

**PSC-CUNY Resolutions For May 2006**  
**New York State United Teachers**  
**Representative Assembly**

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**Resolution Title:** Correct Flawed Medicare Law  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, many New Yorkers will be using the Part D prescription plan of Medicare; and

Whereas, prescription drug prices are increasing at more than the inflation rate, and

Whereas, Medicare is currently prohibited from negotiating for drug prices as are other government agencies; and

Whereas, the current Medicare law contains numerous deficiencies and creates continued financial hardships for all retirees; and

Whereas, health care costs are rising at more than the inflation rate; and

Whereas, many retirees need extensive health care aid and/or nursing home support because of serious and/or long-term illness; and

Whereas, long –term insurance is too expensive for many retirees; therefore be it

Resolved that NYSUT support Senate resolutions S239 (Snowe), S445 (Stabenow) as well as House resolution HR 376 (Emerson) and any other legislation that will amend the Medicare law to allow negotiation of prescription drug prices, to allow for the re-importation of prescription drugs, to eliminate the “donut hole”, as well as to correct all other deficiencies in the Medicare law, and further be it

Resolved, that NYSUT support federal legislation that would expand Medicare to include coverage for long-term health care.

**Resolution Title:** Defending Defined Pensions  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, there is pressure to dismantle defined pensions and replace them with private accounts; and

Whereas, most of the country's public employees, as well as many employees of private sector organizations, rely on traditional pension plans which have proved highly efficient and successful; and

Whereas, the attempts to substitute private accounts for traditional plans in West Virginia, Florida, Nebraska, and North Dakota has been a costly and failed experiment for both workers and taxpayers; and

Whereas, even the transition costs will add immensely to the taxpayer burden and provide no advantage to either beneficiaries or taxpayers, therefore be it

Resolved, that NYSUT continue to defend vigorously the defined pension plans currently covering New York State's teachers, school personnel and private employees, and that it join forces with the AFT, ARA and the AFL-CIO to oppose all attempts to convert defined benefit plans to defined contribution or 401(K) type plans.

**Resolution Title:** Holding TIAA-CREF Responsible for its Corporate Investment Policies  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, NYSUT has been historically committed to the defense of human, civil and labor rights as well as the promotion of social justice, both at home and abroad; and

Whereas, NYSUT represents a significant number of higher education Faculty, staff and retirees who have substantial investments in the TIAA-CREF family of funds, and who recognize the responsibility that comes with such financial involvement; and

Whereas, NYSUT has continuously demonstrated its opposition to low-wage, non-unionized labor; and

Whereas, NYSUT President Dick Ianuzzi recently said "We want to send a message to Wal-Mart that a race to the bottom is not how we as Americans wish to compete in the global market." And NYSUT Executive Vice-President Alan Lubin said, "We want to educate people about Wal-Mart's terrible treatment of its workers and the unfair burden it places on the communities in which it does business." (New York Teacher, December 8, 2005); and

Whereas, NYSUT is an active member of the New York Labor-Religion Coalition that shares a commitment to challenging economic injustice: "Through education, support for organizing, and advocacy, the Coalition works to help low wage workers both in New York and in developing countries to challenge corporate control;" and

Whereas, NYSUT has been sympathetic and supportive of United States Students' anti-sweatshop movements and in *New York Teacher* continually highlights Wal-Mart's many labor violations including unpaid overtime, missed lunch breaks, child labor and minors working too late, among many other egregious violations, and advertises on its website sporting-goods products made by union labor in America that specifically excludes the Nike corporation; and

Whereas, NYSUT has already implemented a resolution not to serve Coca Cola products at its events, meetings, conferences and conventions until the allegations against Coca Cola have been investigated, and NYSUT has recommended to all its affiliates ". . .not to serve or sell Coca-Cola products at their offices or at venues for events, meetings, conferences and conventions;" and

Whereas, many of the TIAA-CREF domestic and foreign investment portfolios include some of the largest and most powerful corporations in the world such as NIKE, Wal-Mart and Coca Cola whose corporate policies are anti-union and whose Third World suppliers operate often at infra-human conditions and wages and usually do not provide pensions and health benefits; and

Whereas, TIAA-CREF investment policies contradict its principles of Corporate-responsibility contained in its policy statement on Corporate Governance and contradict its claim of "...investing for the greater Good;" and

Whereas, TIAA-CREF prides itself on being sensitive to the concerns that investors express about socially responsible investment policies; and Whereas, TIAA-CREF invests \$35 billion of NYSUT members in pension funds and these members have a right to communicate their views and concerns to the TIAA-CREF Board of Directors; therefore be it

Resolved, that NYSUT communicate this resolution to the TIAA-CREF President and Chief Executive Officer, the Vice-President and Chief Investment Officer, the Head of Corporate Governance, the Director of Social Investment and Board of Directors and Trustees and ask for a clear response within three months of this RA:

that TIAA-CREF's Head of Corporate Governance and newly appointed Director of Social Investment be instructed to investigate and evaluate its corporate investments and to demand that the corporations in its portfolio maintain and demonstrate a higher standard of commitment to human rights and labor rights, and insist that its shares be exercised in such a way as to influence such companies to adopt socially acceptable practices; and

that TIAA/CREF institute a more powerful, explicit and publicized screening and focus aimed at such corporate holdings that deny human, civil and labor rights both at home and abroad; and be it further

Resolved, that if NYSUT is not satisfied that there has been a demonstrable change in TIAA-CREF corporate oversight, it will ask employers, including CUNY and SUNY, to evaluate other options than TIAA-CREF as a principal pension administrator.

**Resolution Title:** Improvement in the COLA Legislation  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, NYSUT has successfully achieved the enactment of permanent COLA legislation; and

Whereas, this a significant first step in rectifying the long term loss of purchasing power for our retirees; and

Whereas, despite these long sought after improvements having been achieved, more needs to be done to protect the financial security of retired public employees; therefore be it

Resolved, that NYSUT seek legislation to expand the current law so that the COLA will be based upon one's full pension salary and on a full CPI (Consumer Price Index).

**Resolution Title:** Long-Term Care Protection of Assets  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, families and individuals with serious expensive illnesses face the loss of their life savings and assets if they have not purchased long-term care insurance which is prohibitively expensive for older persons; and

Whereas, some older persons feel forced to transfer assets to children and others; and

Whereas, there have been attempts to deny their eligibility for Medicaid for a longer period of time than the current “look-back” 3 year period of eligibility; and

Whereas, the denial of Medicaid to those who have transferred assets is punitive, denying care when it is most needed; therefore be it

Resolved, that NYSUT oppose attempts to lengthen the “look-back” period and seek alternate means to make long-term care affordable, including raising the state tax deduction for those who purchase long-term care insurance from 25% to 50% for persons over age 55.

**Resolution Title:** New York State Health Insurance  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, there are approximately three million New Yorkers without medical insurance; and

Whereas, taxpayers and those with health insurance share the burden of paying the bills of the uninsured in order to keep health care providers solvent; and

Whereas, the uninsured overburden our emergency rooms; and

Whereas, the uninsured and underinsured inflate our Medicaid rolls which now comprise the largest percentage of our state and county budgets; and

Whereas, the cost of health insurance premiums is increasing by double digit numbers each year; and

Whereas, employers are find it increasingly difficult to provide health insurance coverage to their employees and are passing on these costs to employees; and

Whereas, universal health care has been proved to help prevent serious illness, to improve maternal and infant care and to lengthen life expectancy; and

Whereas, states such as Illinois, Massachusetts and Maine are placing provisions for universal health care on their state ballots, therefore be it

Resolved, NYSUT support legislation within New York State to provide Single Payer Universal Health Care for all residents in New York.

**Resolution Title:** In Support of TWU  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, the members of TWU Local 100 move the people whose labor makes New York a viable and productive city; and

Whereas, TWU Local 100 is engaged in on-going and contract negotiations with the Metropolitan Transportation Authority (MTA), having initially been offered woefully inadequate terms and conditions of employment; and

Whereas, their issues - wages, working conditions, benefits, the tiering of the workforce, and the rights of retirees-are fundamentally the same issues confronting most public unions in contract negotiations; and

Whereas, the outcome of the TWU/MTA negotiations has and will have an impact on labor negotiations in the city and state as a whole; and

Whereas, even though the MTA and the city threatened TWU Local 100 and its individual members with draconian penalties, the union upheld the principle of “no contract, no work;” therefore be it

Resolved, that NYSUT urge its locals to express solidarity with the on-going struggle of TWU Local 100 to settle a contract; and be it further

Resolved, that NYSUT urge its members to participate in support actions if called for including, but not limited to, attendance at union rallies, participation in TWU worksite picket lines, and distribution of support literature; and be it further

Resolved, that this resolution be circulated to AFT for similar action.

**Resolution Title:** On US Policy in Iraq  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, the premises offered by the United State government to justify the invasion and occupation of Iraq have been exposed as lies: there were no weapons of mass destruction found in Iraq; there is no connection between Al Qaeda and the Saddam Hussein regime; there was no imminent threat from Iraq to the safety of the US and no reasonable evidence to warrant such a claim; and

Whereas, the cost of the war in human life continues to be high: as of January 2006, more than 2,200 US soldiers have died and 16,000 have been severely injured, the majority of casualties occurring *after* the end of “major combat” in May 2003; the number of civilian casualties, as is typical in modern wars, is many times greater than the number of military deaths—estimates of the Iraqi civilian death toll range from 30,000 to more than 98,000, with many more severely injured. Deaths and injuries continue to mount; and

Whereas, the financial cost of the war has led directly to cuts in social and human services: as of December 2005, the war and occupation cost the United States approximately \$195 million *per day*, or more than \$8 million *per hour*, with the total cost approaching \$230 billion dollars. The \$230 billion spent by the US on the war as of December 2005 could have paid for 3,984,902 new public school teachers to be hired for one year, or for similar investments in healthcare, housing, jobs, or for the rebuilding of the Gulf States communities devastated by Hurricanes Katrina and Rita; and New York State’s share of the cost of the war alone could have funded 340,829 new public school teachers for one year; and

Whereas, we recognize the hardships undergone by US military personnel, many of whom are members or family of members of unions, and a disproportionate number of whom are from poor and working-class families. The burden of the war—its deaths, injuries, psychological trauma, and lack of support for veterans—falls disproportionately on working people, poor people and people of color, thousands of whom enlisted because they had no access to other viable options for their lives, including affordable education, healthcare and decent jobs; and

Whereas, the war and the occupation have undermined the economic and social rights of the Iraqi people, producing grinding poverty for many, and an unemployment rate that had reached 70% in June 2004 and has persisted at high levels throughout the occupation; and

Whereas, Iraqi workers are struggling to maintain their labor movement, historically one of the few forces in Iraqi society that is both secular and non-denominational. Yet the US has moved against labor rights in Iraq, enforcing a 1987 Saddam Hussein law outlawing labor organizing, collective bargaining and strikes in the public sector—over 70% of Iraqi jobs—and privatizing formerly nationalized industries, issuing a decree allowing 100% foreign ownership of all Iraq businesses except oil. The beneficiaries of the privatization are primarily US-based multinational corporations, many of them with ties to the Bush Administration; and

Whereas, human rights in Iraq, consistently violated in the Saddam Hussein regime, have now been violated again in the abuse and torture of Iraqi prisoners at the hands of US military and intelligence personnel and of private contractors; and

Whereas, the U.S. government policy on Iraq is founded on an unjustifiable intention and a failure of implementation and integrity. Far from being, as claimed, a “war of liberation,” the US action in Iraq is the

result of a conscious policy to gain control over Middle East oil and expand U.S. dominance through the building of permanent U.S. military installations in Iraq and elsewhere in the Middle East; and

Whereas, war has made the United States less, not more, secure; therefore be it

Resolved, that the New York State United Teachers —as an organization that stands for the rights of working people, the promise of education, and the pursuit of knowledge—go on record as opposing this war waged under false pretenses and inimical to the interests of working people, and that NYSUT join in solidarity with hundreds of labor organizations and call for the immediate withdrawal of all U.S. military forces, bases and operations from Iraq; and be it further

Resolved, that the New York State United Teachers urge its national affiliate, AFT, to call on the US government to meet the physical, psychological, economic, and educational needs of returning and current veterans, including providing full health benefits and restoring services cut by the Bush Administration; and be it further

Resolved, that the New York State United Teachers call on the New York State Congressional and Senate delegations to work with colleagues to reorder national political and economic priorities toward peace, economic and racial justice, labor rights, true security, and human needs.

**Resolution Title:** Counseling Needs At CUNY and SUNY Colleges  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, college enrollments have grown steadily over the past 20 years; and

Whereas a key component of students' college success is access to faculty and professional staff counseling services; and

Whereas, a comprehensive counseling model views the student as a person with multifaceted concerns; and

Whereas, over the last 13 years, faculty and counseling staff have been reporting an increase in college students' mental health problems, most notably depression; and

Whereas, students facing stress, anxiety, or depression may engage in very risky behavior, including heavy use of alcohol or drugs; and

Whereas, the average ratio nationally of counselors to students is 1 to 1500; and

Whereas, this ratio limits the kind of psychological services that can be made available to students in spite of the increased need for such services; therefore be it

Resolved, that NYSUT form a committee to research current patterns of professional staff and faculty counselor ratios to students at SUNY and CUNY in order to determine if current counseling levels should be increased.

**Resolution Title:** Mandating Short-term Disability Coverage for Part-time Faculty and Staff  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, New York State requires private employers to carry Workers' Compensation (originally designed to cover all employees) and disability insurance to partially replace the income of an employee who cannot work due to a temporary injury, illness or other health condition; and

Whereas, public educational institutions (CUNY/SUNY) have chosen the option to self-insure and provide a short-term disability package to all full-time employees that enables them to be paid up to 160 days of accumulated sick leave which exceeds New York State's minimum requirement for non-exempt employers, and

Whereas, public educational institutions have used the exemption so as not to provide such coverage for part-time faculty and staff; and

Whereas, part-time faculty and staff, including non-teaching part-timers, cannot accumulate sick leave; and

Whereas, part-time faculty and staff can be made destitute by a temporary illness or injury; and

Whereas, New York State and its public colleges and universities have a responsibility to provide relief to part-timers through short-term disability insurance; and

Whereas, five states, including New Jersey, provide short-term disability coverage to all employees in the public and educational sectors; and

Whereas, the NYSUT Board of Directors concurred with the 2005 Representative Assembly Resolution #10 to widely publicize its commitment to establish equity for Adjunct Faculty/Staff, including but not limited to its Higher Education Omnibus Model Legislation; and

Whereas, the same resolution includes a commitment to draft legislation to amend Workers' Compensation Law, Article 9, Disability Benefits, to eliminate the exemption of educational institutions from providing disability coverage; therefore, be it

Resolved, that NYSUT develop legislation mandating all institutions of higher education to provide short-term disability coverage for part-time faculty and staff and lobby for its enactment into law.

**Resolution Title:** Support for Drivers' Licenses for New York State Immigrants  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, many NYSUT locals serve immigrant communities, including students enrolled at CUNY and SUNY; and

Whereas, NYSUT has been a supporter of immigrant rights and equal rights for all immigrants regardless of status; and

Whereas, hundreds of thousands of immigrant workers in New York State are currently in danger of losing drivers' licenses due to a Department of Motor Vehicles (DMV) policy which will suspend, non-renew and not grant new licenses to immigrants who cannot provide a valid social security number or prove immigration status; and

Whereas, immigrants and especially college students frequently work in jobs that require the operation of motor vehicles and the loss of a license may cause the loss of a job or the ability to get one thus disrupting lives and education; and

Whereas, making licenses accessible to immigrants saves all drivers money by reducing the number of uninsured drivers, thus lowering insurance rates and improving road safety since all drivers must pass road tests; and

Whereas, in May 2005 President Bush signed an emergency war and tsunami relief appropriation bill, the Emergency Supplemental Appropriations Act, to which was appended the REAL ID Act of 2005 without debate on its merits, its impact or its relevance to the issues of the war and tsunami relief; and

Whereas, the REAL ID Act will prevent many immigrants from obtaining drivers' licenses since it imposes federal standards that exceed guidelines for states wishing to have their drivers' licenses accepted as federal ID; and

Whereas, the Congressional Budget Office estimates that the Act will cost \$100 million over five years, imposing an unfunded requirement on States; and

Whereas, the State of New York is not required to implement the driver's license provisions of the REAL ID Act of 2005 because of the opt-out provision; and

Whereas, the New York City Council in December, 2005 overwhelmingly passed Resolution 1009A, which urges the state to opt out of the driver's license provisions of the REAL ID Act; and

Whereas, current DMV policy poses harm to immigrant workers, their families and communities and to the trade unions to which they belong; and

Whereas, everyone who lives in New York State, who can establish his or her identity, should be able to obtain a driver's license regardless of immigration status, thus improving security; therefore be it

Resolved, that NYSUT lobby the Governor and Commissioner of Motor Vehicles to revise the current state policy to insure that immigrants, regardless of immigration status, be able to obtain drivers' licenses if they meet road safety requirements and have proof of identity; and be it further

Resolved, that NYSUT urge the legislature to opt out of compliance with the driver's license provisions of the REAL ID ACT of 2005; and be it further

Resolved, that NYSUT seek the support of the New York State AFL-CIO for this opt out provision; and be it further

Resolved, that NYSUT encourage the American Federation of Teachers (AFT) to lobby Congress to repeal the driver's license provisions of the REAL ID.

**Resolution Title:** Students' and Parents' Rights With Regard to Military Recruitment on Campuses  
**Submitted by:** Professional Staff Congress/CUNY

Whereas, the US military is using secondary schools and colleges, particularly those that serve the poor, working class and communities of color, as recruitment grounds, including routinely using school and college records to contact students, without the student's or their family's permission, (as allowed in the Elementary and Secondary Education Act of 1965 and the "Solomon Amendment" to the Omnibus Consolidated Appropriations Act of 1997 for college students); and

Whereas such contact often includes harassment of students; and

Whereas, the US military promises to pay for college tuition but in reality fulfills that promise to fewer than 20% of military personnel, thus using the desire for higher education as deceptive bait for joining the military; and

Whereas, US military recruiters frequently present inaccurate and deceptive information, opportunities and conditions of employment to potential recruits, and

Whereas, NYSUT stands for expanded educational opportunity for all; and

Whereas, the US military has an explicit discriminatory rule about sexual orientation; therefore be it

Resolved, that NYSUT oppose the use of schools and colleges as sites for recruitment to the military; and be it further

Resolved, that NYSUT support the confidentiality of all school records and passage of the Student Privacy Protection Act of 2005 which would amend the Elementary and Secondary Education Act of 1965 and would require ESEA-assisted local educational agencies to notify secondary school students and their parents or guardian of their right to "opt-out" of having their personal information provided to the military; and be it further

Resolved, that the NYSUT call for colleges and universities to:

1. require the US military and all other recruiters to sign a "non-discrimination" pledge in order to be allowed to recruit on campuses;
2. join FAIR (The Forum for Academic and Institutional Rights), the group that, together with the Society of American Law Teachers and other organizations, brought the *FAIR v Rumsfeld* lawsuit challenging the Solomon Amendment;
3. publicize students' right not to have personal information provided to military recruiters by the college by placing the "non-disclosure" form on ALL college websites and include notification of this form in a range of announcements, particularly at freshman orientation; and be it further

Resolved, that schools and colleges insure the right of counter-military recruitment protesters to freedom of speech and freedom of assembly without harassment from security or other law enforcement personnel; and be it further

Resolved, that, to insure that counter-military recruitment efforts, including speakers, individuals tabling, and literature be made welcome and available at all events where the US military recruiters are present and that they are given equal and appropriate prior notice and opportunity to do this; and be it further

Resolved, that NYSUT develop an educational campaign for students, informing them of their rights to privacy and ability to opt out of data bases provided to the military recruiters as well as information on truth in military advertising and recruitment; and be it further

Resolved, that NYSUT urge AFT to support HR 551, sponsored by Congressional Representative Michael Honda (D-CA 15<sup>th</sup>), that supports notification of all students and their families of their rights to “opt out” of databases provided by schools to military recruiters.