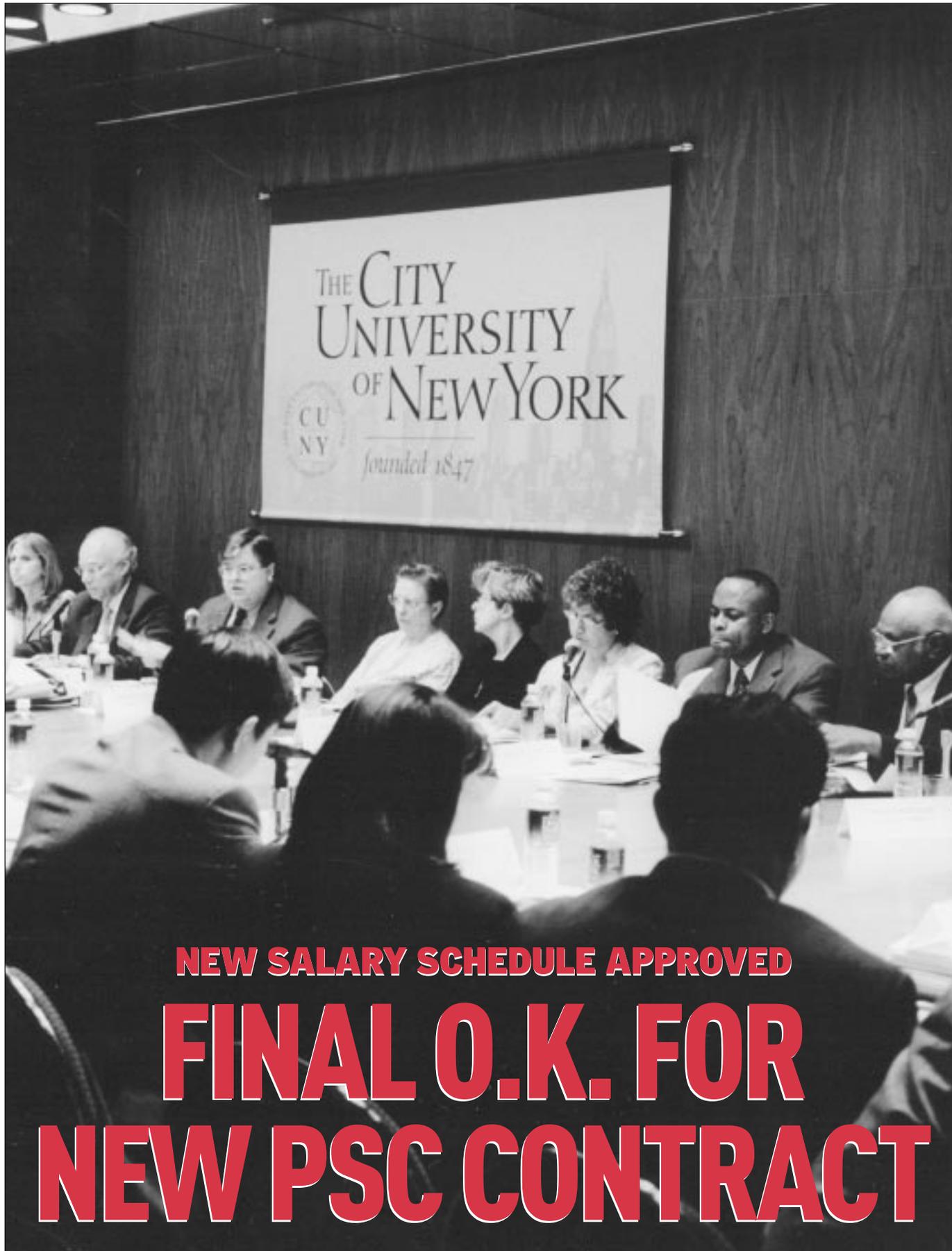


Clarion

NEWSPAPER OF THE PROFESSIONAL STAFF CONGRESS / CITY UNIVERSITY OF NEW YORK



SUMMER 2002



NEW SALARY SCHEDULE APPROVED

**FINAL O.K. FOR
NEW PSC CONTRACT**

On June 24, the CUNY Board of Trustees voted to approve the new labor contract between CUNY and the Professional Staff Congress. Union members had ratified the agreement in a mail ballot the month before, with 93% in favor and 7% opposed. Full funding for the increases in the new agreement was included in the City and State budgets passed in June. The PSC is pressing for retroactive increases to be paid by late summer; the new salary schedule can be found inside on page 7.

PAGES 3 & 7



EOCs

Closing the open door?

Contract talks at the Educational Opportunity Centers.

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BENEFITS

Changes in PSC/CUNY Welfare Fund

New policies on prescription refills and over-the-counter medicines take effect October 1. The Fund's expenses exceed its revenue, so more changes will be needed.

PAGE 5

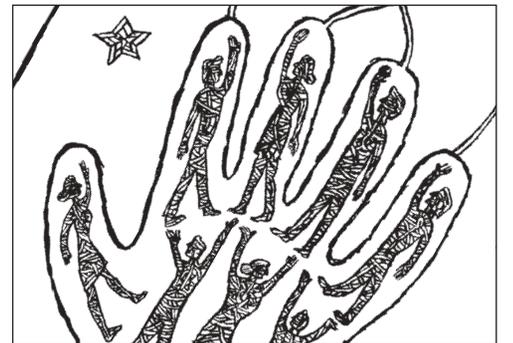


TUITION POLICY

Equal treatment for the undocumented

A coalition of the PSC, immigrant groups, students and other unions win an end to the tuition hike that CUNY had imposed on undocumented immigrant New Yorkers.

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UNION SUMMER

Looking back at what we've done

The summer is a time to take a breath, to make a list. If you made a list of things the union has accomplished, what would be on it?

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Clarion wins labor journalism awards

By CLARION STAFF

The new look and new attitude of *Clarion* has been winning recognition in the rest of the labor movement. This spring the PSC newspaper got top awards for excellence in labor journalism from three different organizations: the American Federation of Teachers (AFT), the New York State United Teachers (NYSUT) and the Metro New York Labor Communications Council.

In the AFT's 2002 Labor Journalism Awards, *Clarion* won first place for "General Excellence" among the largest AFT newspapers (those with circulation of 10,000 or more). The judges liked the fact that "rather than just a 'President's Column,' as most publications have," *Clarion* has a clearly-marked section for opinion pieces, "leading to their being taken seriously." *Clarion* also earned the AFT's first place for

Top honors from AFT, NYSUT and NYC labor press

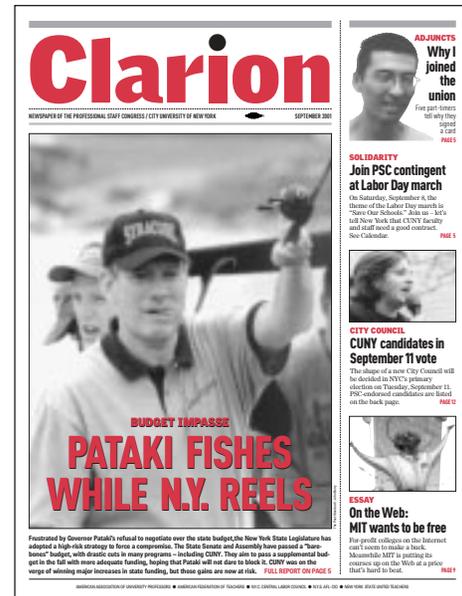
"Best Layout or Graphics," with praise for compelling photos and an "excellent, well-balanced design."

The Metro New York Labor Communications Council (known to its members and friends as "Metro") gave *Clarion* first place awards in four out of seven categories in its circulation class (15,000 to 50,000). In giving *Clarion* a first-place award for "General Excellence," Metro's judges cited the way the paper served as a "voice of the membership," its clean and professional layout and "great departments," such as "15-Minute Activist" and poetry selections.

Clarion's other first-place awards from Metro were for feature writing (Bill Tabb's analysis of globalization and higher ed), photography (a shot of adjunct organizer Kristin Lawler at the April 2001 rally at a Trustees'

meeting, taken by freelancer Eduardo Hoepelman) and "Unique Performance" (our roundtable on labor's agenda for rebuilding NYC after September 11). For this last, which featured articles by leaders of the UFT, TWU Local 100 and SEIU 32BJ, plus the Five Borough Institute and a labor historian, Metro's judges remarked, "We loved that they reached beyond their own union for opinions and input."

The judges for NYSUT's Journalism Contest chose *Clarion* for "General Excellence" in its circulation class – and also named it "The Best of the Best" out of all NYSUT's local papers. "The articles are thoroughly reported, timely and factual, the layout is crisp and easy to read [and] the photographs are clear and action-oriented," the NYSUT judges wrote.



Clarion's September 2001 front page won the AFT's first prize for graphic design.

Clarion won several additional honors from all three organizations, with both Metro and the AFT highlighting the coverage of former Board of Education President Ninfa

Segarra's absence from her job at CUNY (which, as a Metro judge noted, "stirred up quite a hornet's nest").

The special issue of *Clarion* on the PSC contract settlement came out too recently to be considered for any of these awards – but it has sparked unsolicited praise from many union activists. "A model of how to present a contract for consideration and how to communicate openly with the membership," wrote Steve Finner, the AAUP's Director of Chapter Services. "I have never seen a finer piece of work."

"It's great to be recognized when you do things right," said *Clarion* Editor Peter Hogness. "Part of

what's enabled *Clarion* to be a high-quality publication is that our members are not shy about telling us what we could do better. We hope that will continue to be the case."



LETTERS TO THE EDITOR | WRITE TO: CLARION/PSC, 25 W. 43RD STREET, FIFTH FLOOR, NEW YORK, NY 10036. E-MAIL: PHOGNESS@PSCMAIL.ORG. FAX: 212-302-7815.

On the value of being a union member

● It's amazing how much more resonance the voice of a faculty member has when backed by a union. After being denied a promotion to full professor and exhausting all appeals, I turned to Professor Norah Chase, our KCC grievance officer, for assistance.

Professor Chase carefully studied my personnel file and strategized with me. Upon her advice, I collected letters from outside experts as well as other material that attested to the importance of my research. At the hearing, Professor Chase did a masterful job in describing the content and significance of my research and service to the University. She noted evidence of procedural errors and raised the issue of possible discrimination and ignorance with regard to gender studies. Professor Chase's presentation resulted in a very constructive exchange with management. Shortly after the hearing, I received a letter from KCC President McClenney granting me a promotion to full professor, retroactive two years to the date when my application for promotion was denied.

I want to thank Professor Chase. Without her very able assistance, I could not have prevailed. Thanks also to the union officials with whom she consulted at the central office and at the KCC chapter.

– Susan Aranoff
KCC

Criticizing the contract

● While as a retiree I am not able to vote on the ratification of the contract, permit me to address certain

aspects of the proposed Agreement. The workload at the New York City Technical College will now be 26 hours and that of the College of Staten Island 21 hours. This is discriminatory. The workload for all faculty in *all* the CUNY colleges must meet the same standard.

It is also disturbing to me that the professors of library science are still second class citizens with respect to leave. Before City Tech was part of CUNY, its library staff received the same leave as teaching faculty. The union was able to have Mayor Wagner get City Tech's local sponsor, the Board of Estimate, to stipulate that any condition at City Tech superior to that of CUNY would be retained. Unfortunately, the CUNY administration was able to connive to have that leave provision nullified.

Solidarity means "all for one – and one for all."

– Israel Kugler
City Tech (emeritus)

PSC President Barbara Bowen responds: Professor Kugler is a staunch unionist and was for many years the PSC's Deputy President. It's always good to hear his views. I would, however, like to clarify one point: this contract achieves a one-hour reduction in the teaching load at New York City Tech. While not enough, this is the first reduction in over 20 years.

The PSC negotiating team completely shares Professor Kugler's view that City Tech's workload is unconscionable, and that librarians deserve equal treatment in annual leave. We would like to have

achieved more on these issues, and we will press both of them in the next round of bargaining. CUNY management has already agreed to discuss further workload reductions.

Don't do it

● The PSC has no business taking a stand on the war against terrorism unless it is supported by a virtual consensus of its members. What PSC Delegate Stephen Leberstein [in "These issues affect us," May 2002] likes to characterize as "Bush's war" is supported by the American masses and probably by the overwhelming majority of PSC members. Without the support of its members, PSC leadership has no right to take a position.

The PSC needs to have a third party conduct a comprehensive survey of members on this issue before claiming to represent us with a public statement, and only if the results of such a survey are overwhelming should the PSC take a position. In the past, unions have taken positions when there was almost unanimous support from their members. To do so with anything short of a massive majority would be divisive.

If there is no overwhelming majority of union members who think that school budgets are more important than self-defense, will PSC leadership say what it wants to say anyway? And if a comprehensive survey reveals that a majority of members support the war, what will PSC leaders do then?

– K. J. Walters
Lehman College

Important to speak out

● I am proud and thankful that our union has exhibited the wisdom to understand the dangers inherent in the Bush Administration's so-called War on Terrorism and the courage to take a stand against it.

Our members are just as saddened by the events of 9/11 as others are. We are as angry as others at the perpetrators of the carnage. We are just as afraid of future acts of terror. We are just as determined as anyone to protect and defend our families, our homes and our city from death-dealing lunatics.

We are not, however, willing to sit silently by while ignorant or cynical leaders use the horror of 9/11 to justify attacks on our fundamental rights and liberties.

Terrorism and the philosophical, psychological, social, political and economic forces that sow the seeds of terrorism will not be defeated by suspending the rule of law and the Constitutional guarantees of liberty and freedom that make America a great nation.

I'm proud that our union is willing to stand up and say this.

– Benjamin Franklin Carney
Bronx Community College

Setting the record straight

● I must respond to the grossly inaccurate portrayal of my daughter Lori, a political prisoner in Peru, and the mean-spirited and inaccurate attack on the PSC by Sharad Karkhanis in a newsletter absurdly titled, "The Patriot Returns."

In 1996, Lori was wrongfully convicted on terrorism charges and sentenced to life in prison, in a military trial that was internationally condemned for its total lack of due process. I am grateful for the PSC's donation to help cover our enormous legal expenses, a donation that came after Peru's Supreme Military Council annulled the charges and remanded Lori's case to a special civilian court. The donation was unanimously approved by the PSC Delegate Assembly (including delegates from both caucuses), and it followed the American tradition of presuming innocence.

Lori is not a "terrorist." President Bush and Secretary Powell are trying to resolve Lori's case, and have spoken to Peru's President Toledo to encourage a humanitarian resolution. Last year, Lori was acquitted of leadership or membership in a terrorist organization, but was convicted (without evidence) of "collaboration" and given a 20-year sentence. This trial, like the military tribunal, failed to meet international standards of fairness and due process. Our Web site – www.freelori.org – documents the numerous violations.

This summer the Inter-American Commission on Human Rights will issue a decision in Lori's case, and I expect her to be fully vindicated.

– Mark L. Berenson
Baruch (emeritus)

Write to Clarion

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

Union contract gets final OK from Board

By PETER HOGNESS

The new contract between the Professional Staff Congress and the City University of New York has now received final approval. The last step came on June 24, when the CUNY Board of Trustees voted unanimously to approve the agreement.

PSC members had overwhelmingly ratified the agreement the month before, by mail ballot. When the American Arbitration Association (AAA) tallied the vote on May 24, the results were 5,542 in favor (93%) and 386 (7%) against. AAA reported that nearly two-thirds of eligible union members (64%) took part in the ratification vote.

93% of PSC members vote 'yes'

The new contract covers the period from August 1, 2000 through October 31 of this year. The new salary schedules can be found on page 7 of this issue of *Clarion*.

RETRO PAY

The union is pressing CUNY, and CUNY is working with the City and State, to get the increases in retroactive money paid by late summer. This would be consistent with the treatment of other City workers, who received their retroactive pay about two to three months after their contracts got final approval.

The mail vote by PSC members was the last of several stages in the union's ratification process. After negotiators for the PSC and CUNY reached an agreement on March 1, the PSC Executive Council met on March 7 and voted to recommend the settlement to the union's Delegate Assembly (DA). On March 21 the DA voted to approve the proposed contract and recommend it to the membership.

An important step toward making the agreement a reality came on April 17, when Mayor Bloomberg released an Executive Budget that in-

cluded funds to cover the City's share of the contract's costs. This was a significant shift in policy, as former Mayor Giuliani had refused to pay the City's share of CUNY's contractual increases since 1996. With Council support, a City budget with funding for CUNY collective bargaining increases was approved June 21 (see p. 4).

New York State officials had indicated for some time that labor reserves had been set aside to cover the State's portion of the contract's

costs. However, the State Legislature's end-of-session logjam meant that passage of a pay bill could not be taken for granted. PSC officers made several trips to Albany and remained in close touch with PSC and NYSUT lobbyists right up to the end of the session, when the pay bill was approved and then signed by the Governor.

Reversing a Giuliani policy, the City will cover contract increases.

"I want to thank every person who made this contract happen," said PSC President Barbara Bowen. "The union negotiating team, the PSC staff and most of all the activist members and supporters, who were the key element in our being able to break new ground."

PSC and immigrant groups win on tuition

Undocumented immigrant students can pay in-state rates

By PENNY LEWIS

In the final hours of its 2001-2002 session, the New York State Legislature passed a bill that ends CUNY's recent tuition hike for undocumented immigrant students, enabling thousands to continue their CUNY education at in-state rates.

The new law, which Gov. Pataki is expected to sign, also allows undocumented immigrants to qualify for in-state tuition at SUNY, thereby widening access to public higher education in New York State.

The new legislation came after seven months of activism by students, CUNY faculty and staff, immigrants' rights groups and the Professional Staff Congress and other trade unions. The PSC took the lead in organizing a coalition to fight for the legislation last Fall. "We should be very proud that this bill passed as quickly as it did," said PSC Secretary Cecelia McCall, head of the union's Legislative Committee. "Nothing ever happens that fast in Albany."

AFTER SEPT. 11

"This is an exciting victory," said Brooklyn College student Delano Aaron, a member of the New York Public Interest Research Group. "All New Yorkers should be entitled to college. If we single out people who are undocumented, where will we stop?"

Since 1989, CUNY had charged its lower in-state tuition rate to all New Yorkers, regardless of their immigration status. But in the wake of the September 11 attacks, the University announced that undocumented immigrants would have to

pay the higher out-of-state rate, no matter how long they had lived in New York. For those at senior colleges, this meant their tuition was more than doubled – often with less than four weeks' notice.

CUNY's said that the change was required to conform to the 1996 Immigration Reform and Immigrant Responsibility Act, which prohibits giving non-citizens higher education benefits unless the same benefit is available to citizens from all 50 states.

COALITION MOBILIZES

Advocates criticized CUNY's change as hasty and premature. The federal law contained no penalties for non-compliance, and for years CUNY had continued to follow the New York City policy of equal treatment of the undocumented, without sanction. The coalition argued that a full discussion with the broader CUNY community could have resulted in alternative routes towards compliance, such as a coordinated campaign for the kind of legislation that New York has now adopted. But 80th Street refused to reverse the tuition hike – though after some delay it did join in supporting a legislative remedy.

New York's new law follows the example of California and Texas, which addressed the federal statute by tying in-state tuition to criteria other than residency. Undocument-



Barbara Bowen, left, and new University Faculty Senate Chair Susan O'Malley spoke at a June 14 press conference at City Hall.

ed immigrant students can be now charged the in-state tuition rate if they graduate from a New York high school after two or more years of attendance; or if they attend an accredited New York GED program and attain their GED; or if they were enrolled at CUNY during the 2001-2002 school year. Students must apply to SUNY or CUNY within five years of graduation or GED certification. In addition, they must file affidavits stating that they will seek to legalize their immigration status.

Aspects of the legislation have raised some concerns for advocates. "The law isn't perfect," said Bill Crain, City College Professor and Chair of CUNY Is Our Future, citing

its restrictive timetables. Chungwha Hong of the New York Immigration Coalition said that "CUNY must do the necessary outreach and education...to assure its students that their confidentiality will be protected." But she and Crain both feel that the new law is a big step forward.

ACCESS VICTORY

As soon as CUNY announced the change in policy last November, groups across CUNY began to fight it. In December the PSC brought together unions, elected officials and community groups to co-sponsor letters to CUNY Chancellor Matthew Goldstein, state legislators

and Pataki. The union also mobilized solidarity in the NYC Central Labor Council, spoke to religious leaders about the issue, and joined in rallies, picketing and intensive lobbying in Albany. Hunger strikes and lawsuits led by other coalition members combined with the coalition's legislative work brought the issue into focus in the state capital. Assembly members Peter Rivera and Adriano Espallat and Senator Pedro Espada, chief sponsors of the legislation, guided it towards passage in the State Senate on June 20 and in the Assembly on June 25.

The legislature's action came just days before the end of the "hardship deferral" for tuition payment that CUNY had granted students affected by the Spring 2002 increase.

"The PSC's work on this issue shows how socially committed trade unionism works," said union President Barbara Bowen. "Yes, our members' jobs could be affected by a drop in enrollment. But the PSC was also in this fight because we believe in democratic access to education."

As CCNY student Fola Fadahunsi made belated plans for summer session, he savored the victory: "Our hard work – on our campuses, in the City Council, in the streets, in the courts, in Albany – has really paid off."

What do you think of the new contract?

Our Roving Reporter asks PSC members what's on their minds



ALEX VITALE
Assistant Professor of Sociology
Brooklyn College

Without question, the paid professional hour granted to adjuncts is the most important part of the new contract settlement for me. I see it as a big advance for two reasons – first, as a former adjunct, I know what it's like to feel the need to meet with students even though I wasn't being compensated. And as deputy chair of the Sociology Department, it means that we have more of our faculty able to meet with students. It distributes the burden more equitably among the faculty, and my hope is that it will improve the environment around the department.



MONICA NUÑEZ
College Lab Technician
BMCC

I'm so happy that we're finally getting the increase in salary that we've needed for a long time. The extra raise for CLTs is important because we work so hard – we're like the backbone of the departments that we work in, and we don't get time off in the summer. It's about time that all of our salaries – CLTs and faculty – get a raise to bring us in line with the rest of the country. I'm also really happy about the funds for professional development for CLTs. We need the opportunity to get additional training to meet the changing technical standards in our fields, to stay up to date. I feel like CLTs are finally being included and recognized as a key component of the education here.



HEATHER GAUTNEY
Graduate Assistant
CUNY Graduate Center

Personally, I like the new contract because my pay is going to increase very significantly. And I'm going to receive partial tuition remission. I'm happy with that – for now. In the future, we ought to win full tuition remission for grad students who teach. Also, the office hour for adjuncts is a very big win – and a long time coming. People were talking about office hours in 1997, when I first came to CUNY, and now it's finally in the contract! I think the one-year appointment for adjuncts who've served for six semesters is really important too – although I'd like to see summers count. What's been accomplished so far makes me very hopeful in terms of what's possible now.



CARROLL SERON
Professor of Public Affairs
Baruch College & Grad Center

The thing that I like most about the contract is that steps were taken to put flesh on the idea of making this a real research university – a goal CUNY has talked about for a long time. The release time for junior faculty in their first years is really important in that respect. Now those beginning their careers have the time that they need to do research. Also, built into the contract is the opportunity for CUNY to respond to outside offers when bringing in new faculty – so we can be competitive in terms of hiring. Now there's a foundation in place for operating as a research university.



TIBBI DUBOYS
Associate Professor of Education
Brooklyn College

I think that the new contract puts the PSC in a very favorable light, and that's important to me. The contract is especially impressive given the mountains that had to be moved to make this amount of progress. It's just a beginning, but we're on the way to having salaries commensurate with our work and the cost of living in New York. The biggest problems have been at the bottom and top of the salary scale. This contract addresses that. I think it holds out a lot of hope – there's already talk about what's possible to achieve in the next contract. It's an invitation for people to get involved.
[Duboys is a PSC Chapter Chair.]

By Kristin Lawler

A mixed bag in State and City budgets

By EILEEN MORAN
Queens College (retired)

Basic agreement was reached early in the summer on both New York State and New York City budgets. Serious reinvestment in CUNY is still being deferred, but in a generally grim budget year the PSC made gains in some areas.

Both State and City budgets, however, rely on optimistic revenue projections and one-time-only cash infusions or fund transfers. This sets the stage for more budget battles in the not-too-distant future.

The 2002-2003 State budget provides a bit of money for new full-time faculty lines at CUNY's senior colleges, just \$1.06 million. State Base Aid for community colleges went up by \$50 per full-time-equivalent student, a total increase of \$2.7 million.

Money restored to SEEK (\$2.76M) and the College Discovery Programs (\$190,000) only returns these programs to their 2000-2001 funding levels, before the damage caused by last year's "bare-bones" budget.

Childcare funding is also restored to 2000-2001 funding levels with a modest \$1.44 million appropriation drawn not from State aid to CUNY but from the Department of Family Services. This reflects a transfer of funds the State received through federal welfare reform.

Along with these modest gains for CUNY, the State budget included an \$8.7 million cut, representing the cost of administering financial aid at the senior colleges. These costs will now be picked up by federal funds through the Higher Education Services Corporation (HESC), so this is not costing CUNY money. But it does mean that the State has scaled back its aid to CUNY's operating budget.

CONTRACT INCREASES

In the meantime, the PSC scored some legislative successes in Albany, including approval of funds for the increases in the new union contract, and the defeat of Governor Pataki's attempt to cut the Tuition

Assistance Program (TAP) by \$155 million (see sidebar).

City support for CUNY's community colleges went up significantly, reflecting the PSC's education and lobbying efforts with the new class of Council members and the new Mayor. City operating budget support increased from last year's \$101 million to \$123.7 million this year. In a major shift from the Giuliani years, \$15.7 million of this went to fund collective bargaining increases (see page 3). When funding of retroactive increases is included, additional city funding for the new contract adds up to \$40 million.

Mayor Bloomberg had proposed \$12 million in programmatic cuts, \$7 million of which were restored by the Council. While the City's overall capital plan for CUNY is reduced for this year, a much-needed \$2.5 million was committed for the new academic building at Medgar Evers College, along with \$5 million for community college projects.

While the Council sought some tax increases and a restoration of

the commuter tax to avoid cuts in other areas, the Mayor held firm to his position that Albany would not even consider significant revenue increases in an election year. But Bloomberg hinted that taxes would get another look next year, when new revenue will be needed more than ever.

ONE-SHOTS

Both State and City budgets are based on somewhat optimistic revenue projections, and so may not survive intact through the end of the 2002-2003 fiscal year. And if they do, many of the one-shot methods used in both cannot be employed again, so the pressure on next year's budgets will be intense in any case.

Even with an economic rebound, significant increases in CUNY's funding are unlikely unless the State and City begin to raise additional revenue. NYSUT is now proposing a temporary, two-year income tax surcharge on those earning over \$106,000, which could generate \$3 billion for education.

PSC scores legislative wins

The end of the legislative session in Albany brought success on several PSC priorities:

- A pay bill covering PSC collective bargaining increases (see page 3). Together, State and City budgets included \$160 million in new funding for the contract.
- Fair tuition for undocumented students. The PSC worked to pull together a broad coalition that won this uphill battle (see p.3).
- An Early Retirement Initiative in which CUNY will participate (see page 9).
- Defeat of Governor Pataki's attempted raid on the Tuition Assistance Program.
- Pataki had proposed holding back one-third of each student's TAP grant until after graduation.
- A new law prohibiting purchase or sale of sweatshop-made clothes at SUNY and CUNY.

Welfare Fund changes are on the way this fall

By PETER HOGNESS

Starting this October 1, the PSC/CUNY Welfare Fund will require that mail-order be used for the second refill of a drug prescription, and will not cover drugs for which an equivalent can be purchased over the counter. More changes will be coming in the Fall, in response to a long-building crisis in the Fund's finances.

A series of campus meetings are being planned for Fall semester, at which members can learn about the Fund's crisis and discuss how they think it should respond. "It's important that members' voices be heard as we decide what the next step should be," said Steve London, PSC First Vice President and the Welfare Fund's Executive Officer for Planning and Member Relations.

MAIL-ORDER

As previously reported in *Clarion* (February & May 2002), the Welfare Fund (WF) has spent more on benefits than it has received in revenues for the last six years. In 11 of the last 14 years, the WF has run at an operating deficit. The WF has been dipping into its reserves to cover the gap, but those are now getting dangerously low. "If nothing were to be done, the Welfare Fund would spend down its reserves to nothing by sometime during the year 2004," explained Rina Yarmish, Welfare Fund Treasurer and PSC Chapter Chair at KCC. "We can't allow that, so that means we need to take action now."

The Welfare Fund Trustees have been examining what kinds of

New prescription policies, campus meetings

changes could put the Fund on a more solid financial footing. A Strategic Planning Committee first met last November and delivered its report in March, with the changes in prescription refills and over-the-counter equivalents among its recommendations.

The change in drug prescription refills will take effect October 1, 2002. It will only affect members in health plans affiliated with the NPA prescription plan: GHI-CBP, Choice Care, HealthNet (formerly PHS) and Blue Choice. Starting with the second refill of a prescription (that is, the third time a drug is ordered), the drug must be obtained by mail-order. "This is basically for maintenance drugs," said WF General Administrator Norma Frey. "By mail-order you generally get a 90-day supply." The change will mean a significant savings to the Fund, said Frey, "because every time someone goes to the drug store it costs us a dispensing fee."

Mail-order has long been available as an option, with order forms available from CUNY personnel offices or the WF office. Instructions on the new policy will be mailed to plan participants, and WF staff will be available to answer members' questions.

The change on drugs available over the counter (OTC) also will go into effect October 1. "Any drugs for which an equivalent is available without a prescription will no longer

be covered," said Frey. This most often means OTC drugs that are also available in prescription form at a higher dose. "For instance, you can

If no changes were made, the Fund's reserves would be gone by 2004.

get the antacid Zantac over the counter in a 75 milligram tablet," said WF Associate Administrator Estelle Giammusso. "Your doctor can give you a prescription for a stronger tablet, with a dose of 150 milligrams, but as of October 1 this will not be covered." If a doctor recommends that a patient take the higher dose, Giammusso explained, two of the OTC pills can be taken instead.

As the WF makes changes, it will also explore where improvements to coverage may be possible. The WF Trustees' June 13 meeting adopted one coverage enhancement, removing the plan's exclusion of oral contraceptives.

REORGANIZING

The Trustees also decided to issue Requests for Proposals or Requests for Information (RFPs or RFIs) in several areas, to see which providers could provide the best value on a reorganized benefit package. Requests are being issued for administration of the prescription drug plan, the dental plan and life insurance. An additional RFP asks for proposals on ways to rationalize the current patchwork of extensions to basic health insurance (the GHI optional rider, Cigna Major Medical, Marsh [formerly Wohlers] Catastrophe),

In the campus meetings planned for the Fall, the Trustees will inform members about the choices faced by the Fund and hear what they think should be done. *Clarion* will carry more news about the meetings and the Welfare Fund in the Fall.

In the Municipal Labor Committee's multi-union bargaining over benefits, the PSC pushed hard for a big boost in management's Welfare Fund contributions. Though a large increase was achieved in the round of bargaining last year, it was not enough to eliminate the problem.

A NATIONAL PROBLEM

"Every union welfare fund that I know of is having a problem, particularly with prescription drugs," said Irwin Yellowitz, chair of the PSC Retirees Chapter and a member of the Strategic Planning Committee. "Of course, not all welfare funds cover drugs. But all those that do are having to think of ways to save money." The only long-range solution, Yellowitz said, is a national program. "Otherwise skyrocketing prices will just outrun the ability to keep up, whether a program is financed by the employer or employees."

"This is a nationwide problem," commented the WF's Giammusso. "Why can other countries get the same drugs at one-third of the price? Because they have price controls, and national health plans that bargain for the cheapest rates." The US, she observed, has neither. "There has to be a grassroots movement if we want that to change."

CUNY NEWS IN BRIEF

O'Malley new head of UFS

Susan O'Malley, professor of English at Kingsborough Community College and the Graduate Center, was elected chair of the University Faculty Senate in May. She succeeds Bernard Sohmer, UFS chair since 1998. In her 12 years in the UFS, O'Malley has served as its secretary and editor of the UFS newsletter. A 28-year CUNY veteran, O'Malley has also taught at the CCNY Center for Worker Education. Her research focuses on early modern drama and pamphlets, education, disability, and women's studies. She also serves as a Community College Officer on the PSC Executive Council.

Four new CUNY trustees appointed

Close on the heels of Gov. Pataki's appointment of Fr. John Bonnici to the CUNY Board of Trustees, the BoT has acquired four more new members. Deputy Mayor for Legal Affairs Carol Robles-Roman, a former lawyer in the State Civil Rights Bureau, who oversees the New York City Commission on Human Rights and other agencies, was appointed by Mayor Bloomberg and took her seat in June.

Pataki appointee Dr. Hugo Morales, a psychiatrist and former medical director of the Bronx Mental Health Center, also began his term in June. The Board's first Dominican member, Morales was a member of Hostos Community College's Advisory Board. Investment banker Valerie Lancaster Beal, a Georgetown University regent and a regular speaker for the COPE welfare-to-college program, was appointed to the seat formerly held by Trustee John Morning, effective July 1. Lancaster Beal was president of Metro-Manhattan Links, a service organization. New UFS chair Susan O'Malley is an ex officio member of the BoT.

Adjunct health care talks

New York City officials met with the PSC in June to discuss the PSC's proposal to include eligible adjuncts in the City health plan. While the City was non-committal, it agreed to expedite review of the union proposal; the City and CUNY are collecting additional data to finalize cost projections. The PSC raised the adjunct health care issue during final City budget talks in mid-June, while the City was negotiating with the Municipal Labor Committee, a coalition of City worker unions that includes the PSC. The MLC agreed to a restructuring of City funding for pension cost-of-living adjustments enacted in 2000, which will save the City \$300 million this year without negatively affecting beneficiaries. The City agreed to negotiations with the PSC as part of the pension deal.



About 20,000 public school teachers and students joined hip hop stars for a City Hall rally against cuts to education on June 4. The protest was organized by a group of education advocates including the United Federation of Teachers, which signed a new labor contract days later. NYC teachers got a 16% raise which includes payment for a 6% longer school day.

RF negotiations stall on salaries

Negotiations for workers at the CUNY Research Foundation are currently stalled, with RF management offering a package similar to one they proposed in May.

Management's proposal includes a five-year agreement with salary increases of 2 1/2, 2 1/2, 3, 3 1/2 and 4 1/2 percent. RF staff say this doesn't make up for the low pay at the Foundation.

"When you've been working somewhere for nine years, you expect to get a [salary] increase," says Antoinette Morizio, RF Chapter Vice Chair. "I've seen little in nine years."

"The consensus at the RF is that management's actions and their offer are insulting," says Dion Brown, RF Chapter Secretary and member of the negotiating team. "Reverting to their offer of two months ago, with no movement on their side, is no way to reach an agreement."

Management says it cannot afford higher salary increases.

"Their cry of poverty is ludicrous," says Brown. "Members are patient in their resolve. They know that we've waited this long and we can wait a little longer."

Downgrading CUNY?

By TOMIO GERON

For faculty and professional staff at CUNY's four Educational Opportunity Centers (EOCs), bargaining for a new contract has become a battle over the future of the institutions themselves.

EOC faculty and staff in the Bronx, Manhattan, Brooklyn and Queens want to continue their 36-year tradition of providing academic and skills training for disadvantaged communities. Without a contract since July 2000, they say management's demands to cut salaries and benefits are part of a broader effort to distance the centers from the rest of CUNY and transform them into purely vocational training centers.

The focus on workforce development would be a major shift for the EOCs, which have historically had a balance between job skills courses and a preparatory curriculum for college.

Many EOC faculty are Lecturers, but management wants to stop using this title and bring new hires into a new lower-paid "Teacher" title with a higher workload. Instead of annual salary increases, management has proposed that annual evaluations determine whether any increases are given at all. These changes would result in a lower-paid, less-skilled faculty for the Centers.

Downgraded EOCs would be especially unfair to the city's communities of immigrants and people of color, say PSC members at the EOCs. "We're able to reach people who are difficult to reach," says Gene Plunkett, a member of the

Mission of Educational Opportunity Centers is under fire



Photos: Tomio Geron

EOC graduate with child

union negotiating team and Manhattan EOC chapter chair. "We're able to deal with people who have nothing. And we're able to make them begin to believe in themselves, not only to qualify for jobs but also to go on to get a B.A. When you help individuals like this, you help the community."

NUMBERS GAME

The EOCs, which are operated by CUNY but funded by SUNY, also run New York State "Bridge" welfare-to-work programs. The EOCs now appear intent on accelerating students into workforce training programs, to show higher numbers for getting people off welfare, EOC faculty say. This shift would de-emphasize the track towards a B.A., which takes longer to move large numbers into paying jobs. Many welfare-to-work programs have



The Brooklyn EOC celebrated its graduation at New York City College of Technology on June 20. Above photo, class valedictorian Andrea Capers, left, receives an award from PSC Chapter Vice Chair Eva Delsarte and Chapter Chair Amy Nicholas.

been criticized for pushing individuals into low-paid service sector jobs with little room for advancement. "The EOCs always thought of themselves as preparing students not for low-level jobs they'll just lose, but for a real career path," says Amy Nicholas, Brooklyn EOC chapter chair. Management says they're simply responding to the demands of students. But when the PSC has asked for proof of this, management has offered none.

The union bargaining team sees such a shift towards workforce development as part of a significant shift in state policy to reduce access to higher education. The Pataki ad-

ministration has proposed cuts to New York's Tuition Assistance Program, and recently argued in court that the State is obliged to provide children only with an eighth-grade education.

SALARY PARITY

"If SUNY and CUNY management want to fundamentally change the EOCs, they need to hold open, public dialogue," says PSC President and lead negotiator Barbara Bowen. "Contract negotiations are not the place to impose a new, downgraded model on these Centers."

PSC members at the EOCs have historically had salary parity with

comparable titles throughout the rest of CUNY, and they now want equal increases with their CUNY colleagues.

EOC faculty and staff have written about 50 letters asking for assistance from Assemblyman Arthur Eve, who played a central role in establishing the EOCs. Eve has assured these concerns with EOC management. PSC members also took up a campaign to get students and others in the community to sign petitions of support. "People were constantly putting filled-out petitions in my mailbox," says Nicholas. Two Manhattan EOC graduates delivered the petitions – with about 2,000 signatures – to SUNY and CUNY negotiators at a recent bargaining session. And at the Brooklyn EOC graduation in June, students eagerly put on PSC stickers that read, "Save the EOCs."

STAFF CUTS?

Meanwhile, EOC workers are concerned about recent staff cuts. A considerable number of adjuncts at the Brooklyn and Manhattan EOCs, as well as one HEO at the Bronx EOC, received letters of non-reappointment. They have filed grievances through the PSC.

In addition to de-skilling EOC faculty, management also wants to lower salaries for existing part-time teaching titles, from about \$54 per hour of classroom contact to as low as \$35 per hour. But Plunkett says that EOC members aren't about to roll over to EOC demands. "We don't buy management's positions," says Plunkett.

"Negotiations have been tough, but I think management has understood now that we cannot agree to demands that would undermine the EOCs," says Bowen. "I'm hopeful that we'll be able to make progress in the next few weeks."

The Educational Opportunity Centers

By AMY NICHOLAS
Brooklyn EOC Chapter Chair

Opening the doors to jobs and higher education in NYC

What are the Educational Opportunity Centers? Since many PSC members know little about the EOCs, I have been asked to provide some information about what we do – to provide a map of our terrain.

Originally created as the "Urban Centers" of SUNY in 1966, the EOCs were the brainchild of the late Governor Nelson Rockefeller and a group of state legislators from Brooklyn and upstate, led by Assemblyman Arthur Eve of Buffalo. Their thought was to create a series of educational institutions throughout New York that would offer an opportunity like nothing then on the landscape. The Urban Centers' mission was to give the educationally disadvantaged, the marginally skilled and the displaced employee an opportunity to acquire skills in a

wide range of educational and technical/vocational areas, with support from counseling, job-placement and college-placement professionals. The idea was both to improve students' job prospects and broaden their educational horizons. The Urban Centers were renamed the Educational Opportunity Centers in the mid-1970s.

FIGHTING POVERTY

In the last 36 years, the EOCs have helped many thousands of adults to realize their dreams of gaining jobs and education. The Brooklyn EOC alone has served 230,000 New Yorkers. Courses taught at the EOCs include high school equivalency, college preparatory, English as a Second Language, computer technology and a wide va-

riety of industry and college partnerships. Amazingly, all of these courses are free. We receive no money from our students other than a refundable book deposit.

It is important to say that when the EOCs were created in 1966, they were just one of many programs with the goal of fighting poverty and discrimination. The 1960s were turbulent times, and many people of good will were seeking ways to redress race and class inequities in New York. But the EOCs have succeeded in their mission where many others have not. One of the main reasons for their success (beyond the hard work of so many people) is

the EOCs' unique structure: each one is directly connected to a local college. For the New York City EOCs, this local college connection is with CUNY.

In the last 36 years, we have helped countless students reach goals that others were unwilling or unable to help them tackle.

In the last 36 years, we have helped countless students reach goals that other educational institutions were unwilling or unable to help them tackle. When we look back we see our students who became college professors, computer technology specialists and business owners. One became director of an EOC, while another became a Regent of the State University of New York. We believe this is what the formulators of the EOC construct had in mind in 1966, when

they forged this affiliation between the City University of New York and ourselves.

The first lecturers at the Brooklyn EOC were employees of New York City Technical College and members of the United Federation of College Teachers (UFCT). When the UFCT merged with the Legislative Conference to form the PSC in 1972, the Public Employees Relation Board ruled that EOC faculty and staff in New York City should be included in the PSC.

MISSION QUEST

The union contract for the CUNY-affiliated EOCs is now being negotiated, well after the negotiations for CUNY as a whole. Management negotiators are seeking to increase workloads, de-professionalize job titles and drastically alter the structure of the EOCs. EOC faculty and staff, thousands of students and the PSC leadership are fighting these attempts to downgrade the EOCs. We hope we are successful in our quest – because what is at stake is the survival of our original mission.

Edison schools on the edge

By TOMIO GERON and PETER HOGNESS

Investor confidence shaken by SEC probe

When Edison Schools Inc. made its pitch to the cash-strapped, underperforming Philadelphia schools, it stressed the investments it would make in students. Edison's flashiest promise was that students at its schools would get free computers.

But to investors, the nation's largest for-profit school company was singing a different tune. In a June conference call, CEO H. Christopher Whittle assured stock market analysts that at Edison, "a trend is decreased capital spending per student." A new focus will be pulling out of schools which are hurting Edison financially. "We will be ending some with poor economic performance," Whittle said coolly.

The conference call was an attempt to quell rising Wall Street anxiety about Edison. The company's stock price has been dropping steadily since January, losing 95% of its value and falling to less than a dollar per share in early July – below the minimum required to stay listed on the NASDAQ.

ALIVE & WELL?

"We're very disappointed with the stock price as of late," Edison spokesperson Adam Tucker told *Clarion*. "But companies don't go out of business because the stock price is low. Edison remains alive and well."

More and more investors, however, think that Edison is badly injured, especially since the May 14 announcement of a Securities and Exchange Commission (SEC) investigation of Edison's accounting practices. The SEC concluded that Edison had greatly overstated its revenues, and that \$154 million of \$376 million reported for 2001 was actually not revenue at all. For example, this figure included money that was paid directly by school districts to teachers and was never handled by Edison in any way.

The SEC said that Edison was in "technical compliance" with accounting regulations, and reached a settlement without imposing penalties. But it was Edison's reported revenue growth that had made its stock such a rising star. The SEC probe was thus a severe blow to investor confidence, but only the most recent: the company's stock had already been hurt by a string of contract cancellations (see sidebar), a setback to Edison's ambitious plans in Philadelphia and increased Wall Street wariness of companies that have never made a profit.

All this put Edison in a bind. The company is scheduled to take over management of 20 schools in Philadelphia this fall, but on May 17 it admitted that it didn't have enough money to do so. While Edison got far fewer schools in Philadelphia than expected, 20 is the most schools it has ever run in one city. In the past,



On June 18, the Philadelphia Federation of Teachers and Philadelphia community groups brought six buses of people to Edison's national headquarters in Manhattan to demand that Edison leave Philadelphia.

the company had turned to the stock market to raise additional capital, but with investor confidence so low this was no longer an option.

In June, Edison closed the gap with \$40 million in last-minute loans. Of this, \$30 million came from Chelsey Capital, whose general counsel, William B. Wachtel, is a 20-year friend of Edison Chairman Benno Schmidt Jr. The other \$10 million came from Merrill Lynch, Edison's own financial advisor. Each loan

came at a steep price, with interest rates reportedly in the teens.

While Edison is struggling, some of its executives have not done too badly. CEO Whittle paid himself \$23.3 million in compensation and fees from 1995 to 1999. Edison paid additional money – \$1.07 million over the same period – for services to WSI Inc., a company whose sole stockholder is Whittle. In the year after Edison's November 1999 IPO, Whittle got rid of 5.8 million Edison

"A" shares, which means he may have pocketed \$100 million or more while Edison's stock was riding high.

Edison Chairman Schmidt, who is also interim head of the CUNY Board of Trustees, sold 68,000 of his shares between September 2001 and March 2002, according to Insider Form 4 SEC filings and Vickers Stock Research. Most were sold before Edison's stock started declining in January; they went for about \$1 million altogether, or an average share price of around \$15. Like Whittle, Schmidt has received large personal loans from Edison at below-market rates – for example, a \$200,000 loan at 5.8% in January 1996, when the prime rate stood at 8.5%. In Schmidt's case, such loans total at least \$1.8 million.

NO-BID CONTRACT

In Philadelphia, Edison faces its biggest challenge yet. Last year, after a state takeover of "poorly-performing" Philadelphia schools, then-Governor Tom Ridge tapped Edison in a no-bid process for a \$2.7 million study that would recommend what course the state should follow. Few were surprised when Edison called for a private company to be hired to run the schools.

The idea of Edison running Philadelphia public schools drew heated

protest from a wide range of community groups, parents, students and the Philadelphia Federation of Teachers (PFT). In the end the School Reform Commission gave Edison only 20 schools for this fall, instead of the 45 that had been expected.

Much about Edison's plans for Philadelphia remains uncertain. Many teachers at the 20 Edison schools still have no idea what subjects they will be asked to teach. Edison has removed some principals; a number of teachers are transferring out; and the PFT has filed legal challenges, alleging violations of its collective bargaining agreement.

"I look up the Edison stock almost every day," an eighth grader told *The New York Times*. "I feel like they're going to take us down." Edison will not go bust before September. But its medium-term

future is murky, and Philadelphia officials have directed their lawyers to study how to protect the city's interests if Edison does go bankrupt. Would the free computers be repossessed by Edison's creditors? What happens to Edison textbooks? These are questions that public schools have never had to face before.

Edison's original business plan was to launch a nationwide chain of schools that would be privately owned. When that proved unrealistic, it turned to the idea of for-profit management of public schools, a sort of "privatization lite." Now the viability of that idea, too, is being put to the test. The results so far have led many – both educators and investors – to ask: is public education really a good way to make a buck?

Does Edison deliver?

Some districts give it a failing grade

Edison has won over many school districts with the claim that private management can deliver better education for less. The company touts its 10-point program, which includes a longer school year, longer school days and keeping students with the same teacher for two years.

There is increasing evidence, however, that Edison has often failed to deliver in three key ways: a growing number of districts say that costs have gone up, test scores have not, and some educators are concerned that Edison may try to ease out high-cost students.

BALLOONING COSTS

In May the Boston Renaissance School, one of Edison's original charter schools, said it was terminating its contract three years early due in part to test scores below city averages. In January, the Wichita school district terminated Edison at two elementary schools after five years, in part due to poor test scores. And in one of Edison's biggest "clusters" in Dallas, the school board will decide in August whether to continue its

Edison contract for seven elementary schools. Three of the schools are rated "low-performing," the same number as before Edison came in two years ago.

An independent evaluation of Miami-Dade County Edison schools, commissioned jointly by local officials and Edison, found that after four years, "the project failed to comparatively improve the students' academic achievement." Overall, the report concluded, "the evaluation failed to produce any evidence that the Edison model represents a superior educational program."

Other studies sponsored by the AFT and the National Education Association have found similar results, frequently due to high teacher turnover and inexperienced teachers.

At the same time, Edison's claim that it can increase efficiencies and spend less has produced a growing number of skeptics. During the 2000-2002 school years, schools in San Antonio, Wichita and Hamden, CT

cancelled Edison school contracts because of high costs. In many schools, Edison's costs exceeded what school districts were prepared to pay: provisions in Edison contracts can cause the costs to school districts to balloon unexpectedly.

Philadelphia activists are concerned that Edison's focus on the bottom line will not produce adequate support to a population that is more than 80% students of color, or to the almost 20% of Philadelphia students with "special needs" (a definition that includes ESL students). "There are concerns about the mission of this company and addressing these needs," Helen Gym of Philadelphia's United to Support Public Schools told *Clarion*.

SHUNNING?

Critics in San Francisco say that in their city, Edison has shunned immigrants, people of color, students with special needs and pupils likely to score lower on standardized tests

– all of whom, for different reasons, can cost more to educate. A March 2001 report by the San Francisco Unified School District said Edison may be "counseling out" such students, citing the fact that one-third of Edison Charter Academy's African American students had transferred out.

Parents "complained that African American students were told that Edison might not be 'the right school' for them, and that the school treats African American students differently than students of other ethnicities in disciplinary practices as well as treatment by teachers and staff," the report said. Less than half of students in the school before Edison arrived were English-proficient, but number jumped to more than two-thirds of students afterwards.

In addition, Edison's teacher turnover in San Francisco was extremely high – 76% in the school's first two years – due to long hours, a rigid testing-focused curriculum and what many teachers described as a "Big Brother" atmosphere.

Edison's Tucker said the San Francisco report was politically motivated. "Parents fought tooth and nail to keep us," he said. "I won't go as far as to say it's all unequivocally not true. But almost." – TG

Good rates on insurance – and roller coasters

PSC brings you a wide range of services

By TOMIO GERON

Your union membership opens the door to a wide variety of services from the PSC, its affiliates (New York State United Teachers, the American Federation of Teachers and the AFL-CIO) and the PSC/CUNY Welfare Fund. Mortgages, lawyers and theater tickets are all there for you at low cost – so take advantage of these benefits.



LEGAL SERVICE PLAN

NYSUT's Legal Service Plan offers unlimited access to toll-free legal advice on weekdays from 9 am to 5 pm, as well as a toll-free hotline for urgent legal assistance at other times. The plan also includes: 2 free hour-long office consultations with an attorney in the AFT's national legal office or local referral attorney; writing legal letters or making phone calls on your behalf; one simple will or update of a simple will every year; and NYSUT's *Preventive Law Guide* newsletter. The annual fee for the plan is \$65. There is also a retirees' plan available for a reduced price of \$36. The plans, which are administered by NYSUT, are offered by Feldman, Kramer & Monaco, P.C., which was honored by the legal rating firm Martindale-Hubbell with its highest possible rating. To get an application, call NYSUT Member Benefits at 800-626-8101, weekdays from 9 am to 5 pm, or e-mail them at benefits@nysutmail.org.



HEAT USA

Join with 27,000 homeowners who are members of HEAT USA to receive substantial discounts on heating oil, free service contracts and free annual cleaning and tune-ups from top-rated heating oil suppliers. HEAT members save \$200-\$300 per year through their combined purchasing power. For more information log on to <http://www.heatusa.com>. To join, call 888-HEAT-USA and mention you're from the PSC: you'll pay only \$25 for the first year and your second year is free.



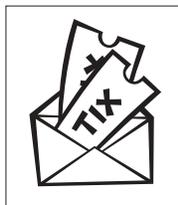
HOME MORTGAGE AND FINANCING

The AFT offers services for buying, selling or refinancing your home. Competitive mortgage rates, with down payments as low as five percent for first-time buyers, are available. Other benefits include apply-by-phone for first-time buyers, quick decisions on loan applications and financial assistance for those who become disabled. Not sure which way to go? The AFT also offers real estate advice from program counselors. For more information, call 800-981-3798.

The AFL-CIO Housing Investment Trust and the PSC/CUNY Federal Credit Union also offer home mortgage loans on pro-consumer terms, both in association with Countrywide Home Loans. To find out more

YOUR BENEFITS

about the AFL-CIO program, call toll-free to 866-HIT-HOME; for the Credit Union call 212-354-2238.



THEATER MANIA

Theater Mania's Gold Club annual membership entitles you to a year's worth of complimentary tickets and substantial discounts to Broadway, Off-Broadway, Off-Off Broadway and Long Island theater, comedy, dance, music and family events. PSC members can obtain a membership for \$59 – a 40 percent discount. For further details visit <http://www.theatermania.com> or call the PSC membership department at 212-354-1252. To join, log on to <http://www.theatermania.com/psc>.

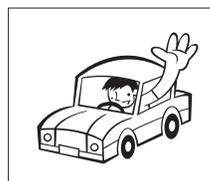


HOMEOWNERS, RENTERS AND AUTO INSURANCE

Get your hands on special group rates on property insurance through NYSUT's METPAY. Homeowner's, renter's, condo and co-op insurance are available to protect your dwelling and its contents. Also get coverage for personal liability or theft of personal property. A guaranteed repair program is included and discounts are available for new homes, security systems, older homeowners and multiple policies.

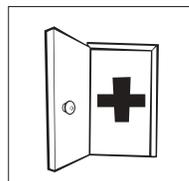
Automobile insurance covers bodily injury and/or property damage. You can select a deductible that fits your budget. Roadside assistance is available 24 hours, 7 days a week. Discounts are available for multiple cars, anti-theft and safety devices.

METPAY also offers boat owner's, fire and other insurance. No-obligation rate quotes and customer service are available Monday through Saturday, and claim reporting service is available at any time. To get a premium quote, call METPAY at 800-438-6381. METPAY is offered by MetLife.



CAR RENTAL DISCOUNTS

AFT members can get car rental discounts of up to 15 percent with Alamo, Budget and National. The AFT encourages you to shop around for the best deals, as car rental rates change often. For Alamo, use ID number: 93643 and code: BY. For Budget, use ID number: T544500. For National, use ID number: 5130283.



LONG-TERM CARE COVERAGE

Long-term care coverage is offered by the PSC/CUNY Welfare Fund to full-time eligible members, all retired members, and their spouses and qualified domestic partners. Various plans are available, with up to \$467,200 in coverage. This long-term care can be provided in a nursing home, in your

home or in an adult day care center, and is available whether you need it due to accident, illness or natural aging. The plan is offered by John Hancock. For more information, call John Hancock at 800-543-7108, log on to <http://www.jhancock.com/gltc> or call the Welfare Fund at 212-354-5230.



BUYING PLAN

Buyer's Edge offers discounts on a wide variety of goods, such as major appliances, furniture, stereos, computers, carpeting and more. Buyer's Edge has negotiated agreements with a network of vendors that provide substantial discounts. The company also has a car-buying service for new and used vehicles. For information, call the PSC membership department at 212-354-1252 or log on to www.buyersedgeinc.com, click "members click here" and enter User Name: 3100, Password: member1.



AMUSEMENT PARK TICKETS

The summer is not over yet! The PSC has discount tickets for various theme parks, including: Six Flags Great Adventure (NJ), The Great Escape & Splashwater Kingdom, Hershey Park, Anheuser-Busch Theme Parks (Adventure Island, Sea World, Busch Gardens and Sesame Place). Call the PSC Membership Department at 212-354-1252.

CUNY OKs retirement incentive

By CLARION STAFF

On June 24, the CUNY Board of Trustees voted to participate in the 2002 Early Retirement Incentive. The state legislation has two parts. Open enrollment period for both is from Oct. 31, 2002 to Jan. 28, 2003.

Part A is for instructional staff at least 50 years of age with 10 years of service at the time of retirement. TRS/ERS members receive one month credit for each year of service up to a maximum of 36 months,

and TIAA/CREF members receive a percentage of salary up to a maximum of 45 percent, distributed in a lump sum to their pension or SRA.

Part B is for instructional staff who are in TRS or ERS in Tier II, III or IV, are at least 55 years old and have 25 years of service. This incentive will temporarily eliminate the onerous benefit reduction for individuals who retire before age 62.

For updates, check the PSC web site (www.psc-cuny.org). *Clarion* will carry more details in September.

NOTICE

Notice of names of persons appearing as owners of certain unclaimed property held by the PSC/CUNY Federal Credit Union: The persons whose names and last known addresses are set forth from the records of the above named banking organization to be entitled to unclaimed property.

Helen Pilla, 3566 Northview Ave., Wantagh, NY 11793.

A report of unclaimed funds has been made to Carl McCall, the Comptroller of the State of New York, pursuant to section 301 of the Aban-

doned Property Law. A list of the names contained in such a notice is on file and open to public inspection at the principal office of the credit union located at 25 West 43rd Street, NY, NY, where such abandoned property is payable.

Such abandoned property will be paid on or before October 31, 2002 to persons establishing to its satisfaction their right to receive same.

In the succeeding November, on or before the tenth day thereof, such unclaimed property will be paid to Carl McCall, the Comptroller of the State of New York, and thereupon cease to be liable thereof.



Theater night for PSC women

On May 4, the PSC Women's Committee (from left: members Barbara Omolade, Lorraine Cohen and Norah Chase) and friends filled the house for "Women's Voices from Union Square," a musical play about labor history. Playwright Dorothy Fennell, labor historian at Cornell Labor College, uses the character Clio, the mythological muse of history, to bring major women in the labor movement back to life. If you'd like to know more about the Women's Committee, which plans to do other cultural events in the future, call Debra Bergen at 212-354-1252. – Norah Chase

CALENDAR

SEPTEMBER 3 / 3:30 pm: This year's Labor Day event will be on a Tuesday, at Battery Park. No weekend parade, due to a conflict with Rosh Hashanah. Instead, a rally and public program will look at the future of workers and unions, celebrate contributions of working people and commemorate the anniversary of 9/11. Sponsored by NYC Central Labor Council. For info, call 212-604-9552.

SEPTEMBER 26-28 / Labor's Voices-Labor Tech conference, "Democratic Media and Organizing in Uncertain Times." Panels on winning media campaigns on labor struggles; unions and civil liberties; alliances between labor, youth and ethnic media; and labor radio and video. Speakers include Barbara Bowen, Juan Gonzalez, and labor historian David Montgomery. Cosponsored by the PSC. At the CUNY Graduate Center (34th Street and 5th Avenue). To register, call 212-817-8215.

POLITICAL ACTION

Our federal agenda

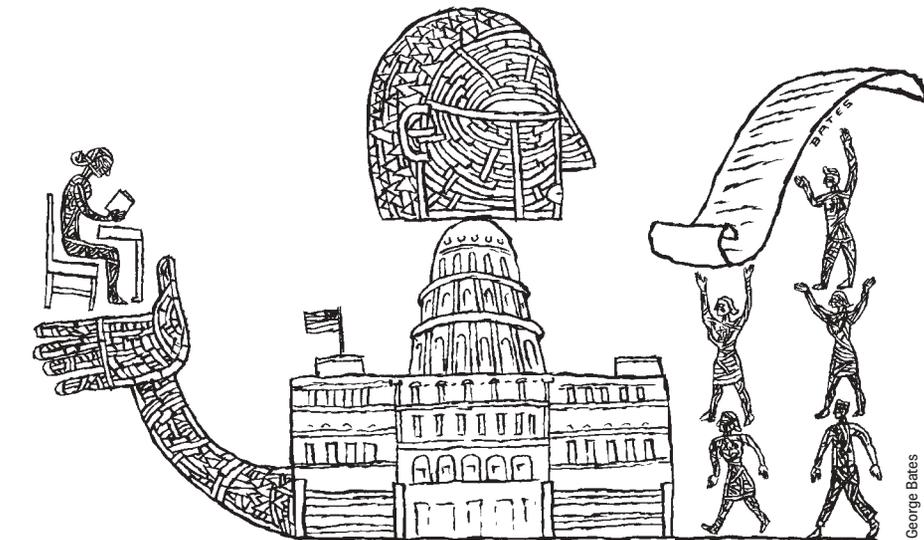
By CECELIA McCALL

The PSC has become more politically active, and in recent months we have developed a full-scale legislative agenda. It has taken many hours of work by dozens of people on many union committees, but we have taken on this task for a very practical reason. Since federal and state policies affect us, we must do our best to affect them.

We have an impact on federal and state policies through our affiliates, in particular the American Federation of Teachers (AFT) and the New York State United Teachers (NYSUT). The PSC has worked to be involved in the policy decisions of both organizations, and the NYSUT Representative Assembly in April approved several PSC sponsored resolutions (See May 2002 *Clarion*). We are bringing a number of proposals to the AFT convention in July, which I'll summarize in this column. Taken together, they add up to the PSC's views on a national agenda, as defined by the resolutions of our Delegate Assembly. (Full text of all resolutions can be found at www.psc-cuny.org.)

FINANCIAL AID

Several PSC proposals focus on the reauthorization of the Higher Education Act (HEA), the basic law on federal support for higher education. First enacted in 1965, the HEA was designed to make college accessible to all qualified students regardless of ability to pay. But today too many find that costs make college unreachable. Federal Pell grants covered 80% of average public university tuition in 1979, but today cover



only about 40%. Yet postsecondary education is now more essential than a high school diploma was in 1960. The PSC therefore urges an increase in the size of Pell grants and a fully-funded program.

Working people must often upgrade their skills to remain employable. Many have to attend college part-time while working full-time, and in New York it is not uncommon for parents and children to be enrolled at CUNY. The HEA must not limit financial aid to a family or household when several members attend college simultaneously. Financial aid eligibility should be proportionate to the number of enrolled credits per semester.

To make a college education truly accessible, federal support for campus-based childcare must be expanded. As a recruit-

ment and retention incentive, campus childcare should also be available to faculty and staff.

The PSC is seeking support for faculty development, to enhance the recruitment and retention of diverse faculty and graduate students. A number of studies have identified both subtle and blatant patterns in faculty hiring and promotion that perpetuate privilege in spite of the increased diversity of the pool of highly qualified candidates.

The PSC is concerned that immigrant students' civil rights, including the right to privacy, may be violated in the aftermath of last year's terrorist attacks. It's important for the AFT to take a strong stand in sup-

port of immigrant rights, including opposition to discrimination in tuition charges for undocumented immigrant students.

The PSC also opposes the Bush Administration's policies of expanded war and permanent militarization (see below), which threaten both our civil liberties and funding for education and other human needs.

TAXES AND DRUGS

The high cost of prescription drugs is jeopardizing the viability of union health plans. The PSC supports a universal, comprehensive prescription drug benefit through Medicare that would make prescription drugs affordable to senior citizens. The major workplace health and safety issue for our members is indoor air quality, and the PSC wants the federal government to ensure that educational buildings meet national standards for supply of fresh air.

The PSC opposes schemes for the privatization of Social Security. The collapse of Enron is a timely reminder that such plans do not guarantee income at retirement, which is the main goal of Social Security. We also urge federal action on the crisis in affordable housing, which is a serious obstacle to recruiting and retaining teachers at

CUNY and other urban public universities.

Finally, the PSC will ask the AFT convention to pass a resolution on tax policy. US taxes have become increasingly regressive, with large reductions for the wealthiest corporations and individuals. This has undermined funding for public education. A

more progressive tax system is essential to the ability to provide a quality public education, from pre-K through college.

The PSC urges an increase in the size of Pell grants and a fully-funded program.

Cecelia McCall is PSC Secretary and Chair of the PSC's Legislative Committee.

UNION VIEWS

PSC resolution on war & peace

The May Clarion included viewpoints on war and peace, part of a two-month discussion that the PSC's Delegate Assembly initiated in March. On May 30, PSC delegates adopted a resolution titled "Resolution Opposing Expansion of US Military Campaigns in a Permanent and Unconditional 'War On Terror'"; excerpts are below. Regrettably, space limitations necessitated an edited version; full text can be found on the Web at www.psc-cuny.org/psc-currents.htm. PSC delegates also called for continuing discussion of these issues during the next academic year.

Whereas, we write as New Yorkers, as unionists and as people who have dedicated their professional lives to open discussion of complex questions; and

Whereas, our location in New York means that we have felt and continue to feel the effects-ranging from minor dislocations to profound grief-of the murderous attacks of September 11, and that we take seriously the danger of future attacks; and

Whereas, the members of the PSC were among the many people who responded magnificently to the catastrophe and who suffered terrible loss that day: eight...

members [of our bargaining unit] died in the attack, as did numerous family members and friends [and] at least 30 of our students...; and

Whereas, President Bush, in his January 29, 2002 State of the Union address stated that "our war on terror is well begun, but it is only begun," and Vice President Dick Cheney has said it is possible that the war might be expanded to "forty or fifty other countries," possibly lasting "fifty years or more"; and...

Whereas, with military spending already accounting for nearly one-fifth of the total federal budget and over half of all Congressional discretionary spending, President Bush's proposed military budget of \$396 billion, coupled with current tax policy, will create austerity for working people and disinvestment in education, health care, environmental safety and other human needs; and

Whereas, the Bush Administration has sharply limited civil liberties and access to information since September 11th: Freedom of Information Act policies have been revised to restrict access for journalists, scholars and others; Congress passed the USA-PATRIOT Act, which permits breakage and entry without court orders, expansion of wiretaps, imprisonment of suspected terrorists without trial, and secret military tribunals; and

Whereas, public discussion in the United States of the way to create domestic security has been narrowly focused on war, neglecting issues that contribute to domestic insecurity such as US foreign policy, the consequences of globalization, inequities in the distribution of wealth, and others; and

Whereas, modern weapons mean that heavy loss of civilian life is now an intrinsic part of war, not an accidental consequence: according to the United Nations Conference on Children, 90% of war casualties are now civilian, as opposed to 5% during World War I; and...

Whereas, [PSC] members expressed many different points of view in [our union's] discussion, but consistently raised three themes: condemnation of the terrorist attacks, concern about security and the domestic consequences of war, and opposition to expansion of war; therefore

Be it resolved, that the PSC reaffirm the resolutions it passed unanimously on September 20, 2001, which condemned the terrorist attacks of September 11, extended sympathy to those grieving for people they loved, and offered solidarity with fellow workers in a time of mourning; and

...that the PSC oppose the unconditional expansion of military campaigns by the Unit-

ed States as a substitute for a strategy in response to September 11th that would genuinely protect collective security and individual freedom, in a manner consistent with our Constitutional principles; and

...that the PSC call for a broad public discussion of how to create real and lasting security that goes beyond war as the only solution, considering such issues as US foreign policy, the consequences of globalization, and inequities in the distribution of wealth; and

...that the PSC oppose the federal funding priorities that cannot be separated from a commitment to expanded war and permanent militarization: austerity for labor and disinvestment in education, health care, environmental safety and other human needs; and

...that the PSC oppose the curtailment of civil, human and immigrant rights and of academic freedom for both students and faculty that is also directly related to expansion of war and permanent militarization; and

...that the PSC continue the union discussion begun this spring on war and related issues at chapter and university-wide meetings during the 2002-03 academic year, for such a discussion will strengthen us as a union, deepening our practice of democracy and participating in the richest tradition of unionism; and

Be it further resolved, that the PSC [join with others] in proposing an agenda that frees all people from terror and promotes peace through justice.

TAKING STOCK

Union summer

By **BARBARA BOWEN**
PSC President

One thing that makes union work different from academic work is that it lacks the graceful rhythm of the academic year. There's no equivalent to that true New Year of the first day of classes in September ("The only holiday I celebrate," as one of my colleagues says), or the double sense of ending and beginning that comes in June. Even for those who are not in the classroom, I suspect, the academic rhythm asserts itself, as labs and libraries become quieter in the summer and the focus of work shifts inward.

If union work did have a regular rhythm, right now might be considered the end of a very long semester. Negotiations on our contract have finished, members have rati-

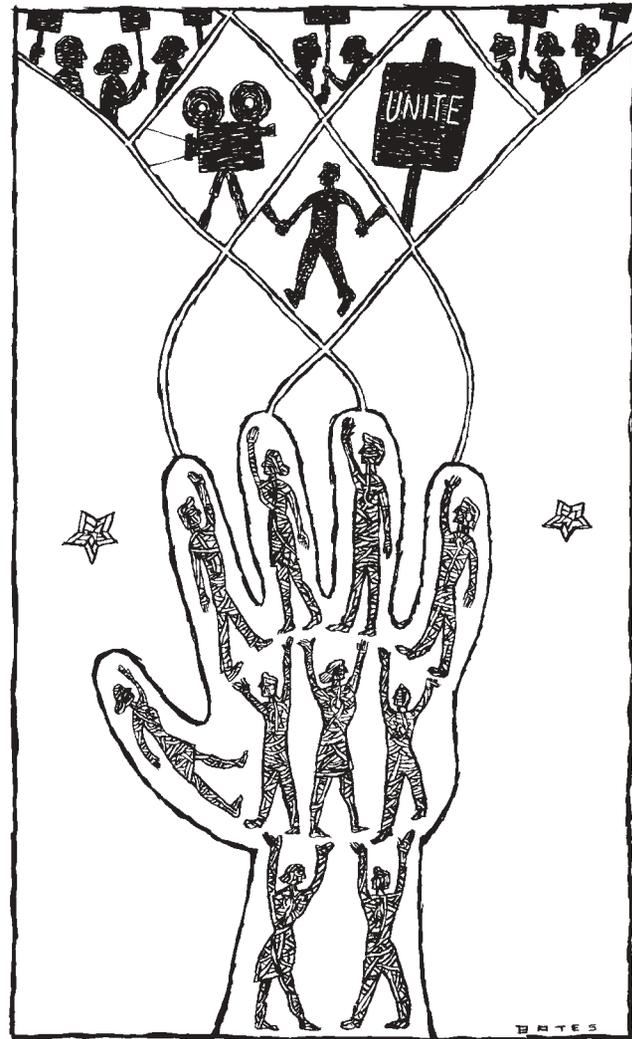
fied the contract and the approvals of City, State and Board are finally in place. This may be our best chance to claim a moment for reflection.

What has the union accomplished, besides the contract, in the last two years? Has there been the kind of transformation we hoped for? What strength have we built for the tough years ahead? (And tough years they will be, as we are made to feel the constriction of the economy after 9/11, the budget cuts that will follow an election year, and the pressure put on unions by a war economy.) I asked the Executive Council to help me assemble a short-hand answer to those questions. Summer (even for unionists) is the season of the list, and I thought a list would be a good way to measure where we've gone together and where we can hope to travel.

Enjoy the summer.

55 things the PSC has accomplished in the last two years

1. Negotiated a good contract.
2. Increased union membership by 37%, with 3,500 additional members.
3. Revitalized the union office, adding new staff and new organization.
4. Established campus health and safety committees throughout the University.
5. Established campus grievance committees throughout the University.
6. Redesigned the union newspaper, *Clarion*.
7. Engaged over 1,500 members in rallies, demonstrations and informational pickets.
8. Reached out to constituencies that had been marginalized in the past, including adjuncts, HEOs, CLTs, Continuing Education Teachers and workers at the Research Foundation and Educational Opportunity Centers.
9. Won a legal victory that made overload courses pensionable under TIAA-CREF, as they are with TRS.
10. Worked with other union activists to win full reimbursement of Medicare Part B for retirees.
11. Organized the successful film series, *Labor Goes to the Movies*.
12. Welcomed members of both union caucuses as leaders and activists.
13. Revamped the PSC Web site.
14. Hired independent lobbyists and stepped up advocacy in Albany.
15. Organized "Teach CUNY," an unprecedented CUNY-wide teach-in with events on every campus.
16. Won first place in every journalism contest we entered with *Clarion*: NYSUT, AFT and NYC's labor press.
17. Won award for outstanding health and safety activism among New York unions.
18. Updated technology in the union office, adding voicemail, new computers, e-mail and networking.
19. Developed an alternative PSC budget for CUNY and published it for wide distribution, to show how CUNY has been defunded.
20. Participated in the Steering Committee of the Municipal Labor Committee, which negotiates on behalf of 400,000 City workers.
21. Restructured dues for equity and fairness.
22. Started an organizing campaign among the thousands of CUNY workers paid through the Research Foundation.
23. Won fair tuition for undocumented immigrant students at both CUNY and SUNY.
24. Held the first mass membership meeting since the 1970s.
25. Organized chapter meetings to explain the contract settlement.
26. Established the Contract Enforcement Committee to coordinate a more aggressive, strategic approach in this area.
27. Expanded grievance training, including a two-day workshop that drew an overflow crowd.
28. Conducted one of the most successful adjunct-organizing campaigns in the US.
29. Took steps to cut administrative costs, including elimination of leased cars for union officers.
30. Moved to assure accountability in the use of reassigned time by members doing union work.
31. Mobilized workers at the Research Foundation office for an aggressive fight on their contract.
32. Provided support to members affected by the 9/11 attack, particularly at BMCC.
33. Provided counselors from among our membership to assist the firefighters' union after September 11.
34. Organized the first public demonstration for federal aid after September 11: the "Hands Around BMCC" rally.
35. Won legislation prohibiting CUNY and SUNY colleges from selling sweatshop clothing.
36. Increased support for other unions, including a two-day boycott in support of the Graduate Center cafeteria workers that helped them win their contract fight.
37. Proposed and won passage of an AFT resolution supporting open access at CUNY.
38. Held political action breakfasts in every borough with new City Council members and other legislators.
39. Established new committees: Women's, Solidarity, International, Diversity, Open Access.
40. Reactivated existing committees: Legislative, Librarians, Elections, Finance.
41. Conducted discussions on many campuses and in *Clarion* in preparation for a resolution on war and peace.
42. Improved transparency of union finances, including making the union's financial statement clearer and publishing it in *Clarion*.
43. Created e-mail listservs for communication among Delegates and Chapter Chairs.
44. Provided, for the first time, budgets for each chapter for independent activities.
45. Formed close ties with other city unions, especially the UFT, the Transit Workers and DC 37.
46. Developed a democratic process for endorsements in City and State elections.
47. Planned a conference for this October on Globalization, Education and War.
48. Developed an extensive federal legislative agenda, focused on next year's reauthorization of the Higher Education Act.
49. Built good relationships with City Council members, especially CUNY graduates and Higher Education Committee members.
50. Won major improvements in TRS pensions, as part of the Municipal Labor Committee.
51. Held a membership retreat on political planning with over 100 participants.
52. Prompted changes benefiting our members in the University's draft Intellectual Property Policy.
53. With two other City unions, won funding for a federal study of workers' health and safety in Lower Manhattan after 9/11.
54. Increased our presence in the American Association of University Professors, with an officer on the Collective Bargaining Board, a member as editor of *Academe*, and appointments to major committees such as Academic Freedom.
55. Created a space for power, friendship and survival in a hostile political time.



George Bates

Clarion SUMMER 2002

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FACTS & FICTION

The novel law professor

By RUTHANN ROBSON
CUNY School of Law

“You aren’t going to believe this,” one of my students stopped me in the hall to tell me. “There’s a novelist who has the same name as you do.”

“It could be me,” I laughed.

“No. I don’t think so. You’re just my constitutional law professor.”

To many, the idea that professors have lives apart from our appearance in class or on campus can be unsettling. I remember only too well in my own student years when I was shocked to see one of my law professors driving down the road with a fishing boat atop his car. Of course, I knew he existed outside of the law school, but more than I like to admit I thoughtlessly assumed he spent all of his free time perusing arcane regulations. I mean, really, could someone who taught Tax actually bait a hook?

So I understand that some of my students find it odd that I have published several novels, volumes of short fiction and other creative works. If I were an English professor, my students might not find this curious at all and I would have been able to use these creative works to support my application for tenure and promotion. But given my role in academia as a professor of law, my creative work is most often viewed as an anomaly.

Assumptions about aberrance run both ways. At a writers’ reception, I become involved in a conversation about a controversial United States Supreme Court case and mention that I have just written an article about it. Another writer protests, “What makes you think you’re qualified to do that?” When I confess to being an attorney and law professor, I’m met with a dismissive response: “Oh. I thought you were a real writer.”

The law professor/novelist combination is not without its boosters, however. My agent thinks this would be a perfect combination for the mysteries and legal thrillers that have become so popular in recent years. I’ve even had interviewers suggest to me that I might combine my knowledge of law with my writing, as if the idea had never occurred to me. Unfortunately, I’m more interested in

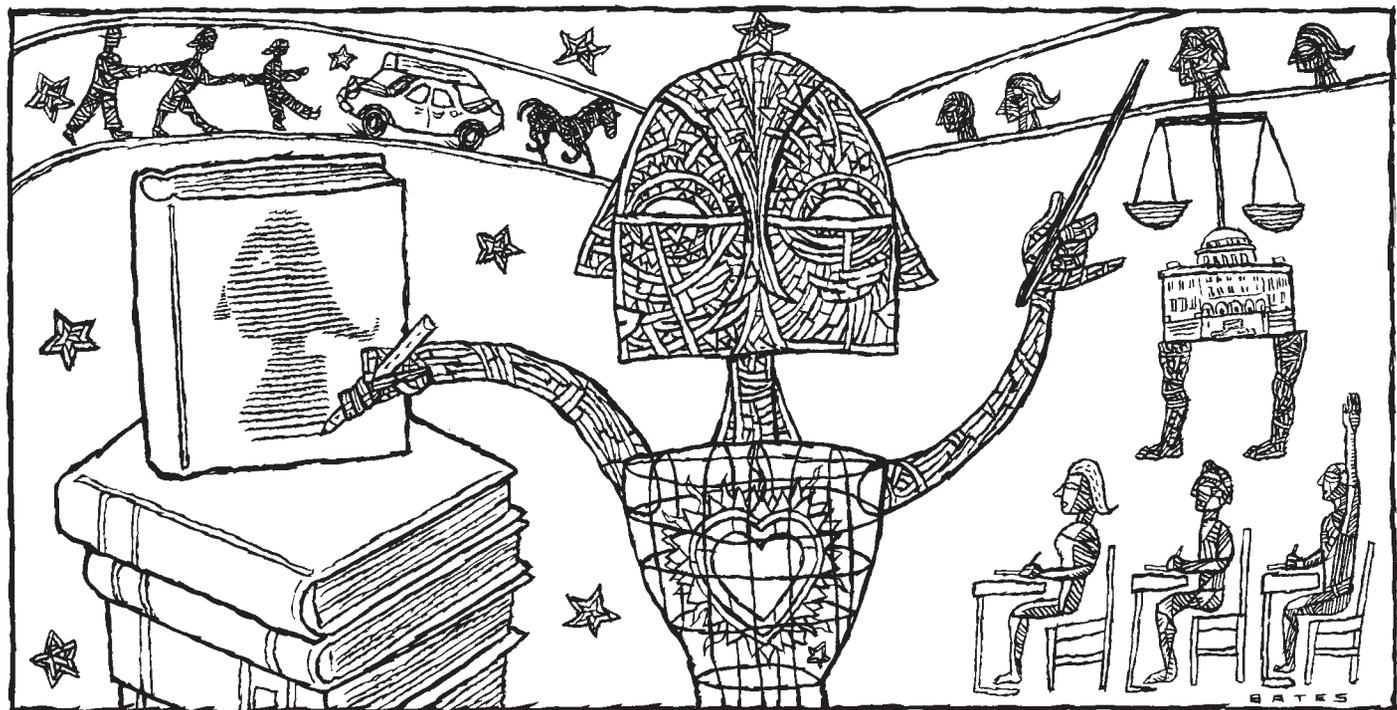
what is often disparagingly called “literary fiction” than in courtroom dramas, much to my agent’s continuing disappointment.

Which is not to say that I avoid legal and academic themes and settings in my creative work. The characters in my fiction have included several lawyers, a law student, an English professor who sues her university over an environmental illness, and – most fun – an actor playing the role of a lawyer on a soap opera.

tions may be less than obvious when the plot revolves around a pool-maintenance worker in Florida. But I write fiction for the same reason that I write scholarship, which is the same reason I went to law school, and the same reason that I teach at CUNY. Articulating that reason can be difficult: it smacks of a naïveté that I would quickly edit from the first draft of a fictional scene or a scholarly analysis. Yet even as I have critiqued postmodernist and feminist theories

lesbian legal theory that provides the basis for legal reform but more broadly questions the difference between inclusionary equality and liberation. As a teacher, I teach mostly in the areas of constitutional law, which often involve issues of sexuality, as well as gender, race, class and disability, including how such issues are implicated in broader debates about individualism, federalism and privatization.

Balancing fiction, scholarship and teaching is not always comfortable. Time constraints are the most trenchant problem – a problem I have yet to solve, although each year I futilely promise myself I will not chair a committee again. Additionally, as a law school professor, I am surrounded by people who are more likely to believe in “facts”



But my characters have also been nuclear power plant inspectors, ballet dancers and exotic dancers, a clerk at the DMV, fortune tellers, guitar players and the unemployed. They have lived in places I have lived or visited. They have done some things I’ve done other than be a law professor and many things I haven’t: they’ve driven across the country, gone snorkeling, had sex in a grocery store, endured medical procedures, fallen in love, had children and mourned a child’s death, rescued wolves, kicked drug habits and had numerous dogs, cars, meals, shoes, ex-lovers, almost-lovers, friends, brothers and co-workers.

While there are links between my life as a law professor and as a writer, the connec-

tion that privilege language over material conditions, I continue to believe in the power of language to foment progressive change.

The specific arena for progressive change in which I have been most interested has been justice for sexual minorities, especially lesbians. The characters in my fiction have been overwhelmingly lesbian: the lawyers, academics and law students as well as the dancers and snorkelers. The impetus behind much of this writing has been to write about lesbians I was not finding in sufficient numbers in lesbian literature: working class lesbians, lesbians interested in something other than romance, lesbians who were multi-dimensional. Similarly, most of my scholarship has been devoted to developing

than in fiction and more than once a student has claimed to know things about “me” based upon reading my novels. The idea that I had simply invented an affair, an accident, or even childhood traumas may seem startling in a profession that purports to value truth. And then there was the reading at a women’s bookstore at which one of my retired male colleagues appeared; I don’t think I’ve ever read aloud a sex scene with less passion than I did that evening.

Yet I have long known that for me, writing fiction, writing theory and teaching all spring from the same commitment to what might broadly be called social justice. I am lucky because at CUNY, there is nothing novel about that.

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15-MINUTE ACTIVIST

Register someone to vote

This summer, help someone register to vote.

CUNY faculty and staff can play a key role in helping students to register, which will boost the number of “CUNY voters” in November. If you’re teaching or working in a library or computer lab this summer, why not pick up a stack of registration forms and offer them to students?

It’s an easy thing to do. Call Amanda De-

Jesus in the PSC office at 212-354-1252 and we’ll send you as many registration forms as you can use. (Registration forms are also available at your local library, post office or motor vehicle office.) All a new registrant has to do is fill the form out and mail it in.

The deadline for new voters to register for the primaries is August 16. The deadline for the general election is October 11.