If you think CUNY’s policy on intellectual property doesn’t affect you, you’re probably wrong. New rules drafted by CUNY management would affect books, computer code and more. For instance, even if you use a University library just once or twice while you’re writing a novel on your own time, the novel would be subject to CUNY’s proposed new policy. At a recent Faculty Senate forum, speakers warned that the draft policy would restrict the ability to publish and infringe on academic freedom. Many argued strongly for the PSC’s alternative. News coverage and the PSC’s position are inside. PAGES 7 & 11

The PSC and CUNY management have reached a tentative contract settlement. Full details will be public soon; in the meantime see inside for news of the agreement and the ratification process. PAGE 5
The PSC at Queensborough Community College

By TOMIO GERON

The PSC chapter at Queensborough Community College is working to bring in new members and to involve them in pressing for increased funding for CUNY

On March 12, the QCC chapter hosted a reception for City Council members from Queens and the new Borough President, Helen Marshall, in an event sponsored by the PSC and its chapters in Queens. The president of QCC delivered the welcoming address. PSC members at Queensborough illustrated CUNY’s needs by giving the elected officials a campus tour.

“Community colleges are largely funded by the city, so City Council members should see what the needs are with their own eyes,” said chapter chair Jacob Appleman. The tour included both the best and the worst of Queensborough. “We wanted them to see the cutting edge of what we’re doing, but also the areas that aren’t,” he explained.

“I think the main concern among faculty is the impact of any budget cuts,” said Alexandra Tarasko, the chapter’s new grievance counselor. The cuts proposed by Pataki and Bloomberg “would affect our ability to fill full-time lines and develop new programs,” she said. Even now, “we don’t have enough funding to update some of the facilities that need it,” said Joan Wein, chapter secretary.

ACTIVE LOBBYING

The QCC chapter has been active in lobbying the state legislature. Last fall, the chapter organized a postcard campaign to legislators in Albany, getting about 2,000 cards signed by students, faculty and staff just as the semester began.

“It showed we can really mobilize when we need to,” said Appleman. “We hit the ground running.”

Last year Chapter Chair Fred Greenbaum retired after holding the post for two decades. Like Greenbaum, Appleman was part of a Uni-Caucus slate and ran unopposed. The new chapter leadership has worked well with the new leadership of the PSC, Appleman said. “We regard ourselves as the loyal opposition,” he added with a smile.

The chapter’s executive committee has focused on building a system of departmental and building representatives to keep the membership informed. “We have a particular focus on outreach to newer faculty and getting them involved,” said Vice Chair Philip Pecorino. Chapter membership is growing: in the last year, the chapter has grown from 259 to 368 members.

The chapter has established a grievance committee and has a liaison to the PSC’s Solidarity Committee, Linda Reesman. Chapter representatives hold regular labor-management meetings with QCC President Eduardo Marti, and say that their relationship with the President is one of mutual respect and cooperation.

EFFECTIVE COMMUNICATION

“One of the highlights of our chapter is that we have a very effective communication system,” said Pecorino, who jointly edits the chapter’s e-mail newsletter with Appleman. The e-newsletter is reinforced by leaflets when an event draws near. QCC is one of just three PSC chapters to have its own Web site.

“All this helps to build solidarity,” said Pecorino. “We’re making every possible effort to engage our members in a discussion of the issues.”

“Members are approaching me saying they want to be more active,” said Appleman. “The efforts of our executive committee seem to be working.”

Unions must speak out on political issues

● An important topic in the February issue aroused my interest and pertinent reminiscence.

Regarding the union addressing questions ostensibly outside the key areas of collective bargaining and the processing of grievances: my experiences going back to the predecessor organizations of the PSC, namely the United Federation of College Teachers, as well as the AFT, certainly underscore the need to address fundamental national and international issues.

Thus in 1963 we participated in the March on Washington organized by Bayard Rustin and led by A. Philip Randolph, Martin Luther King Jr., Walter Reuther, and Rabbi Joachim Prinz to emphasize the twin needs for jobs and freedom. It was my honor to see in personal business at an AFT convention to support the free union Solidarnosc against the Stalinist dictator of Poland, Jaruzelski. The AFT also strongly supported the Hungarian people in the face of Soviet tanks. The UFWC opposed the Vietnam war and sent a delegation to meet with Nixon’s deputy, Colson, urging immediate withdrawal.

Yes, we must speak out on national and international issues, while maintaining our unity and purpose as a democratic union responsive to the solidarity of its members.

— Israel Kugler, PSC Deputy President Emeritus

Breaking it down

● CUNY’s chancellor and trustees are proclaiming the ban on remediation at the senior colleges a great success. Enrollment is up, while racial and ethnic diversity is basically unchanged. But we must ask whether, as the population changes, some groups are having particular difficulty gaining access.

The most pertinent data so far comes from a November 29, 2001 New York State Education Department report that summarizes enrollment changes from Fall 1999 to Fall 2000. (In Fall 2000, the remediation ban was partly phased in.) The report observes that the overall “number of full-time, first-time freshmen in baccalaureate programs grew by 4.0 percent.” Asian and white enrollment exceeded the overall rate, by 7.2 and 8.0 percent, respectively. Black enrollment grew by 3.4 percent, nearly the overall rate. Hispanic enrollment declined by 2.3 percent. “Since the Hispanic population in New York City has been rapidly rising, these figures should raise concerns.”

— Bill Crain, City College

Against militarism

● “War is the health of the state.” Walking through Gerhard Richter’s show at MoMA, I see Randolph Bourne’s indictment of World War I flicker past every gray edge of the paintings of Cold War Phantom jets, vulture-beaked and belled, precursors of the Predator and Daisy Cutter, stamping injury on the eye. The health of the state.

And is war also the health of the union? At the February delegate assembly, forty-one delegates voted down a resolution that “the PSC-CUNY opposes the federal administration’s policy of prolonged militarism; we urge, instead, vigorous and searching intellectual and diplomatic efforts to bring about world justice and peace; and we will set up a speakers’ series to educate our members about the dangers of militarism.”

It’s said that the war machine has so vitiated the very sense of our belonging to one another which unions and communities of scholars across the world stand for. Are we becoming a John Heartfield cartoon—in our right hand a government paycheck; in our left, a union contract; lips prudently closed; across our eyes the thin blindfold of a flag?

— Tony O’Brien, Queens College

More information, please

The PSC is a democratic union. We have two elected leadership bodies, an Executive Council (EC), and a Delegate Assembly (DA).

Where can any member look for the public record of each of these bodies? If one wants to find out what has been done by either on a particular issue, where is there convenient access?

The names of the 21 members of the Executive Council are on the Web site, as are the resolutions passed by the Delegate Assembly. Is this sufficient?

Where can one find the membership of each of the EC and DA committees, their responsibilities, and their reports? Where are the public records of meeting agendas and specific actions taken by the EC and DA to be found?

Of course there are sensitive matters that must be kept in camera, and unredacted minutes of meetings may not be suitable for general distribution. Nonetheless, an easily available and informative public record is absolutely essential for the growth and effectiveness of a democratic union.

— Mike Voitzik, BMCC

Where’s retiree news?

● I would like to know why there is no longer any retiree information in the union newspaper.

— June F. Magainer, BCC (emerita)

Write to Clarion

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

Editor Peter Hagness responds: We re-designed Clarion—not only the retiring brand—by shifting to a Web-based platform. This means we have to redouble our efforts to keep the membership informed.

As Marty Kaplan wrote in Clarion last summer, “Sooner or later we are all retirees.”

And there has been retiree news in Clarion—just not this year. We’ve published an opinion piece on retiree contract demands, news coverage about the fight for full reimbursement of Medicare Part B premiums, a profile of retired member Fran Geteles, notices of upcoming PSC retiree meetings, and more.

We have not done as good a job in this area as we could have. If you have ideas about retiree news stories that Clarion should cover, please let us know. We are committed to doing our very best to inform our members and let us know how you think we’re doing.”
Pataki, Bloomberg both seek cuts in CUNY budget

Union responds in opening round of budget battle

By TOMIO GERON

With both Governor Pataki and Mayor Bloomberg calling for austerity for City University, the PSC told state and city legislators that these proposals were headed in the wrong direction. There can be “no rebuilding New York without rebuilding CUNY,” PSC President Barbara Bowen testified in Albany on February 12.

The governor’s proposed budget for CUNY would mean the second straight year of flat state funding, with no increase from last year’s “bare-bones” budget. Because Pataki’s proposal would not cover cost increases due to inflation, the PSC noted, it would amount to a budget cut (see p. 4).

The PSC’s programmatic priorities call for rebuilding CUNY’s full-time faculty, beginning with funds for 450 new lines next year. Other goals include an increase in aid to community colleges, paid office hours for adjuncts (see pg. 2), hiring of more Higher Education Officers and College Laboratory Technicians, a diversity fund, graduate student fellowships and new technology-based classrooms.

“To cut CUNY’s budget would be short-sighted,” said PSC First Vice President Steve London. “Yes, times are tough in New York right now. But Brooklyn College was built in the middle of the Great Depression, because public officials understood that proper education was key to a better economic future.”

PATAKI’S RAID ON TAP

The PSC has been vocal in opposition to Pataki’s proposed changes in New York’s Tuition Assistance Program (TAP), which would hold back one-third of TAP payments until graduation. Students would be required to make up the difference by taking out additional loans. Assembly Speaker Silver told the New York Times that Pataki’s TAP proposal is “the equivalent of requiring students to buy state bonds,” an attempt to close the budget gap by borrowing from the poor.

The PSC’s grassroots lobbying effort began February 26, when 18 members traveled to Albany to advocate for the PSC’s state budget priorities.

“I think it is really important for us to have a presence, to be there for issues of public higher education,” said first-time lobbyist Jim Perlstein, recently retired from BMCC. Perlstein said PSC members “hammered away at the governor’s proposal to cut TAP,” but also emphasized that stopping Pataki’s attempted raid on TAP is not enough. “We must have an increase in the base budget if CUNY is going to survive,” Perlstein said.

Lobbying continued on March 12, when 159 students and PSC members from the three Centers for Worker Education (CWE) and from SEEK met with legislators in the state capital. “The students were great,” said Miriam Thompson of Queens College. “They know where the power is, and that if you don’t keep the pressure on it’s all over.”

CITY SERVICES HIT

To close a $4.8 billion City budget deficit, Bloomberg has proposed across-the-board cuts to all city agencies and services. While CUNY was spared the higher reductions of 15 to 20 percent to city agencies such as Homeless Services, Youth and Community Development Libraries, the 9% cut would hurt.

“The City has been underfunding CUNY for so long,” said PSC Secretary Cecelia McCall, “that it will take a lot of work to bring CUNY back, for our community colleges to grow and hire full-time faculty back to adequate levels.”

Sharilyn Rausher of BMCC

Retirees win 100% payback for Medicare Part B

By TOMIO GERON

This summer eligible PSC retirees should get a $600 check for full reimbursement of Medicare Part B insurance premiums. After a hard-fought campaign by retiree groups, the Bloomberg administration has agreed that all municipal retirees will be paid back at 100% instead of the old rate of about 70%.

When the City Council voted for 100% reimbursement last year, then-Mayor Giuliani refused to comply and filed a lawsuit to block the change. But Mayor Bloomberg has included the funds for full reimbursement in his budget proposal, and City Hall has indicated it will drop the Bloomberg to drop Giuliani lawsuit

Bloomberg’s fiscal year 2003 budget proposal includes $42 million for Part B reimbursements. Yellowitz said that this will cover reimbursements at 100% or $600 per retiree for the calendar year 2001, to be paid this summer. Spouses and domestic partners will receive the same amount. There will also be retroactive payments for the amount that Giuliani held back last year; retirees are expected to get this make-up payment, about $80, by the end of April.

LESS LITIGIOUS?

When the Council voted last year to restore full reimbursement, Giuliani vetoed the bill. After the Council overrode his veto, Giuliani delayed and finally paid retirees only $184, about 70%, instead of the $464.40 due under the new law. (The Council bill called for 85% payment in 2001, moving to 100% payment in 2002 and after.) Last fall Giuliani filed a lawsuit against the Council’s action, arguing that unions should have to bargain with the mayor to get increased reimbursement.

“Bloomberg had said he’d be less litigious than his predecessors,” observed Stuart Liebowitz, president of the DC 37 Retirees Association, which had intervened in the case.

Retirees are pleased that the mayor has put his budget in compliance with the law, Liebowitz said: “We hope this is a harbinger of things to come with relations between retirees and City Hall.”

“This is significant from a political point of view,” said Yellowitz, who testified at City Council hearings on the issue. “And the fact that unions were able to get such a law and override a veto shows the political strength of labor in the city when it’s united.”
Ends “last semester free,” imposes tech fee
Board votes to make CUNY students pay more

By PETER HOGNESS

On February 25, the CUNY Board of Trustees approved an end to its decade-old “last semester free” program, under which students receiving a bachelor’s degree were not charged tuition for their final term. “We just can no longer afford it,” Chancellor Matthew Goldstein told the BoT. The Board also voted to impose a “technology fee” of $75 per semester for full-time students, and $37.50 for those who attend part-time.

Both changes were opposed by the PSC. “Ending ‘last semester free’ has been under discussion at 80th Street for over two years,” said PSC Secretary Cecelia McCall. “The fact that the Chancellor now wants to ‘self-fund’ certain budget items is being used as an excuse to push it through.”

Goldstein said that the additional semester fees was needed to pay for more full-time faculty. But the PSC warned that there is no guarantee as to how the money will be used: while the BoT resolution on the tech fee speaks that the funds must be spent on improving computer services, the resolution ending “last semester free” leaves the use of that money wide open.

CUNY spokesperson Michael Arena told Clarion that the union had no cause for concern. “The Chancellor has indicated that re-plumbing full-time facility is his highest priority,” Arena said, “and the Board has voted on that. I think that’s a very strong statement.”

CUNY management justified the end of “last semester free” in part by pointing out that the policy was adopted in 1992, the City Council established the Vallone scholarship program that gives a 50% reduction in tuition to students with a “B” average or better. He noted that Mayor Bloomberg has called for axing the Vallone program.

Students in the audience were both amused and irritated by Goldstein’s insistence that the move “is in no way a tuition increase.” When the Chancellor explained that the Governor has not requested nor is the Legislature expected to pass any change in tuition this year, a student called out, “If we pay more money, it’s a tuition increase!” Some Albany legislators expect Pataki, if re-elected, to ask for a tuition hike next year.

“We know from research that the major reason students drop out of CUNY is not academics, but economics,” said Lawrence Rushing, professor of psychology at LaGuardia, representing the National Action Network at a BoT hearing February 19. At the public hearing, most who spoke on “last semester free” opposed ending the program. The opposite was true for the new technology fee, though UFS observers said that 80th Street had made many calls urging people to speak in its support.

Five CUNY college presidents spoke in favor of the tech fee. Those who work most closely with CUNY’s computers formed a large and vocal constituency in favor of the $75 per semester charge: students and faculty in computer science departments, administrators in charge of computer labs and librarians all urged the Board to adopt the fee – though most said they did so with regret.

“How can we compete in the job market when we’re using Windows 95 or 98, and now Windows XP is out?” asked Donna Quinn, majoring in computer information systems at John Jay.

COMPUTER HELP

“For the price of a moderately priced textbook,” the fee will double the amount of money for computer services at City College, said Douglas Troeger, chair of CCNY’s Computer Science Department. Improving computer help facilities is especially important at City, said Troeger, who said that students spend too much time “sitting stymied at the terminal.”

The vice chair for disabled student affairs at the University Student Senate, Passantino closed by arguing that if this fee was imposed, CUNY’s 9,000 students with disabilities would have to share dedicated to making computer services accessible.

The most fundamental argument against the tech fee came in tongue-in-cheek presentation from Hunter student Liam Flynn-Jambeck, calling it “an ingenious way to raise revenue, and that’s what it’s for.” He went on: “This fee doesn’t seem kinda cool… I’m not sure if you know, but many students use the bathroom at some point during that $75 pay a dime for this. I thought a little $55 per semester bathroom fee would be appropriate. But why stop there? Let’s face it, chairs aren’t free, and students sit on chairs in almost every classroom. Let’s do a $20 chair fee….What about a $10 door fee?”

“Budgetary cannibalism from within our University serves no one,” declared Valerie Vazquez, student president at Queens. “We need to work together to find a better way!”

Assembly Higher Education Committee Chair Richard Brodsky endorsed a bill that would limit CUNY and SUNY fees to no more than 15% of tuition.

CUNY spokesperson Michael Arena told Clarion that the consolidation plan does not include layoffs. “The process will be effected first through attrition and then perhaps some reassignments,” he says.

The Board also approved a plan to increase revenues from summer session and winter intersession classes by 5% this year and 10% next year. These classes can draw extra revenue for a couple of reasons. “During summer session all faculty are paid at a rate of $4,500, and during the winter intersession period the full-time faculty are paid at adjutant rates,” Kaplowitz told Clarion. “And the number of full-time equivalent students goes up by 20%, which results in reimbursements from the State and City.” She cited one college that brought in revenues of $4.1 million with a summer session that cost $400,000 to run.

NYU grad students get contract
Graduate assistants reached an agreement with NYU on January 28 – the first time a US private university signed a union contract with its graduate students.

The agreement covers members of the Graduate Student Organizing Committee (GSOCC)/UIW Local 2110, is retroactive to September 2001 and runs to the summer of 2006. It establishes a minimum salary with annual increases in each of the next three years of $1,000 or 3.5%, whichever is greater. (The increase in the agreement’s final years is either $1,000 or 4%). The contract also includes a grievance procedure, union security and a nondiscrimination clause.

SEIU 32BJ on the move at Rutgers, in Bronx
Cleaning workers at Rutgers University’s Newark campus who want to join Service Employees International Union Local 32BJ won a victory in January when a federal judge ordered their supervisors to cease intimidation and threats against union organizers.

“We can show all the world that, legal or illegal, we have rights and can exercise them,” Sylvia, a Rutgers worker, told the audience at Labor Goes to the Movies, the PSC film series, when it screened La Ciudad in February.

Meanwhile in the Bronx, 4,500 members of SEIU 32BJ averted a strike with a last-minute contract deal on March 14. The tentative agreement includes new grievance and contractual rights for temporary building workers provides a 12% raise for the highest-paid and 20% increases for the lowest-paid positions.

On March 7, over 2,000 people marched on the Bronx’s Grand Concourse to support the union.

TVWU 100 in Queens strike
About 1,500 workers from three private bus lines in Queens went on strike for two days in February. The strike was called off after several elected officials agreed to help in the negotiations. The workers, represented by Transport Workers Union Local 100, have been without a contract for 14 months.

Employed under a City franchise, the Queens workers are seeking pension increases, salary parity with MTA drivers and job security. The workers’ union, with MTA negotiations, is perhaps the only union in the city that changes hands.

The union kept the strike short so as not to embitter commuters. The workers have until May 14 to come in late March or April.

Meanwhile, Local 100 is gearing up for contract talks with the MTA. A mass rally is planned for April 27.

NY LABOR

Plan to consolidate administrative jobs
The CUNY Board of Trustees’ linked the new technology fee and end of “last semester free” to its 2002-2003 state budget request, in the which the BoT pledged to “self-fund” certain expenses in order as an excuse to push through.

Against this goal, the Board’s February meeting approved several measures, including consolidation of administrative work at CUNY campuses in the Bronx and expansion of summer session.

In a pilot project, CUNY Central Administration plans to move “back-office” functions at CUNY’s three colleges in the Bronx (Bronx Community College, Hostos and Lehman) to a single campus. This will affect the personnel office, registration, purchasing and more. The pilot project is also slated to include some changes at Queens College and CUNY’s School of Law.

HEOs CONCERNED

“CUNY Central Administration says that each campus would still have personnel in these areas who interact directly with students, faculty and other staff,” said Karen Kaplowitz, the University Faculty Senate’s representative to the BoT fiscal affairs committee.

“We must be very vigilant and make sure all our jobs are protected,” said HRO Chapter Chair Jean Weisman. She said that PSC members need to make sure their work-load is not increased to the point that it takes more than 35 hours a week to get their job done, and that their jobs are not shifted to workers outside the bargaining unit. “We are determined to maintain our commitment to high-quality services,” she said, “and that involves personal interaction.” Weisman met with HEOs at Lehman College in February to discuss the plan.

Summer school slated to grow

Summer school at CUNY includes both courses that are considered regular college courses and regular college courses for which students receive college credit.

“With the rise in tuition, summer school has become a more affordable way for students to take courses,” said CUNY spokesperson Michael Arena. “Students who are not yet eligible for financial aid can take advantage of the summer sessions to prepare for the fall.

“We are committed to providing affordable, accessible, higher education to New Yorkers.”

The summer session is open to new and returning students. Students can register online or at one of CUNY’s three campuses in the Bronx.

“We need to work together to find a better way!”

Assembly Higher Education Committee Chair Richard Brodsky endorsed a bill that would limit CUNY and SUNY fees to no more than 15% of tuition.

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Details, membership vote still to come

Union, CUNY negotiators reach contract deal

By PETER HOGNESS

It came at fifteen minutes to midnight. After 14 straight hours of work and 18 months at the bargaining table, the PSC's negotiating team reached agreement with CUNY management on a new labor contract.

“It was a highly emotional moment,” said bargaining team member Anne Freidman of BMCC. “The stress of that day was just impossibly — for a whole week the tension had been building up to that minute. It felt so great to be able to finalize a settlement, to restate true to our every principle and come out with something tangible.”

“There are great new things in this agreement,” said union President Barbara Bowen, the PSC’s chief negotiator. “It combines real increases in salary with structural changes that will begin the rebuilding of the University.”

“IT COMBINES REAL INCREASES IN SALARY WITH STRUCTURAL CHANGES THAT WILL...BEGIN THE REBUILDING OF THE UNIVERSITY.”

“It combines real increases in salary with structural changes that will begin the rebuilding of the University.”

By TOMIO GERON and PETER HOGNESS

For PSC members at the CUNY Research Foundation (RF), the biggest single obstacle in their contract talks is management’s refusal to make any pay increases retroactive. RF staff have been without a contract since October 2000.

“The retro issue is a fairness issue,” said PSC bargaining team member Bernadette Drumgoole. “In real wages we’ve lost ground, and we’re suffering a wage loss by not getting any retroactive wage increase.”

“INSULTING OFFER”

Angered at the February 6 management offer, RF staff organized a petition campaign. Eighty-five percent of the bargaining unit signed the petition, which called the RF’s offer “extremely insulting.” On February 19 the petition was delivered to RF Executive Director Richard Rothbard, and RF management’s negotiators were given a copy at the next bargaining session. “It looked like the petition had an effect on management,” said the RF’s PSC Chapter Chair Tony Dixon. “A few of them looked disturbed when we delivered it.”

At the February 22 negotiations, RF management adjusted what it had previously called its “complete offer.” The “merit pay” idea was dropped, and raises were offered of 2%, 3%, and 3% annually starting in October 2002. But management won’t make raises retroactive. “The consensus among the members is that they’re very upset that management is making those negotiations take so long,” said Dixon. “But I’ve seen the members band together when we’ve taken action,” he added. “So I’m optimistic.”

Some movement in RF talks

But management won’t make raises retroactive

By PETER HOGNESS

“RELEASE OF DETAILS DELAYED”

At Clarion press time, further details of the agreement were not yet public. While union and management have calculated the cost of the proposed contract, their calculations must be affirmed by the City and State. Bowen told Clarion that while this process is time-consuming, it is also routine, and the PSC has no reason to expect any difficulty with the settlement. “We’re working cooperatively with the City and State to get this done,” she said. “But we’ve been asked not to release details until they are affirmed. We don’t want to complicate the costing discussions by ignoring that request.”

Chapter chairs have been briefed on the settlement and their reaction has been positive. “It’s a good agreement, both imaginative and equitable.” PSC Executive Council members Susan O’Malley (left), Peter Ranis (center) and Michael Fabricant examine the proposed contract.

PSC's ratification vote will cap a process that grew increasingly intense in the final weeks, after management finally put a serious economic offer on the table. Negotiating sessions were more and more frequent and sometimes stretched into the night. On the street outside, PSC members made their presence felt. Management’s negotiators were greeted by six information picket lines in the last 17 days, with chanting and whistles loud enough to be heard in the bargaining sessions five stories above.

“CONTRACT”

Leaflets demanded that management close the deal, pointing out that negotiations had now gone on for “longer than it took to build the Empire State Building.” At the Bof’s meeting on February 25, the majority of union members took a cue from fans of college sports: they stood along the back wall of the meeting room, each holding a sign with a large letter spelling out “CON’T-P-A-C’T”

GERALD MARKOWITZ, professor of history at John Jay, told Clarion that the RF’s contract was a significant milestone in the struggle for full union recognition. “In the most important institutions for all the different populations in New York,” he said. “We’re fighting for the future of this city.”
Moe Foner and the City College of New York

By STEVE LEBERSTEIN
CCNY for Worker Education

When Moe Foner died this January at age 86, tributes poured in from both the labor movement and the cultural world. One of the four Foner brothers, all of whom made their mark in labor and progressive movements, Moe Foner became well-known as the founder and director of Bread and Roses, labor’s premier cultural program.

What many people don’t know is that all four of the Foner brothers were connected in one or more ways to City University, then known as “the municipal colleges.” Moe graduated from Brooklyn College in 1936 and then went to work at City College as a clerk in the Registrar’s Office. His brothers Phil and Jack taught at City College, too.

All four brothers became victims of the notorious “Rapp-Coudert Committee” and its investigation of “subversion” in New York City schools. The committee was established by the New York State Legislature in December 1940, shortly after the Hearst press and the Episcopal archbishop of New York won a vocal campaign to stop “the godless advocate of free love,” Berta and Russell Nemerov of the American Student Union, at the main campus uptown. His brothers Phil and Jack taught at City College, too.

Four of the Rapp-Coudert victims, mostly at City, were fired or forced to resign in 1941 and 1942. Moe was one, as were his brothers Phil and Jack. Henry was still a student at the time and was later drafted into the armed forces. But soon he, too, was a victim of the witch-hunt in education. Henry was fired from his job as a public high school teacher in 1946.

The Foner brothers were all active in union campaigns at City College, first forming the Instructional Staff Association and later joining with activists on other campuses, public and private, as members of the New York College Teachers Union, AFT Local 537. The Rapp-Coudert Committee began its investigation by subpoenaing the membership list of the union, then calling its members to private “star chamber” hearings without benefit of counsel or transcripts. The day after a hearing, reports would appear as front-page stories in the Hearst newspapers. A reluctant Board of Higher Education soon agreed to a policy requiring its employees to testify before legislative committees on penalty of dismissal.

By the spring of 1941 the Board charged Moe and others with violating its new policy requiring cooperation with legislative investigating committees. They were fired. Moe himself was a member of the Communist Party, but others who lost their jobs were not. Their union activism had marked them for persecution. Not until 1981 did the CUNY Board of Trustees (successor to the Board of Higher Education) finally offer an official apology to the Rapp-Coudert victims, pledging not to cooperate in the repression of labor activists and dissenters any longer.

PURGED WORKERS SWING

After years for which they were purged, the Foner brothers struggled to make do. For a time they formed a jazz band called “Suspended Swing,” which played the Catskills and other venues. Jack and Phil became well-known historians, while eventually Henry headed the Fur and Leather Workers Union.

Moe went on to a distinguished career in labor, working at District 65 and later at Local 1199, the hospital workers’ union. An able public relations and lobbying strategist, he had an even wider impact when he created 1199’s Bread and Roses project, which sponsored music, theater, poetry and visual art by and for union members. A constant reminder that workers don’t live “by bread alone,” Bread and Roses continues as Moe Foner’s living contribution to the labor movement.

A memorial (“Celebrate Moe!”) is planned for April 24. For tickets call the PSC at 212-354-1252.

Committee on faculty research funds

The University Committee on Research Awards (UCRA), which decides on PSC/CUNY Research Grant awardees, needs to fill vacancies in many disciplines. The University Faculty Senate Research Committee (UFSRC), the nominating committee for UCRA vacancies, is seeking faculty willing to serve on the UCRA. The UFSRC Research Committee recommends colleagues to the Chancellor, who appoints the members of the UCRA.

An in-service allotment of $6,000 is provided for service on the UCRA ($1,500 in years one and two, $3,000 in year three). For details, call Professor Kathryn Richardson or Stasia Pasela at 212-794-5388 by April 26 or see the URCU call letter on the Web at www.cuny.edu/ufs.

Adjuncts advocate Albany action

By KRISTIN LAWLER

Not working, not getting paid by an employer and don’t know for sure when you’ll be re-hired? That’s why there’s unemployment insurance. Physically unable to work? Long-term disability payments are what you need. These benefits are available to most workers in New York State—but not to adjuncts. The PSC wants to change the law, so that part-time faculty are no longer excluded from these basic benefits.

This spring adjunct activists will push for action on both goals. Organizers aim to mobilize the energy seen at a State Assembly hearing last spring, when nearly 80 adjuncts were joined by their students and union leaders to demand new laws and new funding.

CUNY says that adjuncts are not eligible for unemployment insurance during the summer if they were sent a “letter of reappointment” at the end of the semester. But the letter means little as it is contingent on funding, registration and the ability, will come before the NYSUT Representative Assembly this April. Organizers aim to put these issues on the map in Albany, and they will be strengthened by the fact that nearly 1,000 adjuncts have joined the union since last year’s hearing. That number is growing every week.

“All over the country, part-timers are restructuring the laws to fit the new realities of the university,” says Eric Marshall, PSC Vice-President for Part-Time Personnel. “The momentum is with us to do the same thing here.”

To get involved, contact the PSC’s adjunct organizers at (212) 354-1252.
PSC presents union's alternative

Faculty sharply critical of CUNY's proposed IP policy

By TOMIO GERON

In two separate meetings in late February, faculty sharply criticized CUNY management's proposal for a new policy on intellectual property (IP).

At a February 28 forum organized by the University Faculty Senate (UFS), most speakers argued for an alternative policy drafted by the PSC Intellectual Property Committee (see www.psc-cuny.org/property.htm for full text of both proposals). CUNY management met with the PSC on February 22 to discuss the union's concerns, and agreed that some changes were needed.

The controversial management proposal has wide-ranging implications for book contracts, classroom presentations, all types of inventions, a computer code and any creative work by faculty or staff that can be copyrighted or patented.

At the UFS forum, faculty criticized management's proposal for a new policy on intellectual property (IP).

Faculty sharply critical of CUNY's proposed IP policy

Gary Schoichet, professor of electrical engineering at CCNY and chair of the Faculty Advisory Council to the Research Foundation, agreed. "My conclusion is that [CUNY] is creating a super bureaucratic structure with a set of bottles, necks," Manassah said.

"The policy has to be realistic. The intellectual structure of the University is incapable of prosecuting [patent] rights," Schoichet said.

books and articles

Anthony Picciano, professor at the Hunter School of Education, recounted how two chancellors and two PSC leadership committees had worked cooperatively on IP issues in the past, but said that the process that led to the development of this policy was one-sided. Picciano noted a troubling conflict of interest provision: "This clause potentially requires the faculty to seek a review by the University Dean for Research of all our intellectual property including every book, course module, article, and consulting contract that involves third parties.

Many focused on a provision that would give CUNY a royalty-free non-exclusive license for all materials, including books. "No publisher will go for a royalty-free license," said Joan Greenbaum, professor of computer science at LaGuardia, warning that this could make it difficult to publish. Vice-Chancellor Schaffer said this provision will be substantially revised.

Since such items as class handouts, syllabi and lecture notes are subject to the proposed policy, some faculty said they would be wary of handing these items out or posting them on the Web if they could not retain control. Yehuda Kline, professor of economics at Brooklyn College, said, "Students would be the ones to lose."

PSC First Vice President Steve London argued that the proposal's scope of employment provision is intolerably broad. It would cover all creative work done by faculty and staff, even when there is only incidental use of University resources. "Says on your spare time you're writing fiction and use the college's library occasionally. When you seek to publish, you would be brought under the scope of this policy. Substantial and reassigned time are included in the definition of 'University resources'; thus all work created during sabbaticals or work done while receiving reassigned time would be included." London and others said that the proposed policy changes should be subject to collective bargaining, since it directly affects faculty working conditions.

"It's a wage issue, a works place issue," said David Winn, chair of the PSC chapter at Hunter. But Schaffer said the University believes intellectual property isn't a collective bargaining issue, and that the Board of Trustees will ultimately decide on the new policy. Schaffer added, however, that he has consulted with the PSC and the UFS on the issue and will listen to their input. The union met with Schaffer on February 22, after the PSC had asked the Public Employment Relations Board to intervene. "There are more changes contemplated," Shaffer told the UFS forum, "partly as a result of the meeting I had with the PSC."

For many at the forum, that was not enough. They argued that greater PSC and UFS involvement is vital, because the issue of intellectual property isn't a collective bargaining issue, and that the Board of Trustees will ultimately decide on the new policy. Schaffer added, however, that he has consulted with the PSC and the UFS on the issue and will listen to their input. The union met with Schaffer on February 22, after the PSC had asked the Public Employment Relations Board to intervene. "There are more changes contemplated," Shaffer told the UFS forum, "partly as a result of the meeting I had with the PSC."

Many opposed the proposed policy on disclosure, which states that faculty, staff and graduate students must promptly notify the University if they have something they think "might" be patentable. This would be particularly onerous for computer scientists. "Everyone in the programs I work with has felt they have a brilliant idea or a doomed idea in the middle of the night," said Greenbaum. "In neither case would I say 'Call 80th Street and tell them.'" While a faculty member would be required to promptly disclose a patentable creation, the University would have 11 months to respond and agree to pursue the patent. This time lag could prohibit creators from getting patents in today's fast-paced environment. "By the time the University decides not to go for it, the faculty can't go for it," said BMCC Professor of Social Sciences Bill Friedheim. "It may be lost."

Management's proposal would give CUNY a royalty-free license on books and other material.

The current situation is bad enough, Filbin said. "There is no one to negotiate a license within the CUNY system who is experienced and knows what they're doing," she explained. "It is just disgraceful." Filbin noted that the director of the Office of Technology Transfer left the University but has not been replaced.

Jamil Manassah, professor of chemistry at Lehman College, called for both PSC and UFS involvement because this document is technically complicated and difficult to get right. "The policy has to be realistic. The intellectual structure of the University is incapable of prosecuting [patent] rights," Schoichet said.

Marie Filbin, Distinguished Professor of Biology at Hunter, speaks at the hearing on intellectual property policy.

Gino Schoichet

CUNY enrollment jumps

CUNY's enrollment for Spring 2002 rose to 179,069 students, 3.5% more than the numbers at the end of the previous year. First-year students pushed up the numbers, with 23% more freshmen enrolled at senior colleges. Senior colleges saw a 4% rise in enrollment overall, while community colleges were up 2.6%. Chancellor Goldstein pointed to the decline as evidence that end of remediation at senior colleges has been a success. Some observers noted that college enrollment overall is climbing when the economy is weak, with fewer jobs available and people more intent on sharpening their skills. "The most recent statistics are encouraging," Bader said. "It's a possible drop in Latino enrollment (see p.2)."

Dioxin at Fiterman Hall

BMCC's Fiterman Hall, located across the street from the World Trade Center, was severely damaged on September 11. According to a consultant hired by CUNY, the building contains disturbing levels of contamination with dioxin. Environmental tests conducted by H.A. Bader Associates found "unusually high levels of dioxin throughout the building," Howard Bader told Juan Gonzalez of the Daily News. "I don't see this document as any improvement whatsoever. In fact, it might be even worse...because of the disclosure time...the patent committee...the loss of the technology transfer office."

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Testing gets an ‘F’

BOOK REVIEW

Still, on this issue, as on others, Sacks provides much of the pertinent research evidence and puts readers in a position to decide for themselves. Standardized Minds does a terrific job of bringing a wealth of information to bear on the central issues of testing in our society. Anyone concerned about these issues will find this book both enjoyable and an invaluable resource.

Bill Crain is a professor of psycholology at CCNY, and author of numerous articles on child development and education. His textbook, Theories of Development: Concepts and Applications, is now in its fourth edition. This review is adapted from a longer piece that will appear in the Summer 2002 issue of Encounter: Education for Meaning and Social Justice. In March 2003 Crain will become the editor of Encounter; he welcomes submissions from colleagues.

Some adjuncts gain on pension

If they work for NY State or for local govt. outside NYC

By CLARISSA GILBERT WEISS
PSC Director of Pension and Welfare Benefits

Q: I work for the State Department of Taxation and Finance as an adjunct at Baruch. When I retire, can my pension be based on my combined earnings at CUNY and in my State job?

A: Yes, as a result of a recent change. This will be a great benefit for state workers who are CUNY adjuncts, and is particularly important for those who work as CUNY adjuncts in the last three years before retirement. In most cases that is the salary period used for pension calculations.

People who belong to any state retirement system and also work as an adjunct at CUNY may now join the NYC Teachers’ Retirement System (TRS). The vast majority of continuing ed teachers are also eligible.

Q: I need to pay more attention to pension issues. Where should I start?

A: Come to our pre-retirement conference! It’s Friday, May 3, 2002, from 9 am to 4 pm at the CUNY Grad Center, and features speakers on financial planning, health benefits and taxes. Send in the coupon below and a check for the $20 per person registration fee.

The conference is for people who are five or more years away from retirement. It can do a lot to help you take control of your financial plans – and we serve very good food!

Pre-Retirement Conference Coupon

I will attend the PSC Pre-Retirement Conference. Enclosed is $____ registration fee for ____ places at $20 each.

Name ________________________________________________________________________________________________

Address _______________________________________ City __________________ State ______ Zip ____________

Retirement System _________ College ___________________ Date of original CUNY employment ____________

Make checks payable to PSC; return to: Clarissa Gilbert Weiss, PSC, 25 W. 43rd Street, New York, NY 10036.
Working women students at CUNY

By BARBARA OMOILADE
CCNY Center for Worker Education

"I didn't have lunch until 4:00 today. I have a pile of work on my desk and two homework assignments to type before 5:00. I have a class tonight, I have to be in the office at 7:30 tomorrow morning and I have a reading assignment to complete for my Friday night class. I'm not even hungry any more thinking about my workload."

This student's journal entry vividly demonstrates the challenges facing many women juggling work and family responsibilities with the demands of a college education. Many of the female-majority student population at CUNY are full-time workers for whom school is one of several priorities. Course work is often delayed, pushed aside or hurriedly completed by women who must earn a wage and care for family members.

Even a brief profile of working women students at CUNY reveals the central role of wage work in their lives. Whether immigrant or not, most have had long and strong labor market attachments since high school. Nearly all began working in low-wage jobs in the lowest tiers of service employment, usually as sales clerks, servers in fast-food restaurants, nannies and domestic workers or else as factory laborers.

These jobs provide women with some money as well as the experience and confidence that help them advance into entry-level clerical and administrative work in public agencies and private companies. One student, for example, began working as a supermarket cashier during high school and after graduating became a manager of the store. She then moved on to work as a receptionist, a legal secretary and an administrative assistant during college. Ultimately, she moved on to work at detailed administrative and clerical work in public agencies and private companies. As she progresses, the pragmatic and market-place rationales for obtaining a degree become entwined with self-discovery. For many, college involves a personal transformation that leads them to reassess and critically examine their lives as workers and as women.

Many go to their jobs with new insights and perspectives and a greater sense of self-worth and purpose, while others make career changes. One graduate, for example, after spending nearly 20 years working for the Tran...
CUNY’s contribution—and crisis

By BARBARA BOWEN
PSC President

E veryone knows that this is not an ordinary budget year. When the academic year began, in the other world that was early Sep-
tember, no one foresaw that the state’s already declining revenues would be strained to the breaking point by the devas-
tation of September 11th. No one imagined that last year’s bare-bones budget would set the terms for a future budget. Higher
education had begun to emerge as a priority for both voters and legislators: the signs were there that the decades-long decline in funding for public higher education in this state was about to end. But the fiscal script, as we all know, has been rewritten. This year’s Executive Budget repeats the bare-
bones budget for CUNY—it is, in effect, a budget cut. There is no money to cover the 2-3% increased costs of inflation, no money to repair last year’s cuts, and no money to support the rebuilding of the University we had begun.

Investment in CUNY must continue, even in these straitened times. The PSC speaks in strong solidarity with our colleagues from NYSUT and SUNY; we are fully behind their requests for funding for the state university system and the community colleges. But we want to suggest that there is a particular cri-
isis at CUNY and a particular contribution CUNY makes to New York. These two fac-
tors—CUNY’s crisis and its contribution—justify the courage it will take to add fund-
ing to CUNY this year.

UNDERPAID PART-TIMERS

Let’s start with the crisis. CUNY has now reached the point where the majority of its courses are taught by part-time faculty. Many other colleges, in our state and else-
where, suffer from over-reliance on part-
time faculty, but at CUNY the situation is acute. No matter how good the part-timers are—and they are generally terrific—it is not educationally sound to run a university on part-time labor.

The amazing thing is that our part-time faculty have been able to do so much for so
long. During the last two decades, as the funding for CUNY has declined, the Admin-
istration has been able to paper over the large hole in our budget by replacing a full-
time faculty with an underpaid part-time one, but now the hole is gaping. The critical point was reached when the norm became part-timers rather than full-timers as the teaching faculty. You reach a point when you no longer have a university. And that’s the point we are very fast approaching.

The crisis for professional staff is equally acute. From 1988 to 2000, the number of Higher Education Officers dropped by 15%. The ranks of the University’s technical staff, its laboratory and computer technicians, have also been eroded by budget losses. As CUNY seeks to upgrade technological re-
sources and make more efficient use of computer systems, it is vital that there be trained staff to do the work. Otherwise, the investment in infrastructure is wasted.

If you look at the other budget priorities the PSC has outlined, you will find things that are assumed to be basic at almost all other universities. For instance, CUNY is al-
most the only research institution in the country that does not provide tuition relief for doctoral students who are employed by the university. Other relatively modest amounts would supply funding for part-time faculty to hold office hours for students.

There’s a magic about CUNY—few people who work there long can resist the beauty of its diverse, determined student body. But af-
after a while, a university without funds for basic needs is no longer a real university.

Too much has already been written about the greatness of New York that was re-
vealed by September 11th, but there are some things that have not been noticed. One is that the habit of cooperation among work-
ning people, across supposed barriers of eth-
nicity and race, is not new. The most power-
ful engine of integration in New York City is the public schools and colleges—perhaps es-
pecially the colleges, because there the mix of ages and backgrounds is even more in-
tense. It is no accident that thousands of New Yorkers, immigrants and native-born, were able to rise together to the challenge of an event that shook the foundations of their thought. Daily in our classrooms students learn to expose themselves to hard ideas, to have the courage to face tough challenges in a public setting. In the years before the Tal-
iban, I have seen a Russian and an Afghan student working side by side in a classroom at Queens, two young men who had fought on opposite sides in the war between their two countries.

REBUILDING NEW YORK

But the real story of CUNY is about the fu-
ture. New York, as we have been forced to remember, is not just about stockbrokers and dot-com wizards; it’s also about cooks and court stenographers and carpenters and firefighters and medical technicians. And in the future it’s going to be about people flexi-
ble enough to move from one field of work to another. Where will these people come from? Not from out of state and not from ex-
 pense private colleges. They will come from the city’s university. There is no re-
building without investing in people, no re-
building New York without rebuilding CUNY.

The above is adapted from Bowen’s testimony before the Joint Legislative Hearing on Higher Education in Albany on February 12.

POEMS

Two by Jeffery Renard Allen

Mud Wit (Excerpt)

—for Olu Dara

Babygirl
got off my knee
ground need hoeing
Crack too high
Cane too bright
I kiss your buckled feet
Pen verses on Carolina tea labels
(Queen of kettle and spit)
There to witness
(Queensbridge)
Step off train
(Honey do)
guitar act like it don’t know how
tune
(Do)
Caned in caroland
Clobbered with an Arkansas soupbone

in Tennesee
Sippi tree try to scare me be
hind its gray kudzu shawl
(I ain’t gettin)
Cat stole key to my bedroom door
Dog made me co-sign
White snake popped me on my left
heel
Black snake shake shake its tail of
fresh peas
Dead flower junky-nods over
the earth it has lost
I kneel to the buzzard
Bow to the crow
Mud comfort ain’t no comfort at all
Rain shower
stir up this thick Mississippi blood

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Bow to the crow
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Rain shower
stir up this thick Mississippi blood

— for toni morrison and
beloved

learned words
none of them
mine

"hiiii!" and "hooool"
my responsibility
i blanket
around
lie
don
in black deposits of the nigger nile
swamp draws through me
reed and straw
birds of fine ash
take to sky

— for stone

disintegrate and
pour pitch
a hard act to follow
i golve my hand in
residue
sledgehammer god
into a hog’s head
scrub clean melody in
stone
how loose the silk
passing on
earth bears my weight with
difficulty
Wrong policy for CUNY

By STEVE LONDON
PSC First Vice President

C UNY management has proposed a new intellectual property (IP) policy that combines existing research Foundation and University policies on copyrights and patents. The new policy will directly affect the terms and conditions under which CUNY’s instructional staff work, and as such it should be the subject of collective bargaining. Bargaining over CUNY’s IP policy would empower our members. It would protect our economic interests and our due process rights, guard against arbitrary and capricious decisions by management, guarantee representation of our members’ interests and make any future changes in the policy a subject of negotiation. One look at the substance of the proposed policy makes it clear why CUNY should negotiate with the PSC. The PSC has identified serious consequences for scholars and faculty for the rights of faculty and staff to their intellectual property should the draft policy be enacted without significant changes. CUNY’s draft policy, as revised on January 2:

- Makes it hard to publish – The draft policy unnecessarily regulates publications and other creative endeavors. It would make it difficult or impossible for our members to get book publishing contracts, because CUNY’s policy imposes a royalty-free license for CUNY’s use on all copyrighted work. No publisher will agree to that.

- Includes too much – CUNY would subject virtually all of our work product to the new policy. Receiving a sabbatical or reassigned time would be grounds for capturing our creative works, as would even incidental use of University resources (for example, visiting the campus library).

- Places computer scientists in an uncertain limbo – Because a committee, rather than the creator of computer code, decides whether a creative work product is potentially copyrightable or patentable, the creator will face disclosure dilemmas every time new code is created.

- Infringes on academic freedom – Raising the possibility of censorship, CUNY’s policy has “prior restraint” provisions. The disclosure and conflict of interest provisions may require prior approval for production or distribution of work.

- Creates a bureaucratic bottleneck – The rights of copyright holders are not adequately protected by the composition of the proposed Intellectual Property Committee. There is also no mechanism to enforce reasonable time limits in the event of disputes.

- Threatens commercial development of inventions – Creators of patentable inventions will have placed at a commercial disadvantage if they have to wait for 11 months to get determinations on the University’s intentions to claim ownership rights. Furthermore, some granting agencies require responses on such matters in a few months.

- In addition, many faculty have noted that the University does not currently devote enough resources to support or oversee faculty seeking patents. To graft this proposed policy onto an already inadequate structure creates a high risk that worthwhile ideas will end up lost in red tape.

- Undermines due process protections – Faculty and staff would face arbitrary decision-making based on vague requirements. The draft policy would impose a duty to disclose any idea in which the University “might” have an ownership interest. It is also vague on what is considered “patentable.” There are no time limits defined for key decisions and no right of appeal to a neutral arbiter. In short, too much power rests in management’s hands.

- Weaken the quality of students’ education – Faculty will be less willing to post course materials on the Web if their rights are not protected. Students would be the ones to suffer.

- The PSC believes it is in the best interest of its members for CUNY to negotiate the new intellectual property policy with the union. So far, CUNY has refused to negotiate, but has agreed to discuss. The PSC met with Vice-Chancellor for Legal Affairs Frederick Schaffer on February 22, following a Public Employment Relations Board recommendation, to discuss CUNY’s Draft Intellectual Property Policy. Vice-Chancellor Schaffer responded positively to a number of our concerns and we look forward to seeing what changes result.

- The PSC’s alternative draft policy on intellectual property builds on University Faculty Senate and PSC participation. It will give greater protection to our members’ rights and corrects some dangerous aspects of CUNY’s proposal. We urge CUNY management to treat faculty and staff as equal partners, and sit down to negotiate the terms of CUNY’s policy on intellectual property.

- The PSC’s Draft Policy on Intellectual Property, with changes noted from CUNY’s January 2 policy draft, is available on the Web at www.psc-cuny.org/property.htm. From there you can link to a PSC discussion board and exchange views with other union members.
When the World Economic Forum descended on New York at the end of January, the Waldorf-Astoria Hotel was walled off like a fortress. In- side the luxury hotel, financial, cor- porate and government leaders who could afford the $25,000 registra- tion fee discussed their plans for the rest of us. In Porto Alegre, Brazil, the second annual World Social Forum (WSF) was held at the same time, and it was a con- trast in almost every way – starting with the regis- tration fee of $50. The WSF was a simultaneous protest against and alter- native to the “global” gatherings in New York, and it drew labor, political and community activists from 150 na- tions. Under the slogan, “Another world is possi- ble,” they came to discuss alterna- tives to corporate globalization.

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