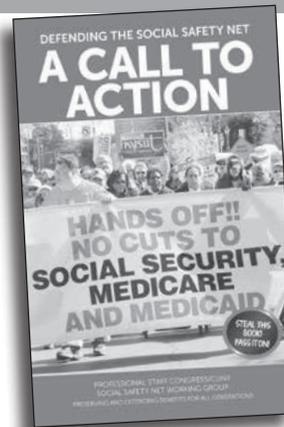


Clarion

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DECEMBER 2014



SAFETY NET Defend & expand

A PSC pamphlet on attacks on the social safety net, & our response.

PAGE 9



FOR A JUST CONTRACT

MEMBERS TAKE ACTION

In the street, on campus and at the bargaining table, PSC members are demanding progress toward a new union contract. On November 17, the union began gathering signatures on a petition to the governor and mayor,

and within 24 hours more than 1,500 people had added their names. PSC President Barbara Bowen says CUNY management is feeling the pressure, and now "it is time to turn up the heat." See inside for details. **PAGES 3, 6-7**

SCIENCE

How to make a 'green' battery

A City College chemistry professor is developing a way to make a Li-ion battery, used in countless consumer electronics, without toxic heavy metals. **PAGE 12**

HIGHER ED

More power to the trustees?

Benno Schmidt, chair of CUNY's Board of Trustees, backs a report urging university trustees to exercise tighter control over faculty. **PAGE 11**



STUDENTS & WORK

Always 'on call' in retail jobs

The trend in retail work toward "just-in-time" schedules means work hours are assigned at the last minute. For college students, it's a problem. **PAGE 5**

YOUR UNION

PSC chapter at GC is growing

A membership drive by the PSC chapter at the CUNY Grad Center has brought in about 200 members, most of them graduate employees. **PAGE 2**

Grad Center chapter builds membership

By SHOMIAL AHMAD

In October the PSC's Graduate Center (GC) chapter kicked off an impressive membership drive, signing up around 200 members in just a few weeks. Many of those new members are graduate students who work at the University while pursuing an advanced degree.

Chapter activists came up with a tabling plan, held organizing meetings and divided up lists for individual outreach. One of the most visible parts of the effort was a table near the front entrance of the Graduate Center.

MORE CHOICE

"We had somebody stop by the table from the physics department who had been a union member before. He immediately grabbed a couple of cards to sign up some of his colleagues," Luke Elliott-Negri, a graduate assistant and doctoral student in sociology, told *Clarion*. "It was awesome and inspiring."

The success of the drive was facilitated by a change this semester in PSC membership rules. Previously, graduate employees' membership affiliation defaulted to the union chapter at the campus where they taught. But three-quarters of graduate employees receive their paycheck from the CUNY Graduate Center, while teaching at a senior or community college, and many would prefer to be part of the union chapter at the GC. And now they can: graduate employees whose payroll campus is different from their employment campus can now choose which union chapter they would prefer to be part of.



Graduate Assistant Jeremy Sawyer (right) is recruiting new members of the PSC's GC chapter. He talks to Jonathan Pickens (left) about signing a union card.

"When I came here I felt like I was being bounced around from chapter to chapter," Rebecca Salois, the PSC's adjunct liaison at the Graduate Center, told *Clarion*. "It's great to have some consistency."

Now in the fifth year of her studies, Salois has worked at Brooklyn College, Baruch and Hostos. But like many graduate employees interviewed for this article, Salois sees her academic home – and thus the chapter she'd prefer to join – as being at the Graduate Center. "What I want to do is build our voice in one central place," she explained.

Not everyone who signed up during the membership drive was switching chapters; many were join-

ing the PSC for the first time. Many were unaware that they did not yet belong to the PSC: to be a union member, you must have signed a union card. Salois says that next year, she would like to see the GC chapter distribute union cards at new-student orientation.

NEW MEMBER PUSH

Jeremy Sawyer, a graduate assistant and a third-year doctoral student in psychology and human development, sought potential new members at a GC community meeting, at a departmental conference and by meeting with coworkers one-on-one. "A lot of people haven't thought too much about the union,

and they're not sure if they're members," Sawyer told *Clarion*. "Once you start talking to them, they're generally receptive and curious."

Sawyer says the deeper conversations take time, but those are the kinds of discussions that can help encourage future activists. It's important, he says, to involve members early on in their studies when they spend more time at the center.

One reason people may be unsure about their membership status is that non-members still pay an "agency fee" equivalent to union dues to cover the union's costs of representation. Often, fee-payers wrongly assume that this deduction means they're already a PSC member.

The law provides for agency fee because the union is required by law to represent *all* employees in the bargaining unit. Raises and benefit improvements go to all covered employees, and the union must offer representation to any bargaining unit member whose rights are violated. (See tinyurl.com/R-U-PSC for more info, including how to check your membership status.)

Mike Handis, PSC GC chapter chair, says the chapter is asking new members about their top concerns and scheduling a labor-management meeting with the new GC president, Chase Robinson, to discuss key issues.

"This great enrollment of graduate employees will certainly bring new energy to our chapter," adds Penny Lewis, associate professor of labor studies at the Murphy Institute. Lewis earned her doctorate in Sociology at the Grad Center. "It is very exciting," she said. The shared goal is to involve all PSC members in the decisions and actions of their union.

The new rules on chapter affiliation for graduate employees came out of discussions in the PSC initiated by the Doctoral Students' Council's Adjunct Project, which also played a big role in the card-signing campaign. With the change, graduate employees' choices are now more similar to those available to adjunct faculty who teach at multiple campuses. Employees employed on adjunct lines can choose which campus chapter to affiliate with if they are simultaneously working at more than one CUNY college.

SHARED CONCERNS

Professional staff at the Graduate Center belong to their own, University-wide PSC chapters, the Higher Education Officer (HEO) or College Lab Technician (CLT) chapters. This makes it easier to organize around the particular concerns of professional staff, such as the new timesheets recently implemented by CUNY. But other campus issues,

Many new members are graduate employees.

such as health and safety questions or late paychecks, potentially affect both faculty and staff at a given campus, and all members are affected by the current contract negotiations. Joint meetings of all PSC members who work at the Graduate Center, such as the one held on November 19, are aimed at addressing those shared concerns.

The goal is to "better understand each other's issues and work situations," longtime GC HEO Andrea Vásquez told *Clarion*. "Our strength at the university is involving more and more people on all fronts." Vásquez, a member of the PSC Executive Council and the union's bargaining committee, says it's important to understand everyone's issues when fighting for a good contract. Meanwhile, the visibility of the membership drive also helped boost union membership in a range of titles, including adjuncts and HEOs. Vásquez says she helped sign up 12 new HEOs as PSC members in two days.

With the Graduate Center chapter expanding, activists are talking with new members about their top concerns, and discussing what kind of organizational structure will help retain membership. But right now, the main task is still signing people up.

'A NO-BRAINER'

Robin McGinty, a first-year graduate student in Earth and Environmental Sciences, is a new PSC member at the Graduate Center. McGinty's parents and grandfather were union members, and for her, it was an easy decision to join the PSC. A community activist, she sees being a union member as an extension of the organizing in which she's already involved.

"I was coming in and there was a table on the side," McGinty told *Clarion*. "I decided to sign up right then and there – it was a no-brainer."



LETTERS TO THE EDITOR

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Election discussion: the PSC & the WFP

● In the aftermath of the recent election, I've decided to abandon the Working Families Party (WFP) and I think the PSC should do the same. The WFP's decision to endorse Gov. Andrew Cuomo demonstrates that there is no possible Democrat that they wouldn't endorse: it's hard to find a more anti-labor Democrat than Cuomo. Press reports that Cuomo was working covertly to protect the Republican majority in the Senate are not surprising. We all knew that Cuomo could not be trusted. He believes that running as a Democrat and governing as a Republican will be his path to the party's presidential nomination. I won't be fooled into supporting that plan, and neither should the PSC.

The Democrats understand, now, that the WFP will endorse their candidate – no matter what.

They will keep lining up more of the same if progressives focus outside the party. It makes more sense for progressives to work within the Democratic Party to nominate better candidates – and the WFP does not add leverage to that effort.

Ultimately, we need a labor party in New York State. We need a party that will nominate only candidates supporting the interests of working people, not the 1%. But it is clear that WFP is not that party.

Until we build that new, genuine labor party, we can work with the Democrats and even WFP on specific progressive issues, such as an end to discriminatory policing and the fight for a living wage. But from now on, I'm going to do that from outside the WFP and I hope the PSC will do the same.

Timothy Shortell
Brooklyn College

Another view

● I appreciated the factors behind the Working Families Party's endorsement of Governor Cuomo – not least, Cuomo's concessions on issues from the DREAM Act to the minimum wage – and I voted the WFP ticket. Nevertheless, I was disappointed that the party did not run its own candidate for governor in this unusual election year. Tactical caution won over strategic risk-taking, and so the WFP did not raise its profile, build its activist base, or worry the powerful as much as I (and many other PSC members) would have liked.

The question now is how the PSC can support those within the WFP who want the party to strike a different balance in the future, more "outsider" and less "insider." There are WFP leaders and member or-

ganizations – including those who would have preferred the party to run its own candidate for governor this year, and who almost got their wish – who think that the party can afford to be bold and to think creatively about what it does next.

How to hold Cuomo to his new policy commitments? How to develop a New York City agenda beyond the paid sick days and universal pre-K victories? How to define an active role for party members outside election season? The people in the WFP who are asking these questions need allies. Let's be there with them. After all, the PSC knows something about political gumption, broad social justice agendas, and active membership. We have something valuable to contribute to the WFP.

Geoffrey Kurtz
BMCC

Taking it to the streets

By PETER HOGNESS

On the streets in midtown Manhattan, in local campus protests, and at the negotiating table, PSC members have been pushing hard for a new collective bargaining agreement. The latest step in the union's contract campaign is a petition drive that kicked off on November 17: it drew more than 1,500 signatures in the first 24 hours (see tinyurl.com/PSC-contract-petition; also page 12).

The petition calls on Governor Andrew Cuomo and Mayor Bill de Blasio "to take immediate action to enable a fair settlement of the labor contract" at CUNY. "We have waited too long" for a new agreement, the petition says – and PSC members agree.

FOUR YEARS IS ENOUGH

"Four years without a raise, that's not right!" said Fred Lane, a financial aid officer at BMCC, at an October contract protest. "We can't just sit there and not say anything like it's OK. People have families to take care of – it's not OK!" CUNY's work is critical to New York City, he added: "We should get paid what we're worth for the work we do."

Lane was one of about 500 PSC members who joined the indoor rally and nighttime march on October 21, demanding progress. After gathering at the Community Church of New York for speeches and chants, they marched past Governor Cuomo's office in Midtown and rallied again at CUNY central administration headquarters on 42nd Street. It was an energetic crowd, chanting "Low pay? No way!" and "No contract, no peace!" along the route. Drumming by PSC members and music from the Rude Mechanical

Wave of actions in contract fight



PSC members marched past Gov. Cuomo's office to CUNY headquarters on East 42nd Street.

Orchestra, a pro-union marching band, kept everyone's feet moving.

COMMITTED TO CUNY

"We're marching tonight to demand that CUNY management and State and City officials focus on putting a reasonable economic offer on the table," PSC Secretary Arthurine DeSola declared.

"I'm very passionate about CUNY, I'm committed to CUNY and to

its values," Evelyn Lowmark, assistant director for administrative and support services at LaGuardia Community College, told *Clarion*. "I was a student at LaGuardia myself, so I know the passion that faculty, and staff, bring to their work," Lowmark said. "CUNY is such a good value for students because the people who work here are so dedicated. If we invest in CUNY faculty and staff, we are also investing in our students."

PSC members' working conditions are also students' learning conditions, union members noted. "The big thing at John Jay is teaching load. It's a huge issue for us," said Lyell Davies, an assistant professor of English – and when faculty members are stretched too thin, they can't give students adequate individual attention. Allowing faculty to spend more time with students, Davies said, is a question of political will: "If [officials] want to spend the money, they can find it."

"We need to come out in the streets," said Sylvia González, an adjunct lecturer at LaGuardia for more than a decade, as the march reached CUNY Central. "We need a new agreement," González said. "But not just a contract – a fair and just contract, one that responds to our needs."

"I'm here because I believe in justice," agreed Glenn Petersen, professor of anthropology and chair of the PSC chapter at Baruch. "It's time for some!"

READY TO TESTIFY

The week before, union members staged local actions across CUNY during "Press the Presidents Week" (see sidebar). They asked college presidents to advocate for a fair contract settlement, and emphasized how the continued lack of an agreement hurts CUNY as an institution. PSC leaders said the public needs to hear that case as well.

PSC President Barbara Bowen told *Clarion* that dozens of members were planning to testify at a public hearing of the Board of Trustees on November 24. "They will tell the truth about what un-

manageable workloads mean for students, about how hard it is to recruit faculty at current salary levels, about the damage it does to students when their adjunct instructors don't know if they will have a CUNY job the following semester," she said.

Contract negotiations between the PSC and CUNY management are complex, Bowen noted in a November 17 letter to members, because "the PSC contract involves the politics and economics of the State as well as the City." The path to an acceptable deal is not an easy one, she said: "It is time to turn up the heat. No contract, no peace."

FORWARD

CUNY administrators "are trying to move things forward," Mike Fabricant, the PSC's treasurer, told the October 21 rally. "But we also

Petition gets 1500 signatures in first 24 hours.

know they don't feel our urgency. They don't feel the absence of four years of salary increases as we do. So we need to continue and escalate our campaign."

Meanwhile active negotiations with management continue, with both formal bargaining sessions and working subcommittees meeting in November and December. "Even though there is no economic offer yet from CUNY, we are discussing both economic and non-economic demands to make as much progress as possible," said First Vice President Steve London. "We need to be ready to move quickly once a good economic offer is presented."

Achieving such an offer is the central focus of the union's petition (tinyurl.com/PSC-contract-petition). "New York's economic health has rebounded; there is no justification for an austerity contract. It is time to make the PSC contract a priority," it says, and conclude an agreement "that respects the work we do."

Local campus actions for a fair contract

By SHOMIAL AHMAD

With local campus actions, PSC chapters pushed the union's contract campaign forward during Press the Presidents Week this October. At colleges across CUNY, union members urged their presidents to advocate for action toward a just and timely contract.

At BMCC around 100 members held a "silent march" through the corridors of the campus, doing a zig-zag from one floor to the next, and ultimately ending at BMCC President Antonio Pérez's office. Protesters carried the now ubiquitous red signs of the contract campaign, "CUNY Needs a Raise." The chapter decided to turn their regular chapter meeting into a silent march, and worked for two weeks to build the event.

"It brought out some new people and some members who haven't come to CUNY-wide union protests," PSC Vice President of Community Colleges Anne Friedman

Chapters press the presidents

told *Clarion*. Chapter activists went to departmental meetings, distributed fliers and made phone calls to individual members. Since the action was held right on campus, Friedman said, "This was something that was hard to say 'no' to."

ACROSS TITLES

Almost every department was represented, with math professors marching next to music faculty and CLTs from the business department. Jamie Munro, in his first year as a CUNY Start teacher, was among those who took part. "It obviously helps build solidarity, and it makes us not feel so alone," Munro told *Clarion*.

As members marched through the hallways, some onlookers joined the demonstration, while others voiced support from the sidelines. Lisa Rose, professor of social science and human services, was

among the marchers and said she was glad to see such a large turnout. "We have to show up," Rose told *Clarion*. The union bargaining team can't deliver a good contract without members standing behind them, she said: "We're the union's strength."

President Pérez welcomed protesters into his office and expressed "100% support" for PSC members, who he called "the backbone of the university," and said a prompt and fair settlement would be in everyone's interest. "I've spoken with the chancellor, and I believe he's very interested and intends to solve this problem," Pérez told the demonstration.

At Bronx Community College, about 30 members joined an information picket outside the office of Interim President Eduardo Martí. Martí, who came out to speak with the union

demonstrators, said that PSC members' concerns need to be heard. Some students joined the picket, BCC Chapter Executive Committee member Alex Wolf told *Clarion*, and as at BMCC some employees joined the action on the spur of the moment.

At an October 23 governance meeting for all faculty at Brooklyn College, attended by BC President

'We're the union's strength.'

Karen Gould, Chapter Vice Chair James Davis read out an open letter urging Gould "to do what you can to impress upon the chancellor and trustees that we need an economic offer now." Chapter Chair Alex Vitale emphasized that "after four years without a raise" to pay schedules, "CUNY is losing out on hiring faculty and staff because of our uncompetitive salaries."

The BC chapter also gathered hundreds of postcards from college faculty and staff to the mayor and governor, calling on them to support a fair economic offer. "It is impera-

tive that the governor and the mayor put real resources on the table," Vitale told the October 23 meeting.

Union chapters at Hunter, John Jay, City Tech, Kingsborough, Queensborough, York and other colleges also pressed the issue with their college presidents, in labor/management meetings or by letter, and with public outreach to other union members. LaGuardia Community College President Gail Mellow and a number of other campus-level leaders agreed that a new contract must be a priority.

UNITED ACTION

Through petitions and postcards, vocal pickets and silent marches, PSC members took united action for a contract settlement; they made clear that they are not willing to just stand by and wait.

Cara O'Connor is in her first year of teaching social science at BMCC. At her second union chapter meeting, she joined the silent march. "It's great to see so many disciplines coming together," O'Connor told *Clarion*. "I noticed a sense of energy and pride, and that feels good."

QC SOCIOLOGIST JOSEPH COHEN

Where our money goes

By PETER HOGNESS

Income inequality in the US gets more discussion today than in the past. Incomes for the vast majority of US wage-earners have been stagnant or in decline for more than a decade, while the greatest gains have gone to a small minority at the top.

Joseph Cohen, an assistant professor of sociology at Queens College, says there's another reason that most workers feel squeezed: they don't have much room to cut back. It's not just how much people earn, it's where they have to spend it. His findings shed light on the economic distress felt by PSC members after five years without a contractual raise.

Paraphrasing a colleague, Cohen calls the US a country where small luxuries are cheap, but necessities are expensive. "A cell phone is affordable," Cohen explained to financial journalist Helaine Olen. "What's killing people is housing and child care and medical expenses." Or, as Olen put it, the problem in spending is not the lattes – it's the Lipitor.

Clarion spoke with Cohen about how US wage-earners are squeezed by the cost of key necessities.

Q What have been the main income trends in the US over the last few decades?

A In the broadest terms, we've seen a move toward stagnation in wages that's grown progressively worse over the past 40 years. In the 1950s and '60s, wages were going up by around 3% a year – so most families were effectively getting a 3% raise relative to prices every year. Starting sometime in the '70s, wage growth slowed and became more cyclical – in other words, wages began to stall when the economy was doing poorly.

Our last good burst of wage growth happened in the 1990s. Since 2000, there have been up years and down years, but for the vast majority incomes have been stagnant.

For people in the middle up to the 90th percentile, it looks like wages dropped in the early and mid-2000s. And they were nearly stagnant for those at the 95th percentile.

At the very, very top of the labor market, such as highly paid executives, salaries have gone up. But only the top 1% of income earners saw their salaries rise during the 2000s. And in this period, the top 1% also saw its wealth grow dramatically through capital gains, because the stock market has been booming.

Q So with incomes squeezed, how have people been spending their money?

A There are books and TV programs with titles like *Credit Card Nation* or *Affluenza*, you hear discussion about an "epidemic of overconsumption" or how we're addicted to shopping. But if you look at what we've been spending our money on, how it's changed over the past 20 years, you see a different picture.

Q In a recent paper, you detail how during the two decades up to the mid-2000s, Americans' spending declined on buying clothing, cars, alcohol, tobacco and more. The amount spent on restaurant meals went down, even though the percentage of meals eaten outside the home went up. But in those two decades, the amount spent on prescription drugs went



Joseph Cohen sits in front of a miniature cityscape, an art installation at Queens College.

up 41%, and the cost of health insurance roughly doubled. Housing costs rose by about 20%, and education was up by 60%.

A That's right. Those figures focused on pre-recession spending and incomes. People have tightened their belts even more to some degree. Still, the basic patterns are the same. We spend less on clothes and food. Furniture is cheap, whether you buy it at Ikea, Target or Walmart. Electronics are a bit of a mixed bag – but the market is not exploding, and it doesn't make up a big share of the average household budget.

There are four major areas where spending has been growing and it's prevented people from saving: housing, education and child care, health care, and variable transportation costs. Cars are cheaper, but insurance and gas went up. These are not areas of spending that people can just give up.

Q So you're saying people are caught in a vise between the high costs of these necessities and stagnant incomes. With the result that medical costs, for instance, become the leading cause of personal bankruptcy.

A Exactly. Personal bankruptcy is the result of people spending to their limits. Very few people have much in the way of a rainy-day savings fund. Most experts say to keep at least three to six months' worth of expenditures in a cash reserve account in case you lose your job or you get sick or suddenly need a big home repair. My data suggests that the vast majority of people only have enough to cover two to eight weeks. They don't have much of a reserve.

If you run into an income disruption, or you get a big spending shock, you're in trouble. For some people the margin of error is so slim that a \$3,000 home repair could put them under. It would completely deplete their reserves. Or getting in an accident with an underinsured driver and having to buy a replacement car so you can continue to get to work. That kind of expense can be devastating for many families' balance sheets. That's why you have so many people working second jobs, multiple jobs. They have to, just to balance the books.

Incomes stalled, but costs hard to cut.

money when in fact the cost is steep.

Everybody does this juggling act to get by, right? But a low-income household may have no fat to trim from the budget, and must start cutting into muscle and bone. For example, there has been a sizable portion of the population that ends up saying, "You know what? I'm just going to roll the dice and go without health insurance." That will diminish the appearance of how much health insurance has been straining their personal budget, but they'll pay for it in another way. It can be disastrous.

When people are forced to cut bone, it's hurting them and hurting all of us. If you have to stop going to college, you'll face worse odds in the job market. And you'll pay less taxes, be less economically productive and so on. Many doors that education can open, culturally and politically, will be closed to you. Your personal budget will show lower education costs, but we'll all pay a price.

It's worth stepping back a moment to ask whether people should have to make these trade-offs. In a lot of societies they fully or partly socialize the cost of these basic essentials, so they're not something you have to cut if you can't balance the books.

Q You're a Canadian working in the US – does that shape your perspective on these questions?

A Oh, yeah. First of all, the idea that people would be denied health care is just – I mean, it's shocking. If you look at polls of what Canadians think about the American health care system, it strikes fear into their hearts. It is not admired or anything that other countries want to emulate.

Countries like the Netherlands or Germany have socialized tuition. I expect they'd be just as shocked by the idea of people having to give up a university education because they can't afford to pay for it.

Americans are deeply skeptical about anything that is public. Public institutions have been demonized for years and not much defended.

CUNY, for instance, has been underfunded. But we do an excellent job, for students with a lot of needs, with the resources we have. It's completely backwards, to me, that an institution that does such vital work doesn't get more budgetary support. When I go abroad, my affiliation is a real plus; people know the school and respect it.

So it's strange to me to see that a lot of US public universities try their best to look like a private institution. Rutgers, for instance, is like that. Rutgers may be public, but there's nothing public about the image it projects.

In the US, we force people to roll the dice in ways that they wouldn't have to if we decided that certain things weren't optional, shouldn't just be left up to the market. They should be guaranteed, just like elementary school or policing services. If they were conceived of as basic rights, then people wouldn't be forced into these dilemmas.

Q What would it take to make this change?

A I think we have to shift our view of how to maintain good living standards for everybody. We can do it if we pool our resources, with expanded public programs for necessities like education, housing and health. This would be a big change from the status quo, but today's financial pressures may make people more open-minded.

With more public support for life's necessities, middle-class voters could have a good basic living standard even if they lost a job or a family member got sick. Then the market becomes more about the non-necessities, the extras. That would do a lot to increase our well-being – and it would probably save the country a lot of money in the end.

Dave Sanders

'Always on call' in retail

By SHOMIAL AHMAD

Work schedules assigned at the last minute have become more commonplace in the growing retail industry, as stores seek to boost profits by cutting costs. The trend toward "on-demand" scheduling can be a particular problem for current or prospective college students.

This fall, CUNY's Murphy Institute released a report, titled "Short Shifted," that details how unpredictable work schedules are affecting retail workers in both economic and personal terms. Stephanie Luce, associate professor of labor studies and a co-author of the report, told *Clarion* that after boosting earnings by selling more cheaply produced garments from low-wage countries, retailers have been looking for new ways to cut costs. They found their answer, she says, in "tightly controlling labor on the shop floor."

ON-CALL SCHEDULE

That close control means a shift toward on-call scheduling, where workers may only find out a couple of hours before their potential shift whether or not they're going to work. Schedules can vary week to week, or change based on the weather or a store's sales on a given day.

For college students trying to balance school with employment, it can be an advantage to work in an industry where not every schedule is nine-to-five. But many students in retail jobs say they are under pressure to always put availability for work ahead of college obligations or completing their assignments. For current students, this creates obstacles to academic success; it also discourages potential students from enrolling.

"The constant flux of the schedule does not work in favor of the students; it works entirely in the favor of the employer," says Luce. "It makes it hard to deal with your class schedule, to plan out your studying and your transportation."

That was the dilemma for Latoya Simpson, who was studying radiology at City Tech while working full-time as a cashier at Juicy Couture. The company gave her a choice, she said: be available for more hours or go part-time and earn less.

"I felt that was unfair, because when they promoted me to full-time, they said it was fine for me to go to school," Simpson told CBS News last year. "Then they gave me an ultimatum about dropping out of school or opening up my schedule. I had bills and rent to pay, so I kept the full-time position and stopped going to school."

WORKING STUDENTS

Bonnie Lucas, an adjunct faculty member at CUNY, told *Clarion* about a former student who was working at a supermarket for minimum wage: "[She] told me the schedules are given out randomly, so she never knew when she was going to work," Lucas said. "It's punishing."

Anika Chowdhury, a sophomore

Uncertain hours hurt students



Dave Sanders

Murphy Institute's Stephanie Luce is a co-author of the report "Short Shifted," which looks at how "just-in-time" scheduling affects retail workers.

at Queens College, worked at the shoe store Aerosoles earlier this semester and liked the constant hustle of the job, but the expanding hours became too demanding.

She had set days to come in, working around 25 hours a week, but was expected to work more hours whenever it was needed. If another worker was out one day, she would have to stay longer. "I felt pressured to put this work on top of the school work," Chowdhury said. "Sometimes I would come in earlier, and then I'd have to stay way later."

'MORE PEOPLE, LESS HOURS'

In the end, the growing hours were making it too hard to keep up in school, and she quit her job. She wasn't alone: Chowdhury told *Clarion* that two of her coworkers, also students, quit because of scheduling concerns.

Fortunately, she found a tutoring job that was easier to balance with school. If she had not, she might have had to let her schoolwork take a hit: "I don't have the option of not working," she told *Clarion*. "I have to pay for my books, my MetroCard, my food."

Nacelle Peña, a former York College student who had to take time off from school because of financial issues, is working at Zara in the hopes of saving money for school and having a smaller student loan burden. But that hope isn't panning out: her hours, and thus her earnings, have been cut. Even though she is available "full-time," she has no guaranteed minimum – the other main problem detailed in the report.

"Zara is hiring more people and giving workers less hours," she told *Clarion*. When she first started working, she clocked around 40

hours a week. Now she gets around 25 hours of work per week.

Peña is a member of the Retail Action Project (RAP), a labor-community coalition that is organizing for more predictable schedules for retail workers. That means two things: a clearly established minimum number of hours, and work

schedules set enough in advance that workers can plan the rest of their lives. Too many workers, says RAP, face a hard choice of unpredictable and too many or too few hours.

Out of 226 New York City retail workers interviewed for the report, only 40% have a set minimum for hours. One quarter of those interviewed work on-call shifts, often finding out as little as two hours before a potential shift if they're needed. And about half of part-time workers surveyed said they would like to work full-time, but don't.

The Murphy Institute report, produced jointly with the Retail Action Project, says that calls to raise the minimum wage to \$15 per hour need to be paired with a vision of a fair workweek in order to effectively lift people out of poverty. It warns that without action to make sure that workers' interests get more weight in scheduling decisions, the demand that workers be always on call, but have no minimum hours or earnings, could spread to other economic sectors.

In part, the trend toward on-demand scheduling is driven by new technologies that track sales patterns to help retailers squeeze labor costs. With data on how many customers leave with a store bag and whether or not sales quotas are being met, employers seek to fine-tune scheduling so workers are available "just in time," paying the exact minimum number of employees needed for customer flow while having more employees on call and ready to work

if needed. Luce points out that scheduling technology could also be used in workers' interests, but that at present this is rare.

"We found workers who are still filling out paper requests if they want to change their schedule," says Luce. Management has this sophisticated technology, she notes, yet "the company is posting the schedule on a bulletin board, so [workers] have to come in and see it."

STRONGER INCENTIVES

Luce says one of workers' goals is "to make the technology work for us." They want to be able to see their schedules online, and have ways to switch their schedule with other workers' or see when there's a chance for them to pick up additional shifts.

"Short Shifted" suggests that policymakers consider mandates or incentives for establishing minimum hours, and notes the positive role of

'Retail work does not have to be insecure.'

unions in securing more predictable schedules. The report also suggests enforcing and improving existing laws, such as a New York State statute that requires employers to at least pay minimum wage for four

hours if a worker is sent home early.

"Employers can increase worker morale and productivity, as well as customer satisfaction and loyalty, with larger workforces, higher wages and lower turnover," the report concludes. "Retail work does not have to be insecure, low-wage and unpredictable."

If you want a copy of the report or if you're interested in learning more about campaigns around retail work, please contact Retail Action Project Director Sasha Hammad at sasha@retailactionproject.org.

Elections & minimum wage, sick pay

By SAMANTHA WINSLOW & PETER HOGNESS

The 2014 elections were mostly bad news for workers and unions, with a few significant exceptions. Most notable in the good-news column was a string of referendum victories for minimum wage increases and paid sick leave.

In New York, unions' efforts to end Republican dominance in the State Senate fell short. With turnout at its lowest ebb in 40 years, the GOP actually increased its State Senate numbers, gaining a majority of 32 seats in the 63-member body. Democrats' advantage in the New York Assembly increased, however, with a gain from 99 seats to 106. The Senate will thus continue its role as an obstacle to progressive legislation, while the Assembly may stop some conservative proposals from becoming law.

Despite the wave of Republican victories across the country, when voters saw working-class issues directly on the ballot, such as raising the minimum wage or guaranteeing sick leave, they gave them strong

support. Voters in four traditionally conservative states passed statewide initiatives to raise the minimum wage.

Nebraska, Alaska, South Dakota and Arkansas all approved minimum wage increases by margins of 55% to 65%, raising the legal minimum to between \$8.50 and \$9.75 (compared to a federal minimum still stuck at \$7.25). Most of the increases take full effect by 2016.

Turnout at its lowest ebb in 40 years

In Oakland, California, voters opted to boost the minimum wage to \$12.25.

San Francisco voted to boost its local minimum wage to \$15, with the higher rate phased in by 2018. Further north, Eureka, California, voted down an effort to raise its minimum wage to \$12, the only defeat of a minimum wage ballot proposal this November.

In Massachusetts, 60% of voters said yes to a statewide guarantee of paid sick leave. The new law requires business with 11 or more employees to offer part- and full-time workers 40 hours of paid sick time each year. Businesses with fewer employees must allow workers the

same amount of sick leave, but it can be unpaid.

In Montclair and Trenton, New Jersey, voters endorsed giving food service, child care, and home care workers paid sick leave, up to 40 hours per year, along with private-sector workers with large employers. Those working for small companies (10 or fewer employees) can earn up to 24 hours. Oakland, California, voters endorsed workers earning five to nine sick leave days, depending on the size of the business where they work.

DEMOCRATIC LOSSES

Pointing to voters' support for higher wages and paid sick time, many labor activists said Democrats' losses this November reflected their failure to side clearly with Main Street against Wall Street. "The defining narrative of this election was confirmation, beyond a shadow of a doubt, that Americans are desperate for a new economic life," commented AFL-CIO President Richard Trumka.

Another version of this article was published at LaborNotes.org.



Dave Sanders

Contract fight: at the

On campus, in the streets and at the bargaining table, PSC activists have been pushing hard for progress toward a new contract. Some of that work is shown on these pages; for a full roundup see page 3. A petition campaign launched November 17 was signed by more than 1,500 CUNY faculty and staff within

Bargaining Team Members Anne Friedman, Costas Panayotakis and Michael Batson (left to right) were among those who stood to be recognized during the PSC's Oct. 21 mass meeting at the Community Church of New York.



Dave Sanders

Night Rally Hundreds marched in Midtown, chanting, "No Contract, No Peace." Above, Dominic Wetzel and Evelyn Lowmark at the October 21 protest. PSC members marched past the governor's NYC office and rallied outside the new CUNY headquarters on East 42nd Street.



Brian Graf

A Vocal Picket PSC members at Bronx Community College turned out for an informational picket on October 16. BCC Interim President Eduardo Martí came out and talked to Chapter Chair Sharon Persinger about the importance of a new agreement.



Packing the Street Above, Adele Browne, a lecturer at the Brooklyn Education Center, had her voice heard outside CUNY Central. Employees from every CUNY campus stood together to demand better contract talks and a good economic offer.



Gary Schoichet

Strategizing PSC negotiators have been pressing the union's key demands, in formal bargaining sessions with CUNY management and in smaller working groups. At left, Andrea Vásquez makes a point in a PSC bargaining team strategy discussion.



Gary Schoichet

At the table, on the march

the first 24 hours. The petition calls on Governor Cuomo and Mayor de Blasio “to take immediate action to enable a fair settlement of the labor contract” between CUNY and the PSC. See page 12 for information on how to add your signature to the appeal.



Dave Sanders

...ational Opportunity Center, makes
...ther to call for progress in contract



Pat Arnow



Dave Sanders



Pat Arnow

Campus Action Professors Wambui Mbugua and Vicente Revilla (above, from left) were among a hundred union members who marched through the halls of BMCC on October 15. BMCC President Antonio Pérez (in photo, above left) spoke with protesters inside his office.

Four Years Is Too Long “We’re fired up, ain’t gonna take it no more” was one of many chants at the October 21 contract demonstration. In photo at left, PSC Treasurer Michael Fabricant addresses the crowd.



Dave Sanders

The Energizers Hostos faculty members Jo-Ann Rover and Ingrid Doyle (above, from left), were among the 500 PSCers who raised their voices at the mass meeting. The Rude Mechanicals Orchestra, a pro-union marching band, provided the soundtrack for the October 21 march (see photo at right).



Dave Sanders

Who is in the PSC?

By **DEBORAH BELL**
PSC Executive Director

Article 1 of the collective bargaining agreement between the Professional Staff Congress (PSC) and the City University of New York (CUNY) defines the PSC as the exclusive collective bargaining representative for full-time and part-time employees in professional and academic titles, including all teaching and non-teaching faculty titles. These employees, CUNY's instructional staff, constitute the 25,000 members of the PSC's bargaining unit.

Titles represented by the PSC thus include all professorial titles,

Main bargaining unit is CUNY's instructional staff

lecturer and instructor titles, Higher Education Officer titles, College Laboratory Technicians, teaching and non-teaching adjunct faculty, graduate assistants, Continuing Education Teachers and other titles such as research associates and registrars at CUNY's seven community colleges, 11 senior colleges, the Graduate Center (including the School of Professional Studies), professional schools (Law, Journalism, Social Work, Sophie Davis School of Medicine, Public Health), Edu-

cational Opportunity Centers, and CUNY Central Office, as well as teachers, guidance counselors and related titles at the Hunter College Campus Schools.

AGENCY SHOP

As a unionized workplace, CUNY is an "agency shop" under New York State's Public Employees Fair Employment Act, known as the Taylor Law. This means that all CUNY employees working in titles encompassed by Article 1 of

the PSC-CUNY contract (tinyurl.com/PSC-CUNY-contract-online) are part of the PSC bargaining unit and covered under the contract's terms. Those terms include salaries, benefits (such as paid leaves) and other working conditions, such as hours of work, workload, evaluation processes, a grievance procedure, etc.

The PSC represents *all* employees in the bargaining unit, whether or not they have signed a card to become a union member (see page 2). Those who are members of the PSC pay union dues that are deducted from bi-weekly paychecks; those who are not members pay an equivalent amount, known as an "agency fee," also by paycheck deduction, to cover the costs of representation.

The PSC is a local (Local 2334) of the American Federation of Teachers and a member of the collective bargaining conference of the American Association of University Professors. The PSC is also affiliated with New York State United Teachers (NYSUT), the NYC Central Labor Council, the NY State AFL-CIO, and the Municipal Labor Committee.

CUNY is a public agency jointly funded by New York State and New York City, as well as by student tuition and donations. As employees of a public agency, members of CUNY's instructional staff are public employees and are covered by New York State labor law.

The PSC's bargaining unit includes 25,000 members, full-time & part-time.

The PSC also represents employees on the payroll of the CUNY Research Foundation (RF), at the RF Central Office and at three CUNY campuses (LaGuardia Community College, City Tech and the Graduate Center). The RF is technically a private-sector institution and its employees are therefore covered under federal labor law, with different requirements on "agency fee" and union dues. RF employees have their own contracts, separate from the collective bargaining agreement between the PSC and CUNY (see psc-cuny.org/our-contracts).

You can find out whether you are a member of the PSC or a non-member paying an agency fee by checking your paystub or by calling the union office. (See tinyurl.com/R-U-PSC for details.)

CLTs address chapter concerns at fall meeting



Brooklyn College CLT Stephen Margolies makes a point at the CLT general meeting. The meeting discussed contract negotiations, bigger workloads due to CUNYfirst issues and nominations for chapter leadership.

Deadlines for notice of reappointment: registrars, research associates & more

By **DEBRA BERGEN**
PSC Director of Contract Administration

The article "Denial of Reappointment? Know Your Rights!" in the October 2014 *Clarion* described deadlines for notice of reappointment or nonreappointment for tenure-bearing or certificate-bearing titles (full-time positions in professorial titles, CLT- and HEO-series titles, instructors, lecturers) and for part-time faculty. (See tinyurl.com/Reapp-Clarion-Oct-2014.)

For CUNY employees in other

titles, including research associate and registrar, notice of reappointment or nonreappointment must be provided by May 1, to those in their second year of service or after, and by June 1, for those in their first year.

Also, bargaining unit members at Hunter Campus Schools must receive notice by April 1, in their second year of employment or after, and by May 1, in their first year.

For a description of members' rights in cases of nonreappointment, see tinyurl.com/Reapp-Clarion-Oct-2014.

PROFESSIONAL STAFF CONGRESS/CUNY NOTICE OF NOMINATIONS AND ELECTIONS — SPRING 2015

PSC GENERAL OFFICERS

Term of Office: 3 Years

President, First Vice President, Secretary, Treasurer, 5 University-wide Officers.
Vice President, Senior Colleges, and 3 Senior College Officers.
Vice President, Community Colleges, and 3 Community College Officers.
Vice President, Cross Campus Chapters, and 3 Cross-Campus Officers.
Vice President, Part-Time Instructional Staff, and 3 Part-Time Instructional Staff Officers.
Two Retiree Executive Council Officers.

NYSUT AND AFT CONVENTION DELEGATES

Term of Office: 3 years

100 Convention Delegate Positions

AAUP ANNUAL MEETING DELEGATES

(Only PSC members designated as members of the AAUP are eligible to run and vote)
Term of Office: 3 years

15 Annual Meeting Delegate Positions

ELECTION SCHEDULE:

1. Deadline for filling the Candidate Declaration form will be January 9, 2015.
2. Pre-printed nominating petitions will be available upon request from chapter chairpersons or the PSC of office on February 2, 2015.
3. Properly completed nominating petitions must be

received at the PSC office, 61 Broadway – Ste. 1500, New York, NY 10006, by 5:00 pm, March 2, 2015.

4. Ballots will be mailed to members' home addresses on April 1, 2015.

5. Ballots in uncontested AAUP election must be received at the PSC office by 5:00 pm on April 29, 2015.

6. Ballots for PSC General Election and contested AAUP election must be received at American Arbitration Assoc. by 5:00 pm on April 29, 2015.

7. Ballots will be counted at 10:00 am on April 30, 2015.

ELIGIBILITY TO SERVE:

To hold a position as a general officer (serving on the Executive Council), one must have been a member in good standing of the PSC for at least one (1) year prior to the close of nominations, March 1, 2015. Among the general officer positions, retiree members may only serve as Retiree Executive Council Officers.

ELIGIBILITY TO VOTE:

To be eligible to vote in this election one must have been a member in good standing for at least four (4) months prior to the mailing of the ballots, April 1, 2015.

NOMINATIONS PROCEDURE:

1. A Declaration of Candidacy must be received at the PSC Central Office by no later than January 9, 2015.

2. Nominations shall be by written petition signed by no less than fifty (50) members of the appropriate constituency in good standing. For the AAUP Delegate positions the written petition must be signed by no fewer than twenty-five (25) of the identified members in good standing of the PSC Chapter of the AAUP.

3. Slate nominations shall be permitted.

SLATE REGULATIONS:

A slate of candidates will be recognized if it consists of candidates for twenty-five percent or more of the officers to be elected, and if it submits, prior to the close of nominations: (1) a listing of caucus officers, all of whom must be members in good standing, including the person designated to authorize nominees for that caucus' slate; and (2) a nominating petition including the printed name, signature, department and college of each petitioner, and the signature for each candidate running on the slate. The candidate's signature on the slate petition shall constitute that candidate's acceptance of the slate designation.

ELECTION RULES:

A copy of the Rules Governing All General and Chapter Elections is available for inspection by all eligible voters from Barbara Gabriel, Coordinator of Administrative Services, at the PSC central office. Relevant sections are summarized below:

1. All voting must be on an official ballot. Write-in votes are permitted. The intent of the voter must be clear, whether the name of the candidate is written, printed or typed. In order for a write-in vote to be considered valid, the candidate must meet the same eligibility requirements as a regular candidate. A write-in candidate must receive at least 10 or 10 percent (10%) of the total votes cast in the election, whichever is less, to be elected. Write-in candidates who are elected must submit written acceptance of office to the Elections Committee within ten days of the notification of election results.

2. Each candidate, or a representative designated in writing, is entitled to observe the counting of the ballots.

3. The March issue of *Clarion* will carry biographies and/or statements by the candidates for general officers. Each candidate for general officer will be allotted 200 words. Slates of candidates for general officer may pool their allotment of words in whatever fashion they choose. The deadline for typed copy is 5:00 pm, March 2. For information on existing *Clarion* photos, contact the editor. Candidates for delegates to the NYSUT, AFT and AAUP conventions will be listed, but they will not receive further space.

Candidates for general officers may purchase not more than one-half page of advertising space in the March issue of *Clarion*. Slates may purchase not more than one page of advertising space in the March issue of *Clarion*. The deadline for camera-ready mechanicals or an equivalent digital file is 5:00 pm, March 2. (Note: It would be helpful to *Clarion* if candidates can give newspaper staff advance notice of their intention to submit statements or advertisements, by February 13, or as soon as possible thereafter.) Space limitations preclude an offer of space to candidates for delegates to the NYSUT, AFT and AAUP conventions.

All candidates may mail literature at their own expense through Century Direct, 30-00 47th Avenue, Long Island City, NY 11101-3415, the PSC mailing house. The PSC computer service will provide Century Direct with home-addressed electronic downloads of the membership, at cost. The computer service must have three days of advance notice to provide these downloads.

AAUP candidates running for office can purchase the complete list for \$5.00. The list will be mailed to the candidate's home address. List will not be faxed.

Defend the safety net

In the wake of the Great Recession of 2008-2009, attacks against Social Security, public-sector pensions, Medicare and other social-safety-net programs escalated – a political thrust to shift the burden of municipal, state and federal budget gaps to working families and the poor.

In response, the PSC Retirees' Chapter formed a Social Safety Net Working Group in October 2010. The group produced a brochure,

Time to educate & organize

developed an email bulletin, spoke at PSC chapters, organized CUNY-wide forums and joined with other groups and coalitions taking action to defend and expand the safety net.

In 2011, the PSC Executive Council voted to expand what started out as a Retiree Chapter initiative into a union-wide campaign.

With the boost of a recent grant from the PSC's state affiliate, New York State United Teachers (NYSUT), that initiative has now extended to a statewide audience of trade unionists, educators and community groups. The grant has funded the development of new materials and workshops, includ-

ing a second edition of the working group's pamphlet that describes and analyzes the attacks on the safety net and how best to respond (see below).

In the aftermath of the 2014 mid-term elections, Washington pundits are again calling for "bipartisan action" to cut Social Security, and the PSC's Safety Net Working Group is redoubling its efforts. If you would like to receive monthly email bulle-

tins, arrange for a presentation to your organization, join the working group or learn more, please send an email to safetynet@pscmail.org.

An excerpt from the Safety Net Working Group's pamphlet, revised slightly for publication in Clarion, follows below. The pamphlet also discusses the attacks on public and private-sector pensions, Medicare and Medicaid, unemployment insurance and food stamps. It calls for a strong defense of existing safety-net programs, but also for expanding and updating them for the 21st century.

A PDF of the full pamphlet is online at psc-cuny.org/SNbrochure; print copies are available at the PSC office.

Attacks on the safety net have been fierce, lavishly funded and sustained over the past 35 years. As workers, we must fight with a new urgency to keep and expand the benefits that we have earned.

The safety net is a set of federal, state and local programs, legislated and contractual, intended to provide protection against economic calamity. Without it, anyone facing old age, infirmity, unemployment, underemployment, disability, the death of a wage earner, below-poverty wages or contingent work runs the risk of being unable to fend for herself.

BORN IN STRUGGLE

Safety-net legislation and victories spiked in two periods of intensive grassroots organizing: the labor, social and political movements of the 1930s, and the civil rights, women's and other movements of the 1960s. Social Security, Unemployment Insurance and other programs from the New Deal date from the '30s; Medicare, Medicaid and other Great Society programs came out of the '60s. Every presidential administration, Democratic and Republican, from Roosevelt to Nixon, expanded the safety net.

AND THE STRUGGLE CONTINUES

Every president in the last 34 years, Republican and Democratic, from Reagan to Obama, has cut the safety net. President Obama presided over the only notable advance in this period: the expansion of health care under the Affordable Care Act (Obamacare). But he has also proposed big cuts to Social Security.

SOCIAL SECURITY

Social Security is the most important part of the safety net in the US.

Social Security benefits are essential to the well-being of the elderly. Indeed, most elderly Americans rely heavily, or even exclusively, on them.

CURRENT ATTACKS ON SOCIAL SECURITY DENY THE FACTS

For over three-quarters of a century, the Social Security system has been relatively healthy and working well. Employers and workers pay Social Security taxes into trust funds, which are accounts in the US Treasury. Social Security revenue is *not* part of the federal budget and cannot by law be used

for other purposes. Payment of Social Security benefits does not contribute to the federal deficit. Social Security is and always has been a self-sustaining program that does not use general tax revenues to pay for benefits.

The Republican Party opposed the original Social Security Act of 1935, and many Republicans have opposed Social Security ever since. Their attacks in recent years have been fueled by the claim that the Social Security system would run out of money. These attacks on Social Security are dishonest and disingenuous.

The Social Security Trust Fund has always been solvent, and at the end of 2013 totaled \$2.7 trillion. The Board of Trustees of the Social Security Trust Fund projects that if no changes are made

to Social Security revenue or benefits, the system will be able to pay all its obligations until 2033, after which it would be able to pay three-quarters of its obligations.

ATTACKS ON SOCIAL SECURITY DISGUISED AS EFFORTS TO SAVE IT

- *Raise the retirement age to 69 or 70 years.*

This action would cut benefits by 13% or 20% (on top of the cut of 13% from the ongoing rise in retirement age to 67). Also, raising the retirement age discriminates against workers in physically demanding jobs, older and low-income workers, and especially African Americans, who are disproportionately represented among low-wage workers and the unemployed. Contrary to popular belief, life expectancy has hardly increased for low-income men over the last 25 years, and for women with low incomes it has declined.

- *Reduce the annual Cost of Living Adjustment (COLA).*

Social Security's automatic, annual COLAs have averaged about

3% per year over the last 25 years, and have protected beneficiaries from erosion of their benefits due to inflation (but not from erosion due to health care cost increases). Many Republicans and some Democrats, including President Obama, want to switch to a new COLA formula called the Chained Consumer Price Index (Chained CPI), which would lead to smaller annual COLAs. According to the Congressional Budget Office, switching to Chained CPI would cut benefits by \$108 billion over 10 years.

Our union and many other groups support use of the CPI-E, an index which reflects the consumer purchases of the elderly, with their increased health care costs. In May 2014, a majority of all Democratic members of Congress supported use of CPI-E to determine the annual COLA.

- *Initiate means testing.*

Means testing would not produce significant savings for the trust fund, but would change the nature of Social Security and threaten its future. Means testing would exclude higher-income individuals from receiving benefits, and thus

threaten universal public support for Social Security. It would stigmatize Social Security as a "poor person's" program. Social Security is an earned and paid-for right for all workers.

- *Privatize Social Security.*

In 2005, President George W. Bush proposed allowing active workers to opt out of Social Security and invest their savings in the stock market. Those opting out would immediately stop paying Social Security taxes, causing a sudden drop in income to the Social Security Trust Fund and threatening payments to those already retired.

This proposed initiative was defeated after opposition even from members of the president's own party, but it sent a discouraging message to young people: you might not get Social Security benefits when you retire. By 2008, the real consequences of privatization

became clear as the stock market fell and banks tottered – retiring wage earners who might have invested their retirement money in stocks and bonds under President Bush's privatization scheme would have been devastated. The existing Social Security system, whatever its limitations, is protected by the full faith and credit of the US government.

We must defend Social Security, expand its coverage, and make its funding more equitably based.

TWO CHANGES TO MAKE SOCIAL SECURITY STRONGER & MORE EQUITABLE

- *End the tax cap on high earners.*

All employees should pay the same percentage of their wages and salaries to Social Security. In 2014, if a person's salary or wages exceeded a cap of \$117,000, they paid no Social Security taxes on any income earned above the cap. The tax cap discriminates against low-wage earners by forcing them to pay a larger share of their earnings to Social Security than those earning much, much more.



A PSC brochure details threats to the social safety net, and how to defend it and expand it.

- *Adopt new forms of taxation to generate income to fund Social Security.*

One idea is a tax on financial transactions, which makes sense because the great inequality in US income is now exacerbated by these transactions. The European Union has recommended this type of a tax and 11 of its member countries have requested to participate.

SOCIAL SECURITY SHOULD COVER ALL RESIDENTS OF THE US

State and local public employees weren't included in Social Security when the program was established. Over the years, the law changed and most public workers became eligible, but there are still some state and local public workers who aren't covered. As some cities, such as Central Falls, Rhode Island, have fallen into bankruptcy, employees in the city's own pension plan but not Social Security have been threatened with loss of all of their benefits. The Social Security law must be amended to cover all state and city public employees.

Millions of undocumented immigrants pay Social Security taxes, but are not entitled to benefits. They should be eligible to receive benefits. Low-wage workers, including domestic workers or migrant farmworkers, should receive some Social Security benefits even if their incomes fall below current minimum requirements.

The Social Security system must catch up to the changing needs of women in the workforce. Full-time working women in the US still earn 77 cents for every dollar earned by full-time working men. Over a lifetime, women earn less pay than men, and therefore receive lower Social Security benefits. Furthermore, juggling career and family means frequent periods of part-time employment and absence from the labor market to care for children and aging parents.

The Social Security system should provide Social Security credits for workers who take time out of the workforce, or reduce their hours to serve as caregivers. The Social Security system should also increase survivor benefits, and provide equal benefits for same-sex partners in states which do not permit same-sex marriage, among other changes.

'POSTER CHILD FOR TENURE'

Why teacher Agustin Morales lost his job

By SARAH JAFFE

It was the “data walls” that drove Agustin Morales, an English teacher at Maurice A. Donahue Elementary School in Holyoke, Massachusetts, to speak up.

Last February, Morales and some of his colleagues, as well as parents whose students attend Holyoke public schools, spoke at a local school board hearing against a directive from higher-ups to post students’ test scores on the walls of their classrooms, complete with the students’ names. Paula Burke, parent of a third grader at Donahue, called it “public humiliation.” Some teachers questioned whether posting data publicly violated the Family Educational Rights and Privacy Act. The superintendent tried to turn the tables on teachers, saying that they were never told to use students’ names and that the directive did not come from the administration. But Holyoke teachers released a PowerPoint from their training session that clearly showed photos of sample data walls, with first names and last initials (see tinyurl.com/SJ-data-walls).

'PROTECTED UNION ACTIVITY'

Now, Morales thinks standing up to the administration on this issue is what cost him his job. And a preliminary finding from the Massachusetts Department of Labor Relations backs him up. In September, the board found probable cause that the non-renewal letter Morales received in June from the district was the result of his protected union activity.

Morales says that for the first two and a half years he taught in Holyoke, the western Massachusetts town where he grew up, his evaluations were stellar. But after the school committee meeting last February, his evaluations “just got so unbelievably negative.” He was elected president of the Holyoke Teachers Association, a local chapter of the Massachusetts Teachers Association, in May as a reform candidate, part of the Educators for a Democratic Union (EDU) caucus that also elected Barbara Madeloni president of the statewide union. A month later, he was fired.

LARGER STRUGGLES

“All of a sudden I start speaking out and [they say] I can’t do anything right,” Morales recalled. “I can’t write good lesson plans, I can’t control my classroom, I’m doing everything possible wrong. All of a sudden, the writing for me was on the wall.”

Dan Clawson, a member of EDU and a prominent labor sociologist at UMass-Amherst, connects Morales’s firing to the larger struggles nationwide around teacher tenure. In June, a California judge ruled in *Vergara v. California* that teacher tenure and seniority laws were unconstitu-

tional (see tinyurl.com/Deale-on-Vergara-Quinn). Though legal experts questioned the basis of the decision, anti-union education reformers declared victory and announced plans to move on – Campbell Brown, former CNN anchor turned professional anti-teacher campaigner, is leading a similar lawsuit in New York despite sending her own children to private school.

“In some sense, Morales is the poster child for why teachers need tenure,” Clawson says. “Without tenure, we are all Gus Morales: if we speak up for students, we will be fired, even if what we are pointing to are violations of the law by the school system.”

A GUARANTEE OF DUE PROCESS

In Massachusetts, a teacher achieves “professional teacher status,” equivalent to tenure, after three years with a good record in one school district. Morales, who has been teaching for seven years, was just on the cusp of attaining this protection in Holyoke. It’s worth noting that tenure or its equivalent are not what Brown and other campaigners like to call it, a guaranteed job for life: a school district can still fire a teacher with tenure; they’re just required to show cause. In other words, public-school teacher tenure is a guarantee of due process – an element of fairness that Morales has been denied.

Morales finds the attack on him frustrating because, he says, by speaking out he hoped to make things better. “Even in some of my speeches, you can go back and listen to them, I said, ‘This is not about any one person or any one policy, it’s about a system that’s broken,’” he says. “I’m doing my job as a teacher; but because of my extracurricular activities speaking against some reforms, all of a sudden, my livelihood gets tied to my extracurricular activities and that’s just so inappropriate,” Morales insists. “Here you have kids that are in front of me, and if I witness bad things, am I not supposed to report those things?”

The initial finding from the Labor Department was a relief for Morales, though



Agustin Morales addressing supporters at a rally this fall at a local Massachusetts high school.

he says he never doubted that his firing was a case of retaliation. “Even though people were very supportive of me, still there was that doubt in the air,” Morales explains. Now, he says, “a third party that has nothing to do with Holyoke Public Schools and has nothing to do with the Holyoke Teachers Association...found the probable cause after both sides presented their case – a completely, unbiased party.”

While the ruling is not final, it bolsters Morales’s position in both substantive and procedural terms. The Department of Labor Relations complaint finds “probable cause” that a violation of the law occurred and lists the possible violations to be discussed at the hearing, including the charge that “the School Committee has discriminated against Morales for engaging in concerted activity protected by Section 2 of the Law in violation of Section 10(a)(3) of the Law.”

CONSTANT STRESS

Parents, other teachers from the district and across the state and the Pioneer Valley Labor Council all came out to support Morales at a press conference after the State Labor Department’s announcement. The full hearing is to be held before the end of the year. Morales notes ruefully that without the income from his teaching job, he’s had to sell his house and move into a smaller apartment. Still, he says, “You don’t get into a fight like this and not expect to get hit. This is a hit for me, but I’m still standing.”

Meanwhile, he says, he’s got his hands full as president of the union. Teachers and students are constantly stressed out

over high-stakes testing, and poorer districts like Holyoke face the brunt of the “reforms.” “From my district alone, we’re losing teachers, and not just teachers that are being bullied either,” Morales says. “We’re losing good teachers who are being left alone for the most part, but they just can’t witness it anymore. They can’t deal with all the crying, they can’t deal with all the stress, they can’t deal with the anxiety.”

STANDING UP

He continues, “I get emails constantly from teachers saying, ‘I’m looking for another job; I can’t do this anymore.’ And it bothers me because I know they love their job, they really do, they love teaching. What they don’t love is the bureaucracy that has been intertwined with teaching.”

Around the state and around the country, teachers are standing up and getting more support from parents as it becomes clear that education “reform” based on endless testing rather than equitable funding is not helping children (see tinyurl.com/Fine-Fabricant-Nation-10-2014).

For Morales, there’s no other choice. “If we don’t stand up to any of these dangers – data walls is just one of them, high-stakes testing is another one – if we don’t start fighting back, my biggest worry, the thing that keeps me up at night, is that there’s not going to be a teaching profession in five years. It’s all going to be minimum-wage employees basically running the schools with scripts. That’s the biggest danger posed to us.” And if educators “don’t start questioning what’s going on,” Morales says, “we’re all done.”

Originally published at *Salon.com* (see tinyurl.com/Mass-teacher-tenure-case),

Speaking up for students, then fired

Clarion DECEMBER 2014

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GOVERNANCE

Schmidt: reduce faculty authority

By HANK REICHMAN

At the start of this academic year, the American Council of Trustees and Alumni (ACTA), a right-leaning group founded by Lynne Cheney, released a report endorsed by a panel of 23 trustees, administrators and a handful of largely conservative faculty from elite institutions. Benno Schmidt, chair of CUNY's Board of Trustees and former president of Yale, headed the group of endorsers. Entitled "Governance for a New Era," the report argues, "There is no doubt that leadership of higher education is out of balance. Trustees should take a more active role in reviewing and benchmarking the work of faculty and administrators and monitoring outcomes." With respect to faculty control of curriculum, it contends there is "evidence that self-interest and personal ideologies can drive departmental directions rather than the interest of the students and preparation of citizens."

Inside Higher Ed (IHE) has released a podcast in which Schmidt, IHE editor Scott Jaschik and I discuss the report and some of its arguments (available at tinyurl.com/IHE-podcast-ACTA). I encourage readers to listen to it. However, the conversational approach of the program did not permit a more thorough critique, so I would like to offer one here.

TIRED ARGUMENTS

The first thing to say about this report is simply that there is nothing new in it. Here we have, I think, a classic case of what Paul Krugman has called "the usual suspects saying the usual things." Although Schmidt contends the report does not necessarily reflect ACTA's views, it largely regurgitates tired arguments that the group has been making ever since its founding in 1995.

To be sure, a few of the report's recommendations are worthy of support. Its call for trustees to "withstand pressure to grow athletics programs that are a net drain on resources" is certainly welcome. And what faculty member would disagree with Schmidt's call "for boards everywhere to consider carefully whether search firms really add value"?

But overall, the report's aggressive advocacy of increased trustee intervention in academic decision-making is both unrealistic and potentially dangerous, as two recent incidents illustrate. At the University of Virginia, partly at the instigation of ACTA leader Anne Neal, the chair of the institution's Board of Visitors, Helen Dragas, sought to remove President Teresa Sullivan in 2012, apparently because Sullivan was seen as too cooperative with faculty and too disinclined to engage in major institutional decisions without consulting the university community. "Corporate-style, top-down leadership does not work in a great university. Sustained change with buy-in does work," Sullivan warned after she was pushed out. She was reinstated after a revolt by faculty, students and alumni, including major donors. (See the report by the American Association of University Professors (AAUP) at tinyurl.com/AAUP-UVA-2012.)

At the University of Texas, trustee efforts to remove the president of the flagship Austin campus have created academic and political turmoil, leading Moody's to downgrade the university's credit rating. Moody's report warned that "prolonged infighting and

its effect on personnel and philanthropy" could create "reputational challenges that are likely to hamper the system's ability to attract and retain high-quality executives and faculty." Surely such experiences should lead academics to be cautious at minimum about outside efforts to encourage greater trustee "involvement."

The ACTA report suggests that "data from the National Science Foundation on the income of graduates in particular majors can provide important insight for prioritizing academic programs." At the same time, however, the report urges "disciplinary diversity," with special attention to "coursework on the Founders, the American Revolution and the Constitution." The report also urges trustees to support a "coherent and rigorous general education program." These goals may well be contradictory, however, since experience suggests that boards

of trustees, faster, at a lower cost – a curriculum that accommodates to underinvestment." At least, that is his vision for the majority of US universities. It seems unlikely that a watered-down curriculum like CUNY's Pathways would ever be accepted at Yale.

REDEFINING ACADEMIC FREEDOM

The 8,000 words of the ACTA report include exactly one passing reference to community colleges, and none of its authors are directly connected with a community college. There isn't much representation from MA and BA-granting non-research-oriented public four-year schools, either. It would appear that this is a report prepared by a self-selected group of academic "haves" who would impose their will on the rest of us.

The ACTA report also propounds an unusual and extremely dangerous view of academic freedom. "Academic freedom is



Students in at the University of Southern Maine protesting trustees' decision to eliminate the undergraduate program in French. When trustees make curriculum decisions, they are often short-sighted.

of trustees are in practice all too eager to eliminate humanities programs and curtail general education in the interest of devoting more resources to "career-oriented" and "profitable" or "income-producing" degrees.

At CUNY, the institution whose board Schmidt chairs, the trustees imposed a stripped-down and dumbed-down general education program called Pathways. The program scaled back the number of credits required for general education classes, resulting in changes at CUNY colleges that included elimination of foreign language study requirements, reduction of time spent on writing instruction, and removal of lab sessions from science classes. Pathways has been opposed by the Professional Staff Congress (PSC), an AAUP affiliate, by CUNY's University Faculty Senate, and by governance bodies at CUNY colleges. In a referendum vote among CUNY's full-time faculty, 92% expressed "no confidence" in the program. Yet, Schmidt and his fellow trustees largely ignored this deep and united faculty opposition.

CUNY has a new chancellor, and it remains to be seen what stance he will take toward Pathways. But clearly Schmidt's understanding of a "coherent and rigorous" general education is one that, to quote the PSC, is "really a narrower, administration-imposed curriculum that seeks to graduate more stu-

the single most important value informing the academic enterprise, and governance for a new era requires trustees to protect it," the report declares. So far, so good. However, the report quickly begins to redefine academic freedom as "a two-way street: the freedom of the teacher to teach and the freedom of the student to learn." According to the report, "Trustees and administrators have, for the most part, done a good job of protecting the academic freedom of faculty. But they have often failed to guard the academic freedom of students."

INCREASED TRUSTEE ROLE

This turns reality upside down. The fact of the matter is that ever since the AAUP first defined academic freedom nearly 100 years ago, the greatest threats to the principle have come precisely from trustees and administrators. The examples are legion and even a cursory reading of AAUP's investigative reports over the years provides ample evidence (see tinyurl.com/AAUP-AF-reports). The record clearly suggests that trustees have been more likely to threaten academic freedom than to defend it.

Reading this report, one would think that the real threat to academic freedom lies in efforts by (mainly liberal) professors to limit "student academic freedom." According to the report, trustees should "intercede when

students ... are unfairly treated because of their political, religious, or social beliefs and practices" and should put in place "grievance policies which allow for students to speak out without fear of reprisal when they believe that the institution is failing to protect the students' freedom to learn."

The AAUP has vigorously defended student rights. It joined with several other organizations in 1967 to produce the "Joint Statement on Rights and Freedoms of Students." Indeed, this statement remains the most important statement of student rights, parallel in some sense to AAUP's classic 1915 and 1940 statements on academic freedom of faculty. But the Schmidt report's claim that student rights are under assault is little more than a thinly veiled defense of those – like ACTA – who would attack so-called "liberal professors" for allegedly marginalizing conservative opinions on campus. Such complaints are largely exaggerated and, moreover, are often irrelevant to the classroom. For example, a religious student certainly should have the right to believe and to advocate on campus that the Bible's account of creation is literal truth. But that student is not entitled to receive full credit on a geology exam for contending that the earth is but 6,000 years old.

According to the report, "faculty cannot be the last and determining voice regarding academic value, academic quality, and academic strategy." Instead, "it is lay trustees – with considerable life and community experience – who can bring the big picture to bear in determining what graduates will need..." Really? And what, one might ask, qualifies these "lay trustees," most of whom are wealthy businessmen or political appointees, to play such a role?

The arrogance here is mind-boggling. Is this not yet another case of rich people, the 1%, claiming for themselves the right to meddle in the affairs of everyone else, with little to no justification? Ultimately, it is the faculty that best understands a university's academic mission. We don't always agree with each other about that mission, which is fine. We can't claim to be correct all the time. I would match the faculty's record against that of university trustees any day.

Finally, it would be remiss not to note what may be the single most remarkable feature of this report: its curious silence about what is perhaps the most troubling development in higher education and arguably the gravest threat to academic freedom today: the increasing reliance on temporary and part-time instructors. Nowhere does the ACTA report recognize the gross unfairness of a situation in which nearly half the teaching faculty must survive from term to term with inadequate compensation and degraded working conditions (which, as is often said, are also students' learning conditions). An increasing number of reports and studies demonstrate how these conditions negatively impact student learning and retention.

Reading this report, one would never recognize that this issue, perhaps above all others, is what is currently roiling the academy. It may well be one of the main reasons that, in the report's own words, "the future of higher education as an element of America's global leadership...is in jeopardy." That silence is, perhaps, the most powerful indication that this is not a report that will be helpful in addressing the challenges we in higher education must address.

Hank Reichman is first vice-president of the AAUP and chair of its Committee on Academic Freedom and Tenure, and professor emeritus of history at California State University, East Bay. A previous version of this article was published on the American Association of University Professors' Academic Blog, at tinyurl.com/Reichman-ACTA.

Power to the trustees, says Benno.



15-MINUTE ACTIVIST

Contract petition

Four years without a contract and five years without a contractual raise is enough! Sign the PSC's contract petition, and ask your colleagues to do the same. Join the thousands asking Governor Andrew Cuomo and Mayor Bill de Blasio "to take immediate action to enable a fair settlement of the labor contract" at CUNY.

You can sign online at tinyurl.com/PSC-contract-petition. For a paper copy to circulate in your department, contact your chapter chair (tinyurl.com/chapter-chair-directory) or Deirdre Brill at the PSC (dbrill@pscmail.org). Our work is critical to New York's future: we need a contract that lets us do our best.

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CCNY CHEMIST GEORGE JOHN

How to make a 'green' battery

By SHOMIAL AHMAD

Making more sustainable materials from renewable and plant-based substances, and using those substances to solve real-world problems is the focus of City College chemistry professor George John's soft materials research group. His lab's projects have ranged from a gel that would solidify oil to help clean waterborne spills, to developing healthier substitutes for trans fats by solidifying olive oil, canola oil or other vegetable oils.

A current focus is developing the chemical makeup for a sustainable lithium-ion (Li-ion) battery, one that does not use toxic heavy metals and would thus be better for the environment. John's been working with fellow scientist Pulickel Ajayan at Rice University in Houston. Ajayan is spearheading the electrochemistry end of the project, while John looks for the toxic and expensive cobalt component of lithium-ion batteries.

Li-ion batteries are used in many common personal electronics, from cell phones to laptops to digital cameras. According to *Nature's* online publication *Scientific Reports*, "thirty percent of globally produced cobalt is channeled into battery technology." The batteries powering personal electronics are usually made with cobalt or other heavy metals; an EPA study published last year found that batteries using nickel and cobalt have the highest potential for environmental impacts including "resource depletion, global warming, ecological toxicity, and human health impacts."

A GREEN BATTERY

Battery production affects climate change because it is so energy-intensive, starting with what John says is an expensive mining process. Once the cobalt is extracted from the earth, creating the battery and later recycling it safely are expensive and energy-consuming. For every kilowatt hour of energy that the battery produces, the production and recycling process for the battery pumps 72 kilograms (more than 150 pounds) of carbon dioxide into the air. In 2010 alone, according to scientists working to develop



City College chemistry professor George John shows the materials needed to make a 'green' lithium-ion battery, including powder (pictured above) from a madder plant historically used to make red dyes.

the battery, nearly 10 billion lithium-ion batteries had to be recycled.

THE RIGHT CHEMISTRY

"If we can conceptually demonstrate that we can create a Li-ion battery from materials that are easily available and don't need to be mined and refined, that is interesting," John told *Clarion*. "We found one family of molecules that can coordinate and make a nice complex with the lithium."

The family of molecules John refers to comes from the purpurin extract derived from the root of the madder plant. It is commonly used to make a fiery red dye. Somewhat surprisingly, purpurin seems a good candidate to function as a battery's electrode on Li-ion complexation: the molecular structure of purpurin is adept at passing electrons back and forth, as required in a battery.

Plant compound vs. toxic metals

tronics that can be made widely available. If they succeed, the benefits of the project would be exciting.

Experimental work like this is also useful to John in the classroom for teaching the mechanics of organic chemistry.

"Organic chemistry is something related to our lives, our daily lives. It is nothing alien," said John. Talking with undergraduates about experiments like those in the green battery project sparks their interest and deepens their involvement in the learning process, he says: "The students who are coming to us are quite excited because these experiments are things that they can easily relate to."

RESEARCH & TEACHING

John, whose past work experience was heavily research-focused, came to CUNY because he wanted to teach. It's a balance that he's glad to have today; John says one of the best benefits of his job is being surrounded by a "diverse [and] interesting community," in terms of both the students and the faculty at City College.

Prior to coming to CCNY 10 years ago, John was a research faculty member at Rensselaer Polytechnic Institute in Albany. Before that, he worked at universities and research institutes in Japan, the Netherlands and India, where he completed his graduate work at the National Institute for Interdisciplinary Science in Kerala. But working on sustainable design through plant-based materials has been a constant in John's work.

"I started this kind of chemistry when I was a graduate student," John told *Clarion*. "At the time, it was not in fashion to be 'sustainable' and 'green.'"

A core part of John's approach is looking to create new materials using very simple chemistry or chemistry that already occurs in nature. It's an approach he imparts in discussing his work with his students, whether he's describing an antibacterial paint developed from vegetable oil or how to release a drug using material from a fruit and an enzyme.

"Almost any scientist is thinking outside the box," John said. "We are thinking of how to use natural, easily available material to make something interesting."

Pat Arnow