President Barbara Bowen. This reform was approved in 2000 for participants in the Teachers’ Retirement System (TRS) and other public employee pension systems—but members of TIAA-CREF and similar plans were not included.

CUNY offers its instructional staff two very different types of pensions. In both cases, CUNY makes regular contributions toward an individual’s pension. TRS is a defined benefit plan, in which one’s pension is determined only by annual contractual salary and years of service. TIAA-CREF and the other ORP programs are defined payment plans, in which one’s pension is determined by the amount of money accumulated from employer and employee contributions and growth. Until 2000, all instructional staff hired on the same date made equal contributions, regardless of which type of plan they were part of.

REFORM

The reform passed in 2000 eliminated the separate contribution for TRS members with 10 or more years of service. At that time the stock market was soaring, TRS pension funds were flush, and employee contributions could thus be reduced without a major cost to government employers. But participants in ORP plans like TIAA-CREF did not get the same treatment: since these are defined contribution plans, to relieve participants of a 3% contribution would mean that their employer had to pay 3% more. To win equal treatment for those in TIAA-CREF and similar plans, comments London, was therefore “a much heavier political lift.”

HEAVY LIFT

“The TRS pension reform deal was put in place just before the current budget began in 2001, but that was delayed by the fiscal impact of 9/11. But we kept at it.” This year, after five years of effort, the union was successful.

The legislation approved by the Senate and Assembly, but vetoed by Pataki, provided for the elimination of the contributions by ORP members with 10 years of service in three equal steps. That is, in each of the next three years, their contributions would go down by 1% or 1.5% (depending on whether they currently contribute 3% or 1.5%). Once it is fully phased in, ORP members with 10 or more years of service would see an increase in take-home pay equal to their previous contribution rate.

“Getting this pension equity legislation passed by both the Assembly and State Senate speaks to the influence and respect our union has won in both houses of the State Legislature,” commented Miriam Thompson, a member of the union’s Legislative Committee. Bowen thanked members of the PSC and UUP, the SUNY union, who went to Albany to lobby for the change, as well as NYSUT legislative staff. She also thanked the CUNY chancellor’s office: “CUNY’s support for the bill after a meeting with PSC leadership in June was a key factor in its passage,” Bowen said.

FIGHT CONTINUES

Pataki’s veto was cynical and self-serving,” said Marianne Pita, PSC chapter chair at Bronx Community College. “That’s what the lobbying process means,” she said. “Either we’ll be successful.”

Pataki’s veto was part of a negotiating strategy on Pataki’s part,” observed London. “There are certain things he wants from the legislature, and he wants to have something to trade.” The union has a strategy for this endgame, he said, and hopes to see the bill enacted before the end of the year. “Either way,” he said, “we will keep fighting until we make it happen.”

City Council restores most of mayor’s cuts

By PETER HOGNESS and ELLEN BALLEISEN
Bronx Community College

The New York City Council rejected almost all of Mayor Bloomberg’s proposed cuts to City funding for CUNY when it adopted a final budget on June 30.

While a few cuts were not stored, the final budget did include $16 million in increases over last year’s appropriations for the new College of Health Professions, $10 million for mandatory cost increases like energy, leases and pensions. “In five out of the last six years, we have been successful in making real progress in City budgets for CUNY,” said Steve London, the PSC’s first vice president.

RESTORATIONS

The Council restored $15 million in programs cut from the State budget, including expenses; full funding for the Peter Vallone Scholarships and the “Safety Net” financial aid program; plus funds for a variety of Council-funded initiatives, from the Dominick

PSC to continue lobbying

The supported bill on adjunct unemployment insurance did not pass out of committee this session, though this year it moved further along than ever before. It remains one of the union’s top legislative priorities.

CUNY management is vociferously opposed the bill, which would give contingent faculty the same rights as other temporary workers — unemployment insurance during the summer if adjunct faculty are not assigned a class, or during Fall or Spring semesters when an adjunct’s class is cancelled or she isn’t teaching. An exception in New York law for educational employees means that adjunct faculty are denied the same rights as workers in agricultural or other seasonal industries.

PSC Vice President for Part-Time Personnel Marcia Newtonfield pointed out that adjuncts in Washington, California, New Jersey and Connecticut all receive unemployment insurance. She called CUNY’s arguments against equal treatment “a lot of double-talk.”

PSC president Barbara Bowen agreed. “CUNY wants to have it both ways,” Bowen said. “They claim adjuncts are not permanent, so they are not entitled to seniority and other protections. Then they say adjuncts have continuing employment, so they shouldn’t have unemployment insurance. This is a basic right, enjoyed by millions of other temporary employees. The PSC has not finished fighting for it.”

City Councilmember Charles Barron says the State is underfunding CUNY.

Clariion asked Barron, who will leave the Council after this year, what he saw as CUNY’s most pressing issue. “The primary challenge is the State level,” he said. “I’m really concerned about the decreasing reliance on State funding and the increasing reliance on tuition...” He argued that New York State has been abdicating its responsibility to higher education, and said it’s time to consider reinstating free tuition.

This year’s State budget for CUNY was the best in years, but the PSC lobbying helped win the first major funding increases in a generation. But even those gains still leave State support 25% lower than in 1990 in real terms.
Sitting at his desk in his office one Friday afternoon, Assistant Pro- fessor of Mathematics Peter Yom noticed that the ceiling tile above his head was loose.

“I noticed the tile a little bit to see how loose it was, and as soon as I moved it, I saw the rat,” Yom said. “It was looking down at me.” And it didn’t run away.

The rat stayed put, Yom told Clarion, because it was dead. “It was pretty much mummified,” he said. Yom immediately called the Physical Plant Services, or PPS – to remove it and fix his tile.

**FLOOR TO CEILING**

When PPS hadn’t come by Tuesday of the following week, Yom e-mailed Vice President of Administra- tion Mary Coleman. She wrote to PPS staff and Yom, and from the exchange that followed Yom learned that his ceiling had bigger problems than the rat that was still peering over his shoulder from up above.

**BCC chapter tackles asbestos**

**Organizing for health & safety**

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.

The ceiling tiles contained asbestos. The ceiling tiles contained asbestos.
BMCC student killed in Iraq

Hai Ming Hsia mourned by his parents

By PETER HOGNESS

For much of the New York media, the death of a soldier from New York City is now considered routine – it no longer qualifies as news. Hai Ming Hsia, who was a student at BMCC, died in combat in Iraq on August 1. The only mention in The New York Times was the inclusion of Hsia’s name in an ongoing list, “Names of the Dead.” The New York Post and New York Sun, two of the biggest cheerleaders for the war, did not mention Hsia at all.

CHINATOWN NATIVE

Hsia lived his whole life in Chinatown, and it is there that he is mourned. Inside Vanella’s Funeral Chapel on Madison Street on August 18, nothing is routine. Hsia’s three-year-old son Brandon, restless, is running back and forth in the hall. His wife, Yanisse Oliviera, can’t look at the open casket any more and walks outside, leaning on the shoulder of a friend. Two soldiers stand motionless beside the coffin, a military honor guard.

Nelida Hsia, Hai Ming’s mother, steps forward to speak to a reporter: “This is Bush’s fault,” she says, in a voice that is quiet and fierce. “He took my son, my only son.” She takes the elbow of her husband, her husband but not on him, with a tight grip on his hand. “So many innocents are dying,” she says after she recovers. “But Bush doesn’t care. It’s the same as if he killed my son himself.”

Hai Ming’s mother says her son was almost done with his Army service. He had finished a tour of duty in Iraq and was making plans to return to civilian life. “He wanted to go back to college and finish what he had started,” Serrano says. He told her he wanted to enroll as soon as he got out. His goal was a better employment. “He said, ‘I want to make sure that I get something stable,’” she recalls.

NO CHANCE

“Now, no chance to work,” Ting Fang Hsia says about his son, shaking his head. “He was my baby,” says Ting Fang, as he places his right fist over his heart. “He was my baby.”

Ting Fang is 78 years old, originally from Taiwan. He speaks little English, some Spanish, mostly Chinese. His wife Nelida, originally from Puerto Rico, is 66. Their son was 17 when he died.

Before Hai Ming’s redeployment, Serrano says, he spent some time back home on leave. “He had a friend who tried to convince him to go to Canada,” she recalls. But Hai Ming decided against that path, and returned back to his unit. Hai Ming Hsia was with an infantry regiment in the 1st Armored Division when he was killed in Ramadi by a roadside bomb.

New Online BA sparks grievance

By STEVE LONDON

It is hard to miss the advertisements for the new CUNY Online BA degree in Communications and Culture offered by the School of Professional Studies (SPS). Some 17 courses are being offered during the Fall semester and from all the hype things would appear to be running smoothly. SPS, however, has been surrounded by controversy since its founding. University Faculty Senate representatives have questioned the academic integrity of a program developed outside the academic department structure (see the January 2006 Clarion, page 4, at www.psc-cuny.org/communications.htm).

New issues with CUNY’s employment practices at SPS arose over the summer, and the SPS filed both a grievance against CUNY for violations of the contract and an improper practice charge with the Public Employment Relations Board for violation of the Taylor Law.

INDIVIDUAL CONTRACTS

CUNY asked some, but not all, of the faculty teaching in the Online BA program to sign an individual contract, called the “Online Course Development Agreement,” that would require them to assign to the University the copyright on the course that they developed. The “course,” in this agreement, means “all the deliverables necessary for teaching the online course…such as syllabi, handouts, reading lists, individual and group exercises, and instructor guides.”

ONE-TIME CASH

In signing the agreement, faculty have to stipulate that they “intend” their “services” to be “outside the scope of the Author’s employment by the University,” and the “course” to be “commissioned work.” In exchange for a one-time payment of $3,000 or $5,000, faculty who sign this individual contract would give up ownership and ultimate control of the “course” they created, including the right to teach the course. The contract does provide for future compensation for course revisions or advice to other faculty, but the University would own the course.

Faculty members who teach these courses are understandably happy to receive additional compensation for course development work. Also, faculty who have an interest in teaching online courses appreciate both the opportunity provided by the new Online BA program and the resources CUNY is devoting to an area of intellectual interest to them. So what could be wrong with this picture?

First, the agreement that CUNY wants faculty to sign is based on a fiction: the idea that authorship of scholarly and pedagogical works – in this case, course development – is outside the scope of faculty employment.

CUNY’s intellectual property (IP) policy guarantees faculty ownership of copyright on scholarly and pedagogical works, with two exceptions. One of those exceptions is for “commissioned work,” which is defined as work outside the scope of employment. But CUNY faculty prepare course materials all the time, as part of teaching a course. If CUNY is allowed to claim that “commissioned work” can include activity integral to teaching a course, it would create a huge loophole in the University’s IP policy and the contract. CUNY could then pay an arbitrary amount of money for course development work done, take over copyright ownership, and no contractual protections would be available to faculty who created these courses.

Second, current CUNY policy allows for a greater rate of pay for course development than was offered to faculty in this “Online Course Development Agreement.” Under the provisions of CUNY’s multiple position policy, faculty are eligible to be paid up to one-ninth of their annual salary for each month during which the annual leave period. The $3,000 CUNY has offered for online course development is much less than faculty should receive for the hours of work that they put in. Also, current policy allows for such payments without having to give up control of the course or the copyright.

Third, CUNY’s individual deal with faculty members doing bargaining unit work is unlawful and undermines the union. If CUNY wants to negotiate additional compensation for bargaining unit work, it must first come to an agreement with the bargaining unit, which includes bargaining with them which will set precedents that may undermine the terms and conditions for the rest of the bargaining unit. In circumstances like this one, the individual negotiations almost always result in bad deals.

INCONSISTENCY

Fourth, there appears to be no consistency in the offering of these individual contracts. Not everyone was offered a contract or extra compensation. The terms offered to those teaching in the same program and doing the same work appear to be different. The lack of due process protections in these individual contracts would leave faculty subject to favoritism.

The PSC has made an information request of CUNY to provide the all of the individual contracts it has signed for the Online BA program. To date, CUNY has failed to comply with this lawful request. A Step Two grievance was argued on August 21, and a PRRH hearing will be scheduled soon. The remedy sought by the PSC is an end to direct dealing with individual members of the bargaining unit, and a show cause action for appearance to faculty members of the copyright on each course developed, and proper compensation for the course development work undertaken by faculty.
On June 23, the PSC joined unions representing teachers, sanitation workers, nurses, bridge operators and more than a dozen other unions in a historic municipal labor coalition. Its goal is joint bargaining over City workers’ wages and other issues in order to turn around years of givebacks and raises that lag behind inflation.

“This is the most significant coalition to emerge in decades,” said United Federation of Teachers President Randi Weingarten, one of five co-chairs of the new alliance. “With working people losing their pensions and health care, and the erosion of the middle class, many of us realize that the issues that bind us are far greater than the ones that divide us.

The move was welcomed by unions, including the PSC, that have long argued for a coalition approach. “Our real strength is in our membership,” PSC President Barbara Bowen told Clarion. “And with 175,000 members, this coalition can take stronger action as a group than any one union could separately.”

Coalition bargaining became the norm during and after the fiscal crisis of the 1970s. Since then City unions have continued a coalition approach on health benefits through the Municipal Labor Committees. But on wages and other issues, there has been a general shift to “pattern bargaining,” in which the city seeks to cut a deal with one union and then impose that pattern on the rest.

DO MORE TOGETHER

“That policy has been carried out with more or less nastiness by Dinkins, Giuliani, and Bloomberg,” said Stanley Aronowitz, distinguished professor at the CUNY Graduate Center and a member of the PSC Executive Council. For the last few rounds of negotiations, that pattern was set by AFSCME District Council 37, whose contracts included an infamous “double-zero” settlement in the 1990s—two years with no raises.

More than anything, it was the Bloomberg administration’s insistence on “productivity” concessions in the last round of contract talks that made many unions decide a new approach was required. While the city used past “patterns” to hold down the level of wage increases, Bloomberg took this one step further: his administration refused to grant any raises unless unions helped tamp down rising health care costs, with such as longer hours or lower pay for new hires.

In effect, unions were told to take money out of one pocket in order to put it into the other. A union like the PSC, which refused even to consider cuts in starting pay, faced particular difficulty in settling.

The city’s hard-line stance made the last round of municipal bargaining lengthy and bitter, with negotiations often dragging on for years after contracts had expired. As this round came to a close, unions began looking for a way to break out of this box in the future. In April, the UT announced it would no longer trade longer working hours for higher wages, an exchange that had been a key part of its last two contracts.

DIFFERENT STRATEGY

By this summer a large number of City unions had had enough, and banded together to form the coalition. “The driving force for us is the length we had to go last time around to get a contract,” says coalition co-chair Harry Nespoli, president of Uniformed Sanitation Workers’ Association Local 311. “Three and a half years without a contract is too long. Our members eat every single day, pay their bills every single month. Why not try a different strategy this time?”

The PSC Executive Council (EC) voted unanimously to join the coalition, and President Bowen worked hard to help bring unions together in the new formation. Union delegates expressed strong support for the move in a June 22 discussion, citing the need for organizing possibilities that a coalition could offer.

For the PSC, bargaining can be complex since it involves not only the city but also CUNY and the state. But given the key role that City bargaining policy has played in past PSC negotiations, delegates at the PSC’s Executive Council voted unanimously to enter the coalition. “Our real strength is in our united front could have a broader effect on wages, an exchange that had been a key part of its last two contracts.

ROLE IN DC 37 DEAL?

“I had to look at my universe, at the police and fire unions and what they are doing, so I decided to stay back,” explained Peter Gorman, head of the fire officers union, which chose not to join. “But the formation of the coalition is good for us...I think it actually puts me in a better position.”

Less than a month after the coalition formed, DC 37 won its best wage package in years—with no concessions (see sidebar).

“I think the formation of the coalition was the impetus for the mayor to settle with DC 37,” said Lynn Taylor, a member of DC 37’s bargaining committee, and it might have been the line in the sand that made them drop the demand for “productivity” concessions.

The New York Times reported that the coalition had spurred the city to bring talks with DC 37 to a swift conclusion, and Weingarten told The Chief that it “played a role in the background by enhancing DC 37’s leverage.”

Dennis Sullivan, DC 37’s chief negotiator, strongly disagreed. “It played no role,” he insisted. “Any one who wants to delude themselves can, but Randi Weingarten has no business claiming credit for this contract.” DC 37 won a better contract than last time, Sullivan said, mainly because “the city is in much better fiscal health,” with a $5 billion surplus.

But Ed Watt, secretary-treasurer of Transit Workers Local 100, which does not bargain with the City, said that the City coalition and last December’s transit strike had both changed the bargaining climate. Ed Watt noted that the strike led many unions to agitate for reform of New York’s Taylor Law, which bans strikes by all public employees. “We told Republicans in Albany that the model of letting people vote three to four years for a contract is not acceptable, and they didn’t have a response to that,” he said. “Now [Bloomberg] wants to say there’s no more need for Taylor Law reform, because he’s settling more contracts.”

More generally, said Watt, the city was disturbed by other unions’ public support for the TWU when Local 100 President Roger Toussaint was jailed. “There were some sparks left around after the strike,” he said, “and they have to make sure they don’t catch fire.”

SHOWING SPINE

“The coalition, the strike and the surplus are each playing a role, according to Joshua Freeman, professor of history at Queens and the Graduate Center. “The labor movement has started to show some spine,” Freeman said. “The fighting ability and instinct of the municipal labor movement had really atrophied,” he noted. “But the TWU strike showed that you could take a job action and live to fight another day.”

The subsequent formation of the coalition was “a sign that labor seems prepared to be more aggressive in its bargaining stance, and not be so passive as it has been in recent years,” he continued. With a $5 billion surplus, “the city could easily afford the modest increases it gave to DC 37. So, faced with the coalition of a feistier labor movement and huge surpluses, Bloomberg decided to change course.”

WHAT’S AHEAD

The coalition now has three co-chairs—Weingarten, Nespoli, and Carl Haynes, president of Teamsters Local 27—with plans to add two more as its affiliates grow. Any contract deal will require agreement of three of the five chairs plus two-thirds of all the member unions. The coalition met in August to discuss its demands, and Nespoli said it wants to start bargaining without delay.

“The ultimate goal is to improve the terms of what’s before us right now,” says Nespoli, referring to the DC 37 deal. “There’s such a huge budget surplus now, and if that’s the case, let’s see how you’re going to pay your municipal workers.”

Bowen emphasized that good contracts for City workers are in every New Yorker’s interest. “We make the city work,” she said, “and...
DC 37 and City in new accord

On July 12, negotiators for New York City and AFSCME District Council 37, the largest municipal workers’ union, reached agreement on a new contract, with raises of 9.42% over 32 months.

Bloomberg drops insistence on “self-funded” increases

The deal marked an end to the Bloomberg’s administration’s hard line that workers must pay for their own raises through “productivity” concessions.

The settlement, which runs from July 1, 2005 to March 2, 2006, provides a 3.15% wage increase on day one, a 3% increase August 1, 2006, and a 4% increase on February 1, 2007. The city agreed to a $100-per-member-bike increase in its annual contributions to DC 37’s Welfare Fund plus a one-time cash payment, for a total of $40 million in additional City funding to the benefit fund. “The money will go a long way toward stabilizing our prescription drug benefit, which has been squeezed by double-digit price increases,” said DC 37 Executive Director Lillian Roberts in a message to members.

The contract also eases the city’s residency requirement. Police officers and firefighters, DC 37 members would be able to live on Long Island or the four counties just north of NYC, though they will still have to pay New York City income tax.

MORE FOR MEMBERS

It was a stark contrast with DC 37’s contract settlement in 2004, which cut new employees’ pay by 13% in exchange for much smaller raises. Under the banner of “pattern bargaining,” Mayor Bloomberg then imposed the same general approach – giving raises only in exchange for concessions – on other City unions.

For the new agreement, Roberts said, “I listened hard to what the members wanted and we have delivered...This is a great deal!” The settlement came after an 11-hour bargaining session, which Roberts said left her “physically drained but emotionally exhilarated.”

LESS THAN INFLATION

DC 37’s bargaining committee approved the agreement by a vote of 21 to 18. “It doesn’t keep up with inflation at a time when the city is flush,” said one of those who voted “no,” Lynn Taylor, president of the DC 37 local at the NY Public Library. “If we can’t do better than inflation now, with this surplus, when’s it going to happen?” She also faulted the deal for not undoing the last contract’s concessions.

But Taylor gave the accord credit for getting raises without further givebacks, plus much-needed money for DC 37’s Welfare Fund, and predicted that members would vote to ratify. In a meeting on July 25, DC 37’s contract settlement was helped by formation of a new coalition of municipal unions. DC 37 has agreed to revising its bargaining committee, and the city will take its health care proposals with the Municipal Labor Committee – an umbrella group of all City unions.

Why did the city drop its demand that workers help pay for their own raises? Many observers said DC 37 was helped by formation of a new coalition of municipal unions (see article, left). Another factor may have been the city’s request for arbitration in talks with the Police Benevolent Association, where the union is seeking raises above 5% a year; the city can now urge any arbitrator to follow the smaller increase in the DC 37 deal.

In addition, Bloomberg’s success at winning concessions was starting to cause its own problems. The last police contract included such deep cuts in the wages for new hires that in July the Police Department fell 13% short of its recruitment goals. The city has had trouble filling other positions, such as librarians.

Asked why he had approved a no-concessions contract, Bloomberg answered, “It gets more difficult to deliver services and do so with cost savings.” Or, as Taylor put it, “You can’t get blood from a stone.”

Reaction to the settlement among local labor leaders was generally positive. “No one can complain that DC 37 has tied their hands,” said Peter Gorman, head of the Uniformed Fire Officers Association. “And certainly people did say that in the last round.”

But some voiced concern about two storm clouds on the horizon: City demands for concessions on pension and health care costs. Both points were pressed in talks with DC 37, but the city essentially took them off the table to achieve a settlement. DC 37 has agreed to revisit pensions in a labor-management committee, and the city will take up its health care proposals with the Municipal Labor Committee – an umbrella group of all City unions.

“You can’t really see the value of this contract until those issues have been resolved,” Taylor said. – PH & EK

Forms

trying to provide City services ‘on the cheap’ shortchanges everyone. Underpaying teachers, for example, undermines public education.”

Underpaying teachers, for example, “the cheap' shortchanges everyone. Trying to provide City services ‘on the cheap’ shortchanges everyone. Underpaying teachers, for example, undermines public education.”

MOBILIZATION

A mobilization committee, proposed by the PSC and chaired by Cheliotes, is charged with developing a strategy for involving members in turning up pressure on the city, “We need to get the members involved, in large and small ways,” Cheliotes said. “Certainly public demonstrations are within the scope of what coalition partners are prepared to do.”

In the wake of the DC 37 deal, four small unions left the coalition to sign “me-too” accords, including the 1,200-member Auto Mechanics union. But others are knocking on the door to join – the 6,000-member principals’ union has indicated interest in joining once its current negotiations wind up.

In his State of the City speech last January, the mayor announced that he would seek significant new concessions in pensions and health care. While those issues were tabled in the DC 37 talks (see sidebar), the city could press hard on either front.

“The formation of the coalition has already changed the climate for collective bargaining in New York City,” said Bowen. “But the real test will be how the coalition uses the political leverage of 175,000 City workers.”

Peter Hogness is editor of Clarion. Esther Kaplan is editor of Communications Workers Local 1180.
IN BRIEF

LABOR

PATAKI NIXES TAYLOR LAW FIX

In August, Governor George Pataki vetoed an AFL-CIO-backed bill to reform the Taylor Law and strengthen union power. The Public Employment Relations Board (PERB), the independent agency that manages Taylor Law disputes, found that an employer was not bargaining in good faith, one change would have required that workers receive a 3% pay increase over one year, plus an additional 0.5% every three months until the employer met PERB’s criteria. The penalty for job actions would have been reduced from two days’ pay per day on strike to one, and unions would not forfeit checkoff status if they were found guilty.

In June, the bill passed in both the Republican-controlled Senate and the Democrat-controlled Assembly by margins, but currently there are no signs that the Legislature will attempt to overturn Pataki’s veto.

NJ CHILD CARE WORKERS WIN UNION RIGHTS

More than 7,000 home child care workers in New Jersey won the right to organize in August. Governor Jon Corzine signed an executive order recognizing the Child Care Workers Union, a joint project of the Communication Workers of America (CWA) and American Federation of State, County and Municipal Employees (AFSCME). Currently, most child care workers earn about $9 to $10 per hour, but some child care workers, according to Local 107 President Hetty Rosenstein called them, “are making the equivalent of less than $5 an hour, with zero benefits—but we will start the conversation about what it means to have a union. Workers are paid by New Jersey but are not state employees. The governor’s order does not change their status but does allow them to organize.


Proposing legislation in 20 states at the same time.

Delegates voted to adopt a resolution condemning the Henry Kissinger’s 1971 statement, “No one piece of legislation will prove AFT policy that higher education education division. “We can begin to form a movement, because we’ve been forced to do movement to meet this crisis.”

Delegates were enthusiastic about not just reacting to those mounting problems, but taking the initiative to fight for a solution. Bowen noted that right-wing attacks on academia, such as those in the AFT’s position on the war in Iraq. In previous years, the PSC and other locals pushed hard for the AFT to take a stand against the war, but were unsuccessful. This year delegates voted for the AFT to “oppose the war in Iraq and call upon our country’s leaders to withdraw all troops, bases and military operations in a rapid and timely manner.”

The resolution goes on to state that the AFT “will actively encourage its state and local affiliates to join the AFT in working with the AFL-CIO to end the war.” As PSC President Barbara Bowen addressed the convention, striking teachers in Oaxaca, Mexico, were violently attacked by state police, and a number of teachers were severely injured (see page 10). Delegates overwhelmingly approved a PSC-sponsored resolution that condemned the attack, and supported the teacher union’s demands for fair salaries and adequate school funding.

PSC delegates opened up the discussion at the convention even when they didn’t win the votes. For example, in discussion of an AFT leadership resolution criticizing state repression in China, PSC delegates Frank Crocco, Patrick Lloyd and others argued that the issue could not be understood without discussing how US-based multi-nationals profit from these abuses.

“We thought the AFT should support Chinese workers, not a particular foreign policy,” said Lloyd, an assistant professor at Kingsborough.

While the resolution was passed without amendment, it was a debate that reflected how the AFT has begun to change in recent years.

ANTI-WAR

This year saw a dramatic change in the AFT’s position on the war in Iraq. In previous years, the PSC and other locals pushed hard for the AFT to take a stand against the war, but were unsuccessful. This year delegates voted for the AFT to “oppose the war in Iraq and call upon our country’s leaders to withdraw all troops, bases and military operations in a rapid and timely manner.”

The resolution goes on to state that the AFT “will actively encourage its state and local affiliates to join the AFT in working with the AFL-CIO to end the war.” As PSC President Barbara Bowen addressed the convention, striking teachers in Oaxaca, Mexico, were violently attacked by state police, and a number of teachers were severely injured (see page 10). Delegates overwhelmingly approved a PSC-sponsored resolution that condemned the attack, and supported the teacher union’s demands for fair salaries and adequate school funding.

PSC delegates opened up the discussion at the convention even when they didn’t win the votes. For example, in discussion of an AFT leadership resolution criticizing state repression in China, PSC delegates Frank Crocco, Patrick Lloyd and others argued that the issue could not be understood without discussing how US-based multi-nationals profit from these abuses.

“We thought the AFT should support Chinese workers, not a particular foreign policy,” said Lloyd, an assistant professor at Kingsborough.

While the resolution was passed without amendment, it was a debate that reflected how the AFT has begun to change in recent years.

ANTI-WAR

This year saw a dramatic change in the AFT’s position on the war in Iraq. In previous years, the PSC and other locals pushed hard for the AFT to take a stand against the war, but were unsuccessful. This year delegates voted for the AFT to “oppose the war in Iraq and call upon our country’s leaders to withdraw all troops, bases and military operations in a rapid and timely manner.”

The resolution goes on to state that the AFT “will actively encourage its state and local affiliates to join the AFT in working with the AFL-CIO to end the war.” As PSC President Barbara Bowen addressed the convention, striking teachers in Oaxaca, Mexico, were violently attacked by state police, and a number of teachers were severely injured (see page 10). Delegates overwhelmingly approved a PSC-sponsored resolution that condemned the attack, and supported the teacher union’s demands for fair salaries and adequate school funding.

PSC delegates opened up the discussion at the convention even when they didn’t win the votes. For example, in discussion of an AFT leadership resolution criticizing state repression in China, PSC delegates Frank Crocco, Patrick Lloyd and others argued that the issue could not be understood without discussing how US-based multi-nationals profit from these abuses.

“We thought the AFT should support Chinese workers, not a particular foreign policy,” said Lloyd, an assistant professor at Kingsborough.

While the resolution was passed without amendment, it was a debate that reflected how the AFT has begun to change in recent years.
The new contract
Support for scholarship

By DANIEL CAPLICE LYNCH
LaGuardia

Beginning this Fall, new provisions in the PSC/CUNY contract will offer bargaining unit members more time and more money for scholarship. In several different ways, the contract offers increased support for research, writing, artistic creation and professional development. This article describes how the changes will work.

Some of these advances were won in exchange for changing the time to tenure at CUNY from five to seven years, and this change is also discussed below.

80% SABBATICAL PAY

Previously, instructional staff who took a sabbatical received only 50% of their regular pay for that period. That figure is now increased to 80% for both full-year and half-year sabbaticals. (A limited number of half-year sabbaticals will continue to be available at 100% of regular salary, as in the past.)

The new rate goes into effect with the Fall 2006 semester. Thus, those who were granted full-year, half-pay sabbaticals for the 2006-2007 academic year will now be paid at the new 80% rate.

The union negotiated substantial funds in the contract to support this increase in sabbatical pay (as well as the increase in regular pay described above). So there should be no financial incentive for college presidents to deny sabbaticals – they cannot cry poormouth. The PSC is establishing a committee of union members to monitor the implementation of both sabbaticals and reassigned time.

MORE TIME FOR NEW HIRES

Full-time faculty initially appointed without tenure to a professorial title on or after September 1, 2006 will now have 24 contact hours of reassigned time during the first five years to engage in scholarly or creative activities in their disciplines. The union fought hard and won an end to that exclusion in this contract.

Untenured librarians and counselors appointed to professorial titles on or after September 1, 2006, will receive the equivalent of 24 contact hours of reassigned time during their first five years to engage in scholarly or creative activities in their disciplines.

And more good news: effective September 1 of this year, untenured library and counseling faculty in professorial titles who were initially appointed on or after September 1, 2002 – in other words, those excluded in the last contract – will receive the equivalent of 12 contact hours of reassigned time. This time is to be used in the next three academic years, between September 2006 and August 2009, regardless of the faculty member’s tenure status.

LONGER TENURE CLOCK

As part of the overall contract settlement, the PSC agreed to support an increase in the tenure clock from five to seven years, which became law this summer. (CLTs and faculty at the Hunter Campus schools on tenure-bearing lines are excluded from this change, and it does not affect how lecturers gain a Certificate of Continuous Employment).

Clearly, opinion among our members about this measure is mixed. The extended tenure clock provides more opportunity to establish a laboratory, develop experiments and publish results, and many faculty in the natural sciences have voiced support for the change. In any discipline, publications and especially books need time to plan, research, write, rewrite and submit to academic publishers.

The peer review process can seem inimical to the hopeful writer, so the two extra years can give some of us a little breathing space.

But many other PSC members, particularly in the community colleges, thought that five years gave us ample chances to demonstrate our teaching skills, to develop a record of contribution to the department and the college, and to offer evidence of our growth as scholars or as artists. Another two years added to the tenure clock might seem to many anxious candidates like simmering in purgatory for another two years.

For good or ill, the change in the time to tenure does not affect faculty with a tenure appointment date before September 1, 2006, who are not yet tenured. Those with appointment date of September 1, 2006, who decided to take a position at CUNY when the five-year tenure clock was in effect will have one year to make an irrevocable choice between the five-year or seven-year timetable.

ADJUNCT PROFESSIONAL DEVELOPMENT FUND

The new contract also includes CUNY’s first-ever grant program specifically for teaching adjuncts. Established September 1, 2006, the Adjunct Professional Development Fund will have half a million dollars to award to adjunct grants to adjuncts and eligible Continuing Education faculty. Grants of up to $3,000 will be awarded until the funds have been expended.

The PSC will administer the fund by establishing an Adjunct Professional Development Selections Committee that will develop a standard application form, review applications and administer the grants. Applications will be received and grants awarded on a rolling basis. To be eligible, an applicant must be teaching six or more contact hours per week in the current semester and has taught one or more classes for the two most recent consecutive semesters (not counting summer). Applications must have the approval of one chairperson of the department employing the adjunct.

Continuing Education teachers appointed to a 20+ hour position who will continue for more than six months, and who have held such a position for the two most recent consecutive semesters, are also eligible to apply.

Application forms will be available in October.

EXPANDED HEO/CLT PROFESSIONAL DEVELOPMENT FUND

The HEO/CLT Professional Development Fund will see a substantial increase in the maximum size of a grant: this figure goes from $2,000 to $3,000. The total amount of money available to the fund will also be increased, rising by 8.5%, bringing CUNY’s contribution to $550,000.

Grants from the HEO/CLT Professional Development Fund will be made on a rolling basis, and must be approved before the activity. For an application and more information, see www.psc-cuny.org/HeoCltProfDev.htm, or call Linda Silfkin at 212-354-1352.

Examples of past grants can be found in the article on page 9 of the January 2005 Clarion.

Your Rights
9

YOUR RIGHTS

Friday, September 8: 4:00 pm / Part-Time Personnel Committee meeting at the PSC office, 61 Broadway, 15th floor. Contact Marcia Newfield, mnewfield@pscmail.org.

Tuesday, September 12: 6:00 pm / Women’s Committee meeting at the new PSC office. Contact Norah Chase, nchase98@aol.com.

Thursday, September 14 / Adjunct pension counselor Ellen Baileisen will counsel part-timers on retirement options in the new PSC office. Ellen is in weekly, alternating Thursdays and Fridays. Call Linda Silfkin to make an appointment, 212-354-1352.

Monday, September 25: 1:00 pm / Retirees Chapter meeting featuring a report on the state of the union by President Barbara Bowen at the new PSC office. Contact Linda Silfkin, 212-354-1352.

Tuesday, September 26: 6:00 pm / Health and Safety Watchdogs meeting, at the new PSC office. Call the Health and Safety desk, 212-354-1352.

Thursday, September 28: 1:00 pm / Conference on the 2006 NYC transit strike at CUNY Graduate Center. Details at www.psc-cuny.org/calendar.htm.


Friday, October 13, 6:00 pm / Labor Film Festival on Wednesdays at the new PSC office. Contact Dania Rajendra, drajendra@pscmail.org. No RSVPs.

Tuesday, October 17 / Vito Ruvelo, TIAA-CREF counselor, will counsel members on retirement savings options in the new PSC office. Call Lin- dia Silfkin to make an appointment, 212-354-1352.
In Oaxaca, teachers stand their ground against government violence.

MEXICO

Teachers strike for democracy

By GERARDO RÉNIGUEZ

City College

Thousands of teachers and citizens marched silently through the streets of Oaxaca, Mexico on August 13, mourning a protester killed during a peaceful demonstration and demanding release of six people who were recently detained or disappeared. Schoolteacher Elia Silva, wife of a disappeared teacher and former union leader Erangelio Mendoza, told the crowd that the illegal detention of her husband and others “will not intimidate the struggle.”

What began as a teachers’ strike for better wages and more resources for students has now sparked a broad movement to oust Oaxaca’s corrupt and autocratic state government. The strike started on May 22, seeking the resignation of Gov. Ulises Ruiz. The attack backfired on the government: public anger has now turned the teacher’s strike into an unprecedented democratic insurgency, demanding the resignation of Governor Ulises Ruiz.

Ruiz was declared winner of the July 2004 state election by a federal tribunal, after a botched vote marked by charges of fraud. He was candidate of the Institutional Revolutionary Party, or PRI, which ruled Mexico for decades as a virtual one-party state. Since then, his administration has been marred by a level of corruption and authoritarianism that is remarkable even in the history of the PRI.

BAD GOVERNANCE

During Ruiz’s brief tenure, Oaxaca has suffered in political and economic terms and has had to deal, during a peaceful protest, with dozens of arbitrary detentions and disappearances. During the current conflict, three Indian leaders and a child were ambushed and killed by paramilitary forces, at least six teachers and opponents have been illegally detained or disappeared, and government goons have carried out shootings against the newspaper Noticias and Radio Universidad. Local police have now declared their refusal to participate in repressing demonstrators, so the governor relies mostly on gunmen linked to the PRI’s political machinery and some semi-military specialized police teams.

With the largest indigenous population in Mexico, the state of Oaxaca is also one of the poorest. Home to 356 of Mexico’s 400 poorest municipalities, Oaxaca is also the state with the highest rate of school desertion and one of the poorest educational records. This situation has been exacerbated during the last decade as a result of the North American Free Trade Agreement (NAFTA) and privatization of public services, state and community-controlled lands and resources. Unrestricted access of foreign goods into Mexico’s rural market – including corn and beans, the main staples of the Oaxacan diet – have led to a collapse of local agriculture, and these changes have pushed thousands across the border into low-paying jobs in the US economy. The link between NAFTA, Mexican poverty and emigration gets little attention in the US media, but in Oaxaca it is widely understood. The remnants of Oaxacan migrants now constitute the state’s second largest source of income after tourism.

UNFAIR TRADE

As Mexico has turned toward an economy based on unrestricted free markets, Oaxaca’s rich timber and mineral resources and its potential for tourism have attracted a number of transnational corporations. With most of the beaches, minerals, water and forest within the boundaries of indigenous communal lands, investors established a partnership with the PRI political bosses who have dominated state politics during the last seven decades. Through legal chicanery and outright violence, the last two PRI administrations arbitrarily imposed local authorities, established paramilitary forces and jailed opponents to gain access to communal resources.

For many Oaxacans, the violent June 14 attack against the teacher’s strike was just the last straw. Residents of downtown Oaxaca were already angry about poorly executed projects of urban renewal, carried out by a construction company owned by Gov. Ruiz. His brother, which had degraded some of the state capital’s best-loved parks and public spaces. Indiscriminate use of tear gas shot from a helicopter made anyone who lived downtown feel like they were under assault, and residents offered shelter, water and assistance to the teachers when the police attacked.

When the police attack destroyed the equipment of Radio Planét – a radio station the teacher’s union had operated from the encampment – students took over a local university radio station to counteract the anti-union distortions being broadcast on local and national networks. By noon, with the support of students, union members and neighbors, teachers retook the 50 square blocks of their encampment in the downtown area.

During the day, rural communities sent delegations with supplies and ready to stand by “their” teachers in the plantón or protest encampment. The Catholic Church ordered the doors of its churches opened as sanctuaries around the clock. Late in the evening a wide range of social and political organizations called for a “mega-march” to demand the resignation of Gov. Ruiz. With 300,000 to 400,000 participants, observers said the march was the largest demonstration in the history of Oaxaca. When a march on June 28 drew an even larger crowd, close to a million people, it was clear that support for the teachers against repression had become a veritable democratic insurgency.

Hundreds of unions, indigenous organizations, neighborhood groups, and student and professional associations have coalesced into the Asamblea Popular del Pueblo de Oaxaca (Oaxacan Peoples’ Assembly or APPO). Citing constitutional provisions that allow for the replacement of a governor who has acted illegally and arbitrarily, the groups under the umbrella of APPO have waged a massive campaign of nonviolent civil disobedience that has brought the state government to a standstill. In the last month, human blockades have shut down state government offices. The movement is not confined to the state, to reflect the voices and the desires of the Oaxacan people.

The president of Oaxaca’s democratic insurgency, however, goes beyond electoral participation. APPO is seen as a new kind of state government that would be “respectful of human rights, indigenous communal life and municipal autonomy.” With that goal in mind, hundreds of academics, constitutional scholars, activists and popular leaders took part in a forum on August 16 and 17 to discuss possible paths for “reestablishment of democracy in a country that has experienced the creation of a new constitution for our state, to reflect the voices and the desires of the Oaxacan people.”

In the atmosphere of uncertainty that has followed Mexico’s unresolved July 2 presidential election, the outcome of Oaxaca’s crisis is also uncertain. Violence and the threat of violence continue to increase. The government has created a website with the names, photos and home addresses of union leaders, opposition politicians and students accused as intellectual perpetrators of “subversion” against the government. A red “X” is placed over the silhouette of José Jiménez Colmenares, a teacher’s husband who was killed during a peaceful march on August 10; others who have been disappeared or taken prisoner are labeled, “This one has already fallen!”

NATIONAL CRISIS

Even more troublesome is the fact that local authorities are using the excuse of internal disturbances to cull those who oppose the government. Most recently, Oaxacan protests there have won increased media attention. There is a growing recognition that, as one newspaper put it, “the institutional crisis in Oaxaca has become a national problem.” But it remains to be seen how this problem will be solved.
**THE PSC’S NEW SECRETARY**

Arthurine DeSola, the PSC’s new secretary, says she has lived “an unusual and interesting life,” largely thanks to CUNY. Working in higher education officer titles for the last decade and a half, DeSola is also a former faculty member who brings experience from five CUNY campuses to the union’s leadership. While DeSola earned her BA at St. John’s, her undergraduate experience was shaped by CUNY — in a way that drove her own interest in counseling. “I actually started out as what CUNY calls ‘a basic skills student.’ I was in an Adult Education Program — CAP, which St. John’s had modeled after CUNY’s ‘special programs.’ CAP gave students who had a desire, but not the grades, an opportunity to go to college.”

The program involved one semester of remedial coursework and weekly meetings with a counselor. “There was someone who worked with me was Maryanne Cursio and she was going for her doctorate,” DeSola remembers. “She really left an indelible impression on me.” Through the workshops, I moved from being a marginal student to a student who made Dean’s List at the end of the first year.”

After graduating, DeSola worked at York College — her first CUNY campus — as a college assistant for several months before beginning graduate school at Hunter College in 1974. Her master’s degree is in college counseling and student development.

After graduating from Hunter College, DeSola worked at Bronx Community College for a year before joining LaGuardia Community College. “That was my first professional position as a counselor and I was on the faculty line at that time,” she recalls. She remained a faculty member in LaGuardia’s counseling department from 1977 to 1989.

**COUNSELOR**

LaGuardia is where she met her husband, Stanley Rumph, who works there today as a financial aid counselor. After a three-year courtship, she tells Clarion, “we decided to tie the knot — on a date that was in the middle of registration!” She laughingly remembers: “And I said, ‘Oh, no, we can’t be away for too long.’ So we had a honeymoon over the weekend and we were back in the office Monday or Tuesday!”

In 1983, DeSola was approved for a sabbatical. She was preparing to leave campus — “I was almost out the door” — when she was invited to apply for an HEO position in the office of Queensborough’s Dean of Students, where she had done an internship while earning her master’s degree. She applied, was hired, and spent the next 17 years at Queensborough — she began as assistant to the Dean of Students, followed by interim director of the College Discovery program, and returned to Student Services as a counselor.

She never took that sabbatical. Though DeSola has worked in the CUNY system for 30 years, she still identifies strongly with students’ experiences. Like many at CUNY, she herself came from an immigrant family background; she grew up in Queens with both her father’s extended family — originally from Curacao — and her mother’s — from the island of Jamaica. — “I grew up in a working-class family,” she says, noting that without student loans and state financial aid, she could not have afforded to go to college: “People may say, ‘Well, it’s cheap to go to CUNY’ — but if you can’t afford it, it’s not cheap.”

**STUDENTS’ STRUGGLES**

It’s a struggle DeSola says she has seen over and over in the students she’s worked with at City University. “When you are seeing them periodically, monitoring their progress, working with them to get them through various hurdles, you have a deep appreciation of what a struggle it really is,” she says. “When I have sat on committees and have been given a voice, I really pride myself on having voiced concerns on behalf of students.”

It’s that interest in advocacy and problem-solving that drew DeSola to union work. Her coworkers began coming to her with problems, she says, particularly after she began attending meetings of the faculty PSC chapter at Queensborough as a HEO representa- tive. DeSola credits former PSC Treasurer John Hyland with getting her involved in the union beyond her own campus. “In his quiet, unassuming way, he encouraged me to do some lobbying work,” she recalls. DeSola was later elected as a union delegate, chaired HEO-CLT Professional Development Fund, and then stood in the union-wide elec- tion last spring.

Her election marked the first time that one of the PSC’s principal officers has come out of the HEO ranks. “It is a tremendous step in the right direction,” DeSola says. At the same time, she adds, “While I am a member in the Higher Educational Officer series, I don’t just represent HEOs — I represent all members in the union.”

---

**Cross CUNY experience**

By DANA RAJENDRA

A focus on people making change

---

**The Union’s First Vice President**

Political scientist, faculty activist

By DANA RAJENDRA

Steve London is known for clocking long, sometimes exhausting hours working for the PSC. When London needs to recharge, he heads to the New York City Health Department, where he immerses himself in the natural world. “Being with wildlife and trees, I find that soothing,” London says. “There’s a largeness to it that helps me put things in perspective. In part, it’s going back to my roots – I grew up in the mountains. So the mountains are a soothing,” London says. “There’s a largeness to it that helps me put things in perspective. In part, it’s going back to my roots – I grew up in the mountains. So the mountains are a

---

**Arthurine DeSola**

---

**Steve London**

---

**Profiles of President Barbara Bowen and Treasurer Mike Fabricant appeared in the Summer Clarion.**
NY Labor: ‘Take back the House’

NY races crucial to Democrats

By CLARION STAFF

New York State United Teachers (NYSUT) and the New York State AFL-CIO have both adopted a “take back the House” strategy for the fall election for Congress, breaking with years of tradition.

The two statewide labor groups have usually endorsed incumbents from both parties — but at their biennial endorsement meetings in August, both backed Democratic and Working Families Party candidates in almost all Republican-held congressional districts.

Democrats need to win at least 15 more seats nationally to take control of the US House of Representatives in this year’s congressional elections. New York will play a central role in deciding whether this happens — a fact that comes as a surprise to many, since New York is often thought of as a heavily Democratic state.

“This year saw a significant break with past NYSUT and AFL-CIO endorsement practices,” said Steve London, PSC First Vice President. “Local presidencies and NYSUT leadership united behind the effort to roll back the right-wing takeover of Congress. With five to seven competitive races in New York, we can make a huge contribution to changing this country’s political landscape.

At the convention of the New York State AFL-CIO’s Committee on Political Education (COPE), there was a revolt from the convention floor to overturn its Executive Council’s cautious “no endorsement” recommendation in several key Republican-held seats.

“Delegates’ enthusiasm and energy about winning back the House was palpable,” said London. Eileen Moran, co-chair of the PSC Legislation Committee, led the fight to change the “no endorsement” recommendation in the 13th Congressional District (Saintaten Island and Brooklyn), currently represented by Bush loyalist Vito Fossella. “We’ve got enemies in Congress and we need to get them out!” warned Moran, as she successfully argued for endorsement of Democratic challenger Stephen Harrison.

“The delegates smelled blood,” commented Jim Perlstein, co-chair of the PSC’s Solidarity Committee. “There was a sense that labor could win big in November, and personalities and private deals got less attention than issues.”

After the first “no endorsement” recommendation was overturned in Nassau County’s 3rd Congressional District, endorsing Democrat/Working Families candidate David Mejias in his challenge to Republican Peter King, the mood of the delegates at the convention was clear. Each successive “no endorsement” recommendation in Republican-held seats was overturned and the candidate backed by the local area labor federation won support, with near-unanimous votes.

Endorsement requires a two-thirds vote of New York COPE delegates. In the past, Republican representatives did a few favors for some unions and gained their loyalty. “Even though their voting records were overwhelmingly anti-labor, these Republican incumbents were able to do enough favors to split the labor vote,” said Moran. “But this year the 300 delegates, representing more than two million workers in New York State, were going to have none of it.”

In the end, NYSUT endorsed challengers in seven, and the AFL-CIO in eight, out of the nine Republican-held seats in New York State. The lone Republican endorsement from both organizations was for upstate Representative John McHugh, in the 23rd CD, who had the support of local labor leaders.

Differences on Tonnages

The AFL-CIO refused to endorse any incumbent who voted for the Central American Free Trade Act (CAFTA). That meant Democratic incumbent Ed Towns, who voted for CAFTA and was absent on some important close votes, did not receive the AFL-CIO endorsement in the 10th Congressional District.

The PSC recommended the endorsement of City Councilmember Charles Barron in the 10th CD because of his strong advocacy and effectiveness on behalf of higher education and other PSC issues. Also, Towns was absent on an important higher education budget vote that cut Pell grants by billions of dollars and increased the cost of student loans. That bill passed by two votes in the House of Representatives. While NYSUT ultimately endorsed the incumbent, the AFL-CIO stayed neutral.

New York State Races

At the state level neither NYSUT nor the AFL-CIO veered from their established practice of mainly endorsing incumbents in the New York State Assembly and Senate. The net result is that NYSUT and the AFL-CIO support electing a strongly Democratic Assembly and a weaker Republican Senate.

There was little controversy over statewide races as both NYSUT and AFL-CIO endorsed Eliot Spitzer for Governor. David Paterson for Lt. Governor, Andrew Cuomo for Attorney General, Alan Hevesi for Comptroller, and Hillary Clinton for US Senate.

Making a Difference

PSC members can become involved early in the campaigns of the following NYSUT- and AFL-CIO-endorsed candidates:

FOR CONGRESS

David Mejias (Nassau, 3rd CD); Steven Harrison (Staten Island/ Brooklyn, 13th CD); John Hall (Dutchess-Orange-Westchester, 19th CD); Kirsten Gillibrand (New York State, 20th CD);

CLOSE STATE LEGISLATURE RACES

NY State Senate: Kevin Parker (Brooklyn, District 21) is facing a serious, well-funded primary challenge from Noach Dear, an outspoken supporter of funding private schools. Velmanette Montgomery (Brooklyn, District 18) and John Sabini (Queens, District 13) are also facing tough challenges in the primary, Eric Adams (Brooklyn, District 30) is running for an open seat where there are four candidates in the primary, and Bill Perkins (Manhattan, District 30) is running for the open seat currently held by David Paterson.

NY Assembly: Ellen Young (Queens, District 23); Rory Lancman (Queens, District 25); Alec Brooks-Krasny (Brooklyn, District 46); Makeem Jeffries (Brooklyn, District 57); Sylvia Friedman (Manhattan, District 74); Michael Benjamin (Brooklyn, District 79).

In endorsing the PSC at the NYST endorsement conference were First Vice-President Steve London, Secretary Arthurine DeSola, and Legislation Committee Co-chairs Eileen Moran and Vera Weekes. At the AFL-CIO convention Jim Perlstein, Solidarity Committee and COPE co-chair, joined London and Moran.

Primary Voting

All PSC members who are eligible to vote in the primary election on September 12 are urged to do so. Polls are open from 6:00 am until 9:00 pm. The PSC website will list dates when union volunteers will phone members in targeted districts to urge their support for union-backed candidates in the primary.

“Usually the phone banks operate from 4 to 8 pm, and even if you have only a half hour to offer it will be much appreciated,” said Moran. “There are several state Senators and Assembly members who have consistently supported our agenda but still are facing tough races.”

Contact one of the campaigns directly, please e-mail Eileen Moran at eyedon@earthlink.net.

Come see the new PSC office!

The PSC will host tours of its new office on Thursday, September 28 and Friday, September 29. The space includes modern offices, natural light, more meeting space, and a union hall that will host Delegate Assemblies and Labor Goes to the Movies, among other events. On Thursday, the tours will be offered on an ongoing basis from 4:00 to 6:00 pm. On Friday, the tours will be offered on the hour, from 11:00 am to 4:00 pm. Bring photo identification for building security.

The new PSC office is in Lower Manhattan at 61 Broadway, 15th floor, just south of Trinity Church. The new location is near several subway stops: the 1 at Rector Street, the N, R or W at Rector Street, the 4 or 5 at Wall Street, the J, M, or Z at Broad Street or the 2 or 3 at Wall Street (see map on page 2). It’s also near several express bus stops and the PATH train.

For more information, call the PSC office. The number is the same, 212-354-1252.