

Clarion

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



FEBRUARY 2019



CAMPUS Broken Baruch

Faculty and students say disrepair is harming teaching.

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Dave Sanders

CONTRACT FIGHT STANDING TOGETHER

For the last year, PSC members have waged a campaign for a fair contract and full funding for CUNY, using a variety of tactics. We look back on the campaign, as the union prepares for more escalation. Above, members blocked the entrance to Baruch College during a Board of Trustees meeting on December 10.

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BUDGET No to austerity CUNY funding

Members are protesting the governor's proposed austerity budget for CUNY. The union is pressing the state and city to fund the PSC contract.

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RETIREES Fighting for our pensions

The union blasted the CUNY Board of Trustees, as retirees testified that inaccurate pension calculations mean they aren't receiving full retirement benefits.

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The Democrats now control both houses of the state legislature. The PSC is organizing to advance its agenda in the new Albany landscape.

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BORDERS Solidarity with immigrants

PSC members are working creatively, both locally and throughout the country, to stand with immigrants against a xenophobic White House.

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LETTERS TO THE EDITOR | WRITE TO: CLARION/PSC, 61 BROADWAY, 15TH FLOOR, NEW YORK, NY 10006. EMAIL: APAUL@PSCMAIL.ORG.

Strike yes, Nixon no

● James Gray Pope's op-ed in the September 2018 issue ("Labor's right to strike is essential") misunderstood or misinterpreted the comments I made regarding the right of workers to strike.

It conveyed that I do not support the right of public sector workers to strike. False. I publicly support the right to strike in the public sector in New York or anywhere else. The comments I made in the article were made specifically about Cynthia Nixon's political position regarding strikes, not about the right to strike itself. I was skeptical about her being supportive of public sector unions striking. I believed, and still do believe, that her position on strikes by public sector workers was born out of political desperation, simply a tactic to try to win trade union support and not at all truly felt. It's also important to understand that prior to taking her "right to strike" position, she publicly called for transit worker concessions to help fix the subway crisis.

And then there's my quote, "As soon as her hipster Williamsburg supporters can't take public transit to non-union Wegmans to buy their kale chips, she will call in the National Guard and the Pinkertons."

The truth is that a wedge was long ago driven between the de Blasio/Nixons of the world and organized labor, but it wasn't done by me or blue-collar workers. My comment was definitely about the social, cultural and political divide that clearly exists between them and organized labor, particularly blue-collar trade unionists.

Wegmans is an anti-union employer, yet de Blasio saw them as the best option to open up in the Brooklyn Navy Yard. He had every opportunity to bring a UFCW-contract supermarket into the Navy Yard, but deliberately chose Wegmans. It was more important for de Blasio to advance his brand of lifestyle progressivism than to support organized labor and bring more good trade union jobs to Brooklyn. This wedge, this divide, is very real and blue-collar New York feels it every day.

My decision not to trust or support Cynthia Nixon should not have led to a conclusion that I don't believe in the weapon of a strike or the right to strike. In fact, the *Janus* ruling has completely destroyed the underpinnings of the Taylor Law and should absolutely be revisited in light of the loss of agency shop fees. The law is more unjust than ever and needs to be abolished.

John Samuelsen
President, Transport Workers Union

James Pope responds: I have no doubt that John Samuelsen supports the right to strike in his heart of hearts. My point was that the strike ban has put him in a position where he felt that he had to provide cover for a Wall Street darling like Andrew

Cuomo even to the point of punishing his opponent for taking a pro-worker position. Nixon did a rare thing for a politician these days: she publicly supported the right to strike, giving labor an opportunity to build support on the issue.

Editor's note: The PSC has passed a resolution calling for the legal right to strike for New York's public-sector workers.

Backing single-payer

● The New York Health Act (NYHA) would guarantee comprehensive, lower-cost care to all New York residents at huge savings to the state. It is a promising moment for New York State single-payer health care.

But NYHA won't become law without the support of organized labor. Both public- and private-sector unions have concerns about protecting existing benefits, shielding members from increased costs, sharing in any savings, preserving union benefit funds and covering members living out of state. The bill's sponsors seem willing to accommodate. They, together with PSC's Social Safety Net Working Group member Len Rodberg, who, from start to finish, has played a central role in crafting the legislation, have drafted specific proposals in response to labor's concerns. Still, many union leaders in the state seem more comfortable with the devil they know than the one they don't.

And given the transactional nature of union-government relations, labor's advocacy for single-payer becomes even more fraught: What's the bread-and-butter risk of offending the governor or alienating skeptical allies? In our own case, CUNY funding and the PSC contract depend on our place in the state budget, which depends on the governor, the legislature and support from other unions.

The PSC backs the bill as "a work in progress." Social Safety Net Working Group testimony (at the City Council hearing on a resolution of support) indicated union endorsement in principle but emphasized the concerns that the PSC shares with other unions.

Fine. But what about the needs of the uncovered, the unemployed, the

unorganized, the undocumented, the underpaid? What about the inadequacies and escalating costs of even the best employer plans? And what about our students, their families, their communities?

We need to press for this piece of legislation, legislation clearly in the best interests of working-class New York. We need to fight for it just as hard as we fight to hold on to our own hard-earned gains. As a social justice union, what responsibility do we bear for pushing ourselves, and our sister unions, beyond a members-only consciousness toward meaningful class solidarity?

Jim Perlstein
Borough of Manhattan
Community College
Retired

Mic check!

● A steadily deteriorating hearing loss, resulting mostly from combat in Vietnam and old age, nearly succeeded in forcing me out of the class-

room. Our rooms at Baruch have appalling acoustics and I'm often unable to understand questions and engage in dialogue.

Audiologists at the Veterans Affairs Medical Center provide me with expert support and the most current hearing aid technology, but until recently, nothing stanching the problem. I know that many of my older colleagues struggle with similar issues. This past year, however, I came up with a novel solution, and Baruch's audiovisual techs have supplied the equipment to make it work. My classroom hearing problems have largely been resolved, and I want to pass this tip on to all who think hearing loss means their teaching days may soon be over.

For the last two semesters I've been using a relatively simple system in my classroom that consistently works well for me. I've got a shotgun microphone mounted on a tripod, hooked to a small, portable amplifier (not much larger than a transistor radio). I plug an off-the-shelf wireless headphone transmitter into the amp. With the wireless headphones over my ears and hearing aids I can move freely around the room. When a student speaks, I point the shotgun mic in their direction; I can pivot the mic freely in all

directions and quickly pick up the voice of any student in the room.

I get clear, loud amplification and have little trouble hearing my students' questions and comments. I teach in a room designed for 40-plus students and can hear students sitting in the rear of the room. I suspect that with the volume up this would work well even in rooms holding up to a hundred or so students. Using it takes a little practice, of course, but I found the whole process nearly seamless by the second semester.

The Americans With Disabilities Act requires workplaces to accommodate hearing loss, which means that the university is obligated to provide us this equipment. Baruch's techs have been incredibly helpful in setting it up for me and helping me learn how to make the best use of it. I will gladly provide detailed specifications to anyone who asks.

Glenn Petersen
Baruch College

Editor's note: We're very glad to hear about this. PSC members with hearing issues can also take advantage of the Welfare Fund's hearing-aid benefit. Check it out here: <http://www.pscunyw.org/full-time-actives/fund-benefits/hearing-aid.aspx>.

PSC: Jumaane Williams for Public Advocate



The PSC has endorsed Jumaane Williams, a Brooklyn College graduate, in the election for public advocate on Tuesday, February 26. PSC Legislative Representative Mike Fabricant, in a message to members, said that Williams's "record on public housing and criminal justice has been exemplary as a sponsor of over 40 progressive bills as a city councilman," adding that he provided "both access to decision-makers and public amplification of PSC issues at press conferences and rallies."

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Insulting! CUNY's austerity budget

Road to a fair CUNY budget

By CLARION STAFF

It wasn't a shock in late December that Governor Andrew Cuomo once again vetoed a bipartisan-supported "maintenance of effort" bill for public higher education, a bill that would have included funds for CUNY and SUNY to cover the inflationary increases in operating costs at the four-year colleges, such as rent, utilities and contractual salary increases. The move also came as Cuomo vetoed a 12-week bereavement leave bill for workers, something he promised to sign during his campaign.

But for CUNY, the real pain came in early January, when the CUNY Board of Trustees made its official budget request to the city and state, one that the PSC said was based on the expectation of another tuition increase at the four-year colleges. While the request called for an increase in the funds for fringe benefit costs, it did not include a specific dollar-amount needed to fund the next contract and did not address increasing adjunct pay as a part of that contract. The message this sends to the union is that raises will have to come out of colleges' existing budgets (especially true for senior colleges, which are funded by the state, unlike the two-year campuses, which are largely funded by the city). The implication is that campuses will have to make cuts before faculty and staff can get their raises.

INADEQUATE BUDGET

Worse, Cuomo's executive budget proposal, made soon after the CUNY board's budget request, was, in the eyes of the PSC, a status quo budget that keeps higher education funding essentially flat, offering nothing to address contract demands or student needs. As this newspaper went to press, PSC President Barbara Bowen testified to state lawmakers in Albany about the budget, saying, "[T]he CUNY senior college operating budget is essentially flat. The fringe benefit funding is critical, but

Won't fund PSC contract



Anthony Gronowicz talked about how adjuncts enhance the academic community in countless unpaid ways.

it is substantially less than CUNY requested to cover its current mandatory cost increases. We call on you to work with the university and the executive to ensure that the full amount is covered. Anything less will mean that CUNY will have to strip academic programs in order to pay legally mandated costs. The pattern of failing to increase investment, even though student enrollment and mandatory costs are climbing, has resulted in a slow-motion fiscal crisis for the CUNY senior colleges. We are witnessing a gradual but devastating disinvestment. Per-student funding from New York State for CUNY's senior colleges declined by 18 percent between 2008 and 2018, and by 4 percent between 2011 and 2018. New York can't keep forcing the colleges to absorb costs that should be covered by increased public funding and, at the same time, handle more students without eventually hurting the enterprise of education itself. The CUNY senior colleges are on the brink of unsustainability."

In addition, the board's draft budget mentions the PSC-CUNY agree-

ment to reduce the full-time teaching load, but does not give a funding figure to realize that goal. In short, the union said, the board has requested a budget from the state that continues a history of underfunding, will force campus administrators to make painful cuts locally and ensure that costs are paid by increasing tuition and appealing to private donors while the state shirks its financial obligation to public higher education.

Cuomo's executive budget proposal came after months of pressure for the full funding of CUNY by the union and CUNY students, including rallies, hours of testimony to the board and a civil disobedience action right before Christmas.

SPEAKING OUT

Faculty and staff members came to a CUNY Board of Trustees hearing on January 9 at the Borough of Manhattan Community College to protest the inadequate budget request (members also vocally protested during the full board's vote on the budget on January 14 at CUNY's headquarters in Midtown). Members decried

the board's failure to advocate for the university with whose welfare it is entrusted. What follows are some excerpts from members' testimony.

Trickle-down

Being an adjunct takes over my life. There is never a day when I am not working. My students deserve better than a professor who is constantly overwhelmed and distracted. Money-fear, job insecurity, insufficient time for my students and even less time for myself leave me emotionally gutted. I never expected to get rich as a college professor, but I never thought I'd be expected to martyr myself either.

My frenetic pace can't not trickle down to my students. My pedagogy becomes more about what corners I can cut. It doesn't feel good knowing that I could be doing a better job if only I weren't so overextended. At times, I feel like I'm part of a student factory, not a center for intellectual exchange and growth. Our students, especially the students at two-year campuses who are oftentimes the most underserved and in need of remediation, deserve better.

Leslie Akst
Adjunct Lecturer, English
Queensborough Community College
and Queens College

Our sacrifice

I am a late returnee to academia, having resumed graduate school in middle age after surviving 9/11. Suffering from PTSD, I relied upon student loans to support myself, my disabled wife and college-age son, also a trauma victim. I managed to complete my PhD at the CUNY Graduate Center and embark on the tenuous life of an adjunct.

We adjuncts give our all for our students, taking the extra time for conferences, preparation, research and development of instructional materials. For example, just in the past week I have written six recommendations for students' applications to graduate school, law school, and scholarships. In the past year I have developed an open education resource text for my world music classes at John Jay and Borough of Manhattan Community College – all to help students save on costs, as they desperately need to do.

We adjuncts must sometimes work two, three, four, five jobs to try and make ends meet. We must often choose what bills we will not pay this month. Paying back student loans is often not an option. How do we earn a living during intercessions and summers? Savings? Surely you jest. Retirement? I shudder to think, and I am now 65 years old, so this is a looming reality. Almost all of us adjuncts are in this position. Very simply, we cannot give the students the attention they need when we are distracted by financial crisis!

In the name of austerity, the CUNY Board of Trustees has refused to pay us what we deserve and bring us to parity with other institu-

Continued on page 9



Members protested the vote by the CUNY Board of Trustees to approve a meager budget request that fails to fund mandatory raises and increase adjunct pay.

Members arrested protesting Board

By CLARION STAFF

Nearly 300 PSC members gathered in front of Baruch College to protest the December 10 CUNY Board of Trustees meeting. The demonstration ended in 17 members being arrested for a civil disobedience action blocking the entrance to the college.

The message of the rally was clear – the main chant was “demand the funding CUNY needs.” While the board stalled on making a budget request to the city and state (see story about the CUNY budget on page 3), the union demanded that the budget request include a fully funded CUNY budget that includes raises for all and \$7,000 per course for adjuncts. PSC Executive Committee member Steve London told the assembled crowd. We’re demanding justice for the faculty and staff of CUNY. And your presence here tonight has made that possible. When we’re together, when we’re united, we are strong.”

TAKING A STAND

Rebecca Ibanez teaches in the CUNY Language Immersion Program (CLIP) at City Tech. Her position, as well as others’ in the program, was converted from part-time to full-time as a result of union pressure in the last contract. She told *Clarion* during the rally, “I’m here for solidarity because I know what it meant for us to get that full-time line. A lot of these adjuncts are moms, dads that have kids, and they can’t afford basic things, like their kids’ childcare.”

The action was an escalation of the ongoing campaign for a fair contract. Linking arms in front of the door, each member was arrested one by one, and each spent several hours in central booking. All 17 arrested members will make a court appearance on February 11 to face misdemeanor charges of disorderly conduct.

PSC members risked arrest to show the city, state and trustees that the faculty and staff are willing to take a stand for the quality of education at CUNY. Below, several members who participated in the civil disobedience reflect on the experience.

Direct action

Collective action is why the PSC won back-pay in the last round of bargaining, and why in previous contracts we won sabbaticals at 80 percent pay, junior faculty reassigned time, the HEO salary differential, paid office hours for adjuncts, adjunct health insurance, graduate employee health insurance, paid parental leave and more. None of those gains against the Board of Trustees’ austerity regime came without a fight.

At Baruch, hundreds of members cheered and chanted, “CUNY trust-

With CUNY underfunded, union takes militant action



PSC members were arrested at a December 10 protest outside a CUNY Board of Trustees meeting. They were urging trustees to serve their mission and advocate for a budget that meets the needs of the university.

ees, do your job. Demand the funding CUNY needs!” We lined up in front of the doors where the Board of Trustees was meeting, moving to block the doors of the building.

And dozens of police appeared, playing a recording that warned us we would be arrested if we did not move. Could it be more Orwellian?

Ben Shepard
Professor
Human Services
City Tech

A version of this entry appeared on Shepard’s personal blog.

Big decision

This was not a light decision for me, but I didn’t know what else I could do. I began the semester begging the campus president to publicly call on the CUNY Board of Trustees to request an appropriate budget. I even shared private details about the fact that my family depends on public assistance since the adjunct wages my partner and I make are insufficient to care for our baby and living expenses. I also helped collect 1,500 signatures of students and faculty at John Jay College of Criminal Justice, which didn’t move my president to speak boldly for adjuncts who teach most of the courses. I have also shared the same intimate details at previous Board of Trustee meetings and PSC CUNY actions to no effect. With mounting personal debt, and no dignity left, I had nothing left to lose.

I wasn’t scared about getting arrested, but it was rather emotional for me because I am a recent, natu-

ralized citizen who could have easily faced deportation if this arrest came just over a year ago. As an activist involved in various actions for issues including fair wages for adjuncts, I have come close to arrest several times before. This time I was more than happy to put my body on the line.

Sami Disu
Adjunct Lecturer
Africana Studies
John Jay College

Getting attention

Since our contract expired over a year ago, the PSC has demonstrated on several occasions at trustee meetings and offices. Those more civil actions did not result in management’s placing an economic offer on the bargaining table. So the time had arrived to push the envelope further.

Unstaged arrests typically don’t receive media attention. In contrast, civil disobedience events, like the one we held on December 10, necessarily have to be staged for effectiveness.

The whole point is to communicate communal discontent to a large audience. Otherwise, such public misbehavior would be pointless.

Being in jail meant sitting on hard wooden seats in the cold. Worse, it was excruciatingly tedious. The strategic response unit took well over four hours to fill out the paperwork for 17 people, because little of the process has been touched by modern science. Traveling in a

time machine back to the 1950s would likely reveal bureaucratic procedures very similar to what we experienced on December 10. Adding icing to the cake, the police failed to return my driver’s license.

Dan Pinello
Professor
Political Science
John Jay College

Witness to carceral state

I knew it was time for me to take physical action to stop “business as usual” and cause disorder, to publicize our demands more and to publicly shame CUNY and the governor. This form of civil disobedience was just one step in escalating our struggle. I think we need to be prepared to take more risks and to increase and broaden our militancy.

Even in the most privileged and safest of circumstances, being in jail is terrible. It was humiliating and infuriating to lose bodily autonomy, to literally be in the hands of the NYPD. It was also educational, because I understood that my own brief, mild experience of dehumanization and physical discomfort was only a glimpse into the real terror and violence of our carceral state.

Carly Smith
Adjunct Lecturer
Communications
Baruch College

Cell solidarity

I was not eager to get arrested on the eve of my labor-management meeting and my last full day of teaching this semester. But I took part in the civil disobedience because it is a dramatic way to call attention to the one-year mark since our contract expired and the failure of CUNY trustees to submit an adequate budget request to the state legislature. Besides, the protest was happening on my doorstep and the Baruch chapter needed to be represented. My members are frustrated by the canceled job searches, suspension of research release time and other austerity measures.

Stop ‘business as usual.’

Protests like these are planned, deliberate, calculated efforts to win a contract by demonstrating our strength and unity. The activists are trained. We all know the drill. But anything can happen during a demonstration, so there is a certain amount of risk involved. The greater risk is that your actions will have no effect, but that way of thinking will keep you on the sidelines forever.

The most surprising thing about being in custody was that our arresting officers wanted to talk union. They have been working without a contract for *two* years. They wanted to strategize about how to get a decent offer, given that neither of us has the right to strike.

Vincent DiGirolamo
Assistant Professor
History
Baruch College

Making the case for CUNY in Albany

By ARI PAUL

The way State Assembly Higher Education Chair Deborah Glick described it, Governor Andrew Cuomo's opposition to signing the "maintenance of effort" bill for public higher education was a form of bureaucratic redirection – he has refused to sign this funding stream for CUNY and SUNY each time it's passed and then continued to underfund the systems in the general budget. "The governor says, 'This should be taken up during the budget,' but then he doesn't discuss it in the budget," she said.

URGENT CALL

Glick, a Manhattan Democrat, was speaking to several of her fellow state lawmakers – some new to Albany, some not – as well as aides during a meeting at the PSC in December to discuss priorities for funding CUNY. PSC President Barbara Bowen painted a bleak picture in her urgent appeal for legislative action to fund CUNY. Overcrowded classrooms with not enough seats. Students unable to enroll in the classes they need to graduate. Low-wage adjunct instructors replacing full-time staff. Rising tuition as CUNY buildings deteriorate. And all this happens while CUNY goes relatively unnoticed in the plethora of priorities in Albany.

"Funding for higher education should be on the list of 'must-haves,'" Bowen said. "CUNY is often overlooked in the city. We're letting CUNY spiral into a deficit budget and that's not fair."

PSC briefs lawmakers



PSC First Vice President Andrea Vásquez (left) talks to state lawmakers Rodney Bichotte (center) and John Liu about priorities for CUNY funding.

The problem is especially dire at the senior colleges. While the two-year campuses are funded by the city, the senior colleges have fallen victim to decades of underfunding by Albany, Bowen said. She added that more funding was necessary for CUNY just to keep up with its day-to-day responsibilities, saying, "This isn't about growth or repair. This is just about the steady state. Students' tuition increases are being used just to keep the lights on."

CUNY student enrollment has ballooned since 2000, Bowen told lawmakers and aides, but this has

come at the expense of rising tuition and a proliferation of underpaid labor, an austerity regime for a university that serves mostly working-class communities and communities of color.

A BRIGHT YEAR

The PSC hopes that 2019 brings a chance to make some improvements. The Democrats took majority control of the State Senate this year, with the help of PSC members across the city in the elections last year, giving the Democrats complete control of the state legisla-

ture. And with new progressive Democrats coming into both houses, there's hope of forcing Albany to address austerity at CUNY. "This is a year in which the structural problem needs to change," Bowen said.

COMMITTEE CHAIRS

Part of that change in the Senate means a new set of progressive chairing committees that are important for advancing PSC's interest. Long-time PSC ally State Senator Toby Ann Stavisky, whose district includes Queens College, now chairs the Senate Higher Education Committee. At the helm of the Senate's Labor Committee is State Senator Jessica Ramos, whose previous labor experience comes from jobs with Service Employees International Union Local 32BJ and Social Service Employees Union Local 371 (District Council 37/AFSCME). On the topic of pushing for a state budget that includes increased funding for the next PSC-CUNY contract, Ramos said in an interview that access to college needs to be treated as an inalienable right.

"As the incoming majority we definitely feel that higher education is a right and not a privilege, and that will hopefully manifest in a budget that is reflective of our values," Ramos said. "CUNY and SUNY have been largely defunded for a very long time, just like the MTA.... Traditionally, governors see these institutions as places you can penny-pinch, but in reality, public education and transportation,

these are things that every New Yorker has an inherent right to access. So I think that'll be something we'll be conveying to the governor in a very rowdy way."

And in only the first month of a new Democratic-controlled state legislature, there have already been victories for CUNY advocates' agenda. Albany lawmakers passed the state version of the DREAM Act, which frees up tuition assistance for undocumented immigrants in New York who were brought to the country as children. The law will allow those immigrants to attain college tuition aid if they attended a high school in New York State.

The PSC meets a new state legislature.

"Passage of the DREAM Act, at the same moment when the administration in Washington is doing its utmost to criminalize young immigrants and violate international law on asylum, sends a strong message about how New York values immigrants and public higher education," Bowen said in a statement.

Assembly Member Rodney Bichotte, whose district includes Brooklyn College, said during the event at the PSC that CUNY advocates could point to the enormous subsidies the state and city have offered to Amazon for putting its next headquarters in Queens and use that as rationale to fund underfunded public institutions like CUNY.

"Look at the billions we're spending, CUNY is a drop in the bucket," she said. "We can build this narrative."

Also in attendance at the PSC meeting were State Senators Robert Jackson and John Liu, both of whom defeated Democrats who caucused with Senate Republicans – thereby robbing the Democrats of majority control of the upper chamber – in their respective primaries last year.

CROWDED FIELD

The PSC is one of many advocates around the state who need more funding for their respective institutions. But the union believes that the injustice of underfunding at CUNY will attract special attention.

"There's an expectation that our students will pick up the difference," PSC Legislative Chair Mike Fabricant. "[Tuition increases] create a unique situation and differentiates CUNY from other public agencies."

The PSC will be campaigning for the best budget possible through the state's April 1 deadline. On February 12 the PSC and its state-level affiliate, the New York State United Teachers, will lead a higher education lobby day in Albany. As there will be no CUNY classes that day – it is Lincoln's Birthday – faculty will be free to attend and staff will not have to use leave time to participate. More than 60 union members will be meeting with legislators. A large rally of CUNY and SUNY advocates is also planned.

Admin fumbling pension info

By ARI PAUL

"Unacceptable."

That's how PSC Retirees Chapter Chair Bill Friedheim defined an ongoing situation where PSC retirees are still not receiving their full pension benefits from the Teachers' Retirement System (TRS) because "the CUNY payroll office has not provided the accurate final salary history that TRS needs to calculate each individual's monthly payments."

Friedheim was one of several retirees speaking to the issue that has outraged PSC retirees during a CUNY Board of Trustees hearing in December at LaGuardia Community College.

BEING PUNISHED

"I do not know if Payroll's inaction is a product of willful neglect, incompetence or an innocent oversight," Friedheim said in his testimony. "But whatever the reason, CUNY punishes teaching faculty and professional staff who have

Retirees getting shorted

dedicated anywhere from 20 to 50 years of their adult work-life building curriculum and enhancing services that enrich the lives of one of most diverse student bodies in the world. These TRS pensioners deserve better."

The situation, he said, has resulted in nearly 100 retired members not receiving the full amount of pension benefits they are owed after dedicating their lives to CUNY. Worse, there appears to be no good excuse.

FINANCIAL LOSS

Laura Fishman, a retired historian from York College, told the board, "Because my TRS pension payments are based on the average salary of my final three years of service, these monthly payments now need to be recalculated based on the contractual increase. How frustrated and disappointed I am that the Teachers' Retirement System has not yet received an accurate salary revision from



Retirees spoke out at a December CUNY Board of Trustees hearing.

CUNY. This affects not only my monthly pension payments, but also impacts the annual cost of living adjustment (COLA) that retirees receive because this COLA is based on a percentage of the annual pension, which now does not

reflect the amount to which I am entitled."

Jane Mushabac, a retired professor of English from City Tech, said she has been waiting for more than a year for an updated pension calculation, even after she made many phone calls to TRS and to CUNY. And Terrence Quinn, a retired associate professor of educational leadership at Queens College, told the board, "I am here because just as I tried to impart values of decency and honesty to my students, I am asking that this board do the same for its retirees."

HOPE AHEAD?

Rumors have circulated that the delay is a result of short staffing within CUNY's payroll office. Whatever the reason, Friedheim told *Clarion*, he hopes that the testimony would move the administration to fix the problem.

And at press time there was some indication that the message was getting through. At the Board hearing, administrators promised retirees that they would attend to the problem. The administration told Friedheim in January that the administration had sent new files to TRS, which is analyzing the new information.

A year of escalation: the fight

By SHOMIAL AHMAD

Members started the contract campaign merely protesting outside Baruch College. By December 2018, members were getting arrested protesting austerity, standing where they had been a year earlier.

The campaign for a just contract, begun in 2017 as the last contract expired, has used a variety of tactics to pressure Albany, the administration and the CUNY Board of Trustees to meet the needs of faculty, staff and students. There have been numerous bargaining sessions with CUNY, where the union has outlined its demands.

PSC actions have served not just to put pressure on management, but also to spread the word about the effects of austerity at CUNY to the public and, above all, to organize the rank and file for a militant struggle for a fair contract. What follows are some of the highlights in the PSC contract campaign this past year.

DECEMBER 4, 2017 | CONTRACT CAMPAIGN LAUNCH RALLY

Days after the previous contract expired, hundreds of people – faculty, staff, students and labor allies – marched in the streets of Midtown Manhattan from the Graduate Center to Baruch College. At the night-time rally, members held illuminated signs demanding “Economic Justice,” “CUNY needs a raise” and “\$7K for Adjuncts.”

PSC President Barbara Bowen addressed members at the rally and said that the underfunding of CUNY exists because of a lack of political will: “It is the result of an active agenda ... to transfer wealth from the poor to the rich and to deny a top-rate college education to the people we teach,” she said. “The PSC has changed political will before and we can do it again.”



Seventeen PSC members locked arms outside a Baruch building entrance, where the CUNY BOT was meeting. They were arrested. From l to r: (not pictured: Vincenzo Shepard, Geoffrey Kurtz, Michael Fabricant, Stephen Leberstein, James Davis, Nivedita Majumdar, Andrea Vásquez, Sami Disu, Michael Spear, Iris DeLutro, Sharon U)

FEBRUARY 28, 2018 | HIGHER EDUCATION ACTION DAY, ALBANY

The 2018 state budget for public higher education instruction in the state – both at CUNY and SUNY – was essentially flat. While there was a nearly \$98 million increase in funding for senior colleges, much of the money came from increased tuition and some will go to cover existing fringe benefits.

More than 500 students, faculty and staff pounded the floors of the State Capitol to meet

with lawmakers and urge them to invest in the state’s future.

More students are attending CUNY. In the Fall of 2017, applications were up by 11 percent and CUNY enrolled its largest-ever freshman class. While these numbers should be celebrated, PSC leaders stressed that access does not equal success.

The PSC’s message: the state should invest in higher education so students learn in safe – not crumbling – buildings. Adjunct faculty should be paid livable wages and there should be enough essential courses offered so students can graduate on time.

MARCH 9, 2018 | STOCK BUY BACK TAX PROTEST, NEW YORK STOCK EXCHANGE

While everyday New Yorkers pay sales tax on toothpaste and bottled water, corporations legally skirt paying any taxes when they use their Trump administration windfall from federal tax cuts to buy back their own stocks. PSC members also protested the Trump corporate tax cuts.

A coalition of groups, including the PSC, the Patriotic Millionaires and the “Nuns on the bus” contingent of the NYS Council of Churches demanded the implementation of a Stock Buyback Transfer Tax. The tax would be small, a 0.5 percent tax. But the revenue could be great, an estimated \$2 billion a year.

Rather than lining the gilded pockets of shareholders, that money could go toward affordable housing, healthcare and quality education from kindergarten to college.

APRIL 24, 2018 | \$7K ADVOCACY DAY IN ALBANY

The signature contract demand is simple and bold. Wearing red \$7K T-shirts and holding \$7K posters, nearly 100 PSC members crowded onto the “million dollar staircase” in the State Capitol to press for the issue.



Outside the NYSE, PSC members protested corporate tax cuts that benefit the wealthy.



At a December rally soon after the contract expired, PSC members marched through the streets of midtown Manhattan, urging movement on contract talks.

t for a fair contract



Dave Sanders

nt DiGirolamo), Youngmin Seo, Luke Elliott-Negri, Benjamin Takis, Carly Smith, Daniel Pinello and Barbara Bowen.

forget about that when I'm teaching," Fountain said. "But it's hard to forget when the class ends."

JUNE 18, 2018 | CUNY BOARD OF TRUSTEES HEARING, HOSTOS COMMUNITY COLLEGE

In testimony, members hammered home the point that raises for CUNY faculty and staff were not a zero-sum game, where gains for workers should come at the expense of campus programs. The situation was dire, they said, especially for adjuncts.

Camilo Almonacid, who teaches theater at Hostos Community College, spoke about having to mop floors at a nonprofit arts group in order to make up for income he lost when one of his classes was cut at the last minute.

SEPTEMBER 27, 2018 | WALL STREET RALLY

The demonstration began outside the New York Stock Exchange and members marched to the Financial District office of CUNY Board of Trustees Chair Bill Thompson. The timing of the rally wasn't accidental. It took place on the seventh anniversary of Occupy Wall Street. Six hundred people attended.

Inequality between the wealth in the financial district and the constant scarcity for a high-quality education at CUNY... How \$7K for adjuncts would structurally change the nature of the CUNY work force... How CUNY has recently imposed a 2 percent cut at senior colleges while costs continue to increase... How CLTs – some working in their jobs for decades – can't get promoted... These were some of the critical issues that PSC members raised. Despite all of these challenges and the existential threat of an anti-union Supreme Court decision in the case of *Janus v. AFSCME*, union leaders said that membership is at a high.

"Our commitment is larger than ever. Our unity is larger than ever," PSC First Vice President Andrea Vásquez told the crowd. "We know what has to be done and we're going to continue calling for it."

OCTOBER 22, 2018 | CUNY BOARD OF TRUSTEES HEARING, BARUCH COLLEGE

Packing a CUNY Board of Trustees hearing, more than 100 PSC members delivered passionate and often personal testimony on why the board should live up to its duty and make a state budget request that fully funds PSC's contract demands. PSC members spoke for hours. Full-time salaries are \$30,000 to \$40,000 below those paid at comparable institutions. Faculty teach in "decrepit and depressing" classrooms. Low adjunct pay has a "shattering effect" on maintaining stability in academic departments.

Don't "self-censor your own budget request," PSC LaGuardia Community College Chapter Chair Sigmund Shen told CUNY administration assembled at the hearing. "Your budget request can send a signal that you at least are fighting as hard as you can for a better university, one the working class, women, people of color and immigrant students of this city need and deserve."

FALL 2018 | PRESS THE PRESIDENTS, CUNY CAMPUSES

Thousands of PSC members signed a local campus petition demanding that their campus president push for a budget request that includes enough funding for the contract, including the transformational demand of \$7K per course for adjuncts. At CUNY, starting pay for adjuncts is only \$3,200 per course, while Rutgers University pays \$5,200 and Fordham University pays adjuncts \$7,000 to \$8,000.

Several campuses organized local actions around the petition. At Queens College, adjuncts organizing around the issue secured a meeting with Queens College President Félix Matos Rodríguez, who said that he could reach out to the college's donor base and vowed to bring the workers' concerns to the interim chancellor.

At the meeting, Vadim Acosta, an adjunct lecturer in environmental science at Queens College, talked about how he works as a gardener so he can support his career in academia. "I had to find a 'real' job in order to do my hobby of teaching, but it's not a hobby," Acosta told the president.

FALL 2018 | POSTER CAMPAIGN, CUNY CAMPUSES

With diagonal lines, stated contract demands and a singular exclamation point, the PSC released its Contract Poster Campaign. The red and manila posters, designed in Constructivist style, come in 11 different versions, stating 11 different contract demands.

PSC members hung up posters on their office doors and cubicles. One especially ambitious member plastered all 11 different versions of the poster on their office door. Gerry Martini, assistant director of admissions at the Graduate Center, tweeted the photo of the door with the demand, "GC Peeps: get your door game going!"



Gerry Martini

A Graduate Center member shows PSC pride with contract posters plastered on their office door.

DECEMBER 5, 2018 | TESTIMONY ON MAINTENANCE OF EFFORT, ALBANY

The Professional Staff Congress, joined by the United University Professions (SUNY's faculty and staff union), testified to the State Assembly on the importance of the "maintenance of effort" bill for funding for CUNY and SUNY that has been passed by both houses of the legislature.

PSC President Barbara Bowen said in her testimony: "The current funding model for



Marty Kerrins

CCNY student Anthony Viola (left) and BCC student Santana Alvarado (center) met with state lawmakers, pressing the importance of adequately funding public higher education.

CUNY, even with the present MOE in place, is unsustainable....It forces the university either to cut existing academic programs to make up for the budget shortfall or to rely on huge numbers of low-wage workers as instructors or to escalate the pace of tuition and fee increases."

The bill, had it not been vetoed by the governor a few weeks later, would have provided funds for future collective bargaining agreements at SUNY and CUNY.

DECEMBER 10, 2018 | BARUCH CIVIL DISOBEDIENCE

At twilight on a crisp December day, PSC members locked arms, blocking an entrance to Baruch while the CUNY Board of Trustees met inside. They chanted, "Board of Trustees, do your job. Demand the funding CUNY needs."

It was the first civil disobedience in this PSC contract campaign, and it came after a little more than a year of working with an expired contract. Hundreds attended the rally. Seventeen members were arrested.

Iris DeLutro, PSC vice president of cross campus units, was one of the PSC activists arrested. "Putting this kind of pressure seems to be the only thing that makes things happen," said DeLutro, who has been working as an HEO at CUNY for nearly 35 years. "We need to make things right, with the adjuncts, the HEOs, the CLTs, the students, primarily the students. It's really about them."

DECEMBER 11, 2018 | "GRADE-IN," BROOKLYN COLLEGE

With pens and laptops in hand, around 60 people crowded the hallway outside the office of Brooklyn College President Michelle Anderson. They were sitting in and participating in the local PSC chapter's "grade-in," where they publicly corrected assignments, making visible the invisible and uncompensated work that adjuncts do.

Adjuncts teaching eight courses per year make a median salary of \$28,000 per year, according to chapter officials. The action took place during the last week of classes in the fall semester.

"I limit myself to an hour of lesson planning for every class, which sometimes isn't enough," Alyssa Northrop, an adjunct instructor in the English department told the *Brooklyn Paper*. "I don't get compensated for what I do outside the classroom, and as a result my students suffer."

Dark classes, sick faculty and unsafe halls

By SHOMIAL AHMAD

Imagine coming to campus, wondering if you will need a face mask to walk through the hallways or whether or not you will make it to class on time because the elevators – the few that are even working – are too crowded. There is constant construction. Drilling and pounding pierce the air. Classrooms are turned into makeshift laboratories, and the heat is either barely working or working overtime.

According to faculty, staff and student accounts, these conditions could be the story of any day at 17 Lexington Avenue, a Baruch College building used by thousands that houses the Department of Natural Sciences, 60 classrooms, eight computer labs and 19 science labs.

“You just don’t know what you’re going to walk into. There’s this changing scene of interruptions that you don’t know how to prepare for,” said Rebecca Spokony, an associate professor of natural sciences who has worked in the building for the past five years. “Three days a week there’s going to be something disruptive. Sometimes it is constant, and sometimes it is intermittent.”

ADMIN SHRUGS

What’s the response from the campus administration? Not much. After months of complaints from the union, PSC members say there is still no comprehensive plan from the college to notify faculty, staff and students about changes in building conditions resulting from ongoing construction and maintenance work. It shows an indifference by administrators to the dangers of poor health conditions and the effects of construction on student learning and faculty research.

“Timely notices are emailed to the faculty, students and staff who work and learn in the building to announce upcoming major changes to operational issues so they can plan ahead,” according to a statement from a Baruch College spokesperson. The college also conducts periodic walkthroughs of the building to identify and report any health and safety concerns, and there is a protocol in place for faculty and staff to report any health and safety issues. But the measures are not enough.

Last year, PSC Baruch Chapter Chair Vincent DiGirolamo, who works in the building, received only four emails addressed to the campus community about the renovations. Two of the emails came after major inconveniences with the heat and the elevators already occurred; the other two addressed broad concerns around the construction and were both sent on February 13, 2018, ten days after he wrote a letter to campus administration outlining concerns.

Working in the building, according to PSC member accounts, is like playing a game of whack-a-mole. “It’s elevators one day. It’s air quality another,” said DiGirolamo, who thinks the decision to have people

PSC targets safety concerns at Baruch bldg.



At the start of the fall semester, a long line due to out-of-service elevators trails out of 17 Lexington Avenue.

work in a building during major renovation should be revisited. “You can endure a lot for the short term, but the short term is endless.”

The historic building at 17 Lexington was constructed in 1928 and stands on the original site of The Free Academy. PSC members who talked to *Clarion* do not dispute that 17 Lexington needs to be renovated. In 2017 Baruch officially broke ground on a multiyear, six-phase renovation project that will ultimately modernize the elevators, install new chillers, boilers and a cooling tower and reconfigure one entrance so natural light spills in. Baruch College President Mitchel B. Wallerstein called the renovation “long-awaited.”

But the plan, according to documents obtained by *Clarion*, does not factor in the needs of a growing department of natural sciences. Science faculty from other colleges conducted an external review of Baruch’s department of natural sciences at the end of the Spring 2018 semester. The review notes that both teaching and research space for the department will decrease significantly under the “out of date” renovation plan, and thus does not meet the needs of students or faculty for one of the college’s largest majors. The renovation was first envisioned in 2008, and college officials say, future planning for labs and teaching spaces will involve faculty and department input.

A LONG PROCESS

The renovation is currently in “Phase 1a” and the remaining phases are awaiting New York State funding under the CUNY proposed capital budget. The future phases, according to college officials, will be tailored to the amount of funding available. The renovations will continue for a number of years, but should not, PSC members said, continue at the cost of faculty, staff and students’ work, health and safety. At least three PSC members have reported asthma and

respiratory problems that worsen when they are at work, and some junior faculty worry about achieving tenure because the renovation work interferes with research experiments and, when the power goes out, endangers expensive reagents that need to be refrigerated. Spokony said the constant construction makes working in the building “miserable” and for students learning is a daily challenge.

‘Makeshift lab[s]’ & ‘murky and dusty’ water

Baruch freshman Joe Ades, a real estate major, was stuck in an elevator for 10 minutes. Once, he waited 30 minutes for an elevator, and another time, because of a late elevator, he walked down seven flights of stairs despite recent knee surgery. Cameron Hart, a senior in management of musical enterprise, uses his cellphone as a hotspot to access electronic textbooks because there is often no working wireless internet in the building.

Brian Michalak, a senior in biology, attends his physics class in a “makeshift lab” with no working sink. The professor, he said, comes to class with a bucket of “disgusting” and “murky and dusty” water when they have to do certain experiments. The construction noise, he said, is constant too. “It’s New York City, you’re used to a lot of ambient sound...a lot of drilling and knocking and loud crashing sounds,” Michalak said. Students complain about things informally, but they’re pretty much resigned to how things are, he said. “Ha ha, it’s Baruch.”

The PSC chapter at Baruch has been working to address members’ concerns. In March and August of 2018, the PSC Health and Safety Watchdogs conducted walkthroughs to document the issues. The chapter has written letters and discussed the problems at labor-management meetings. With that pressure, the chapter has secured some improvements, including an additional maintenance person to try to control the dust and a “guarantee that all contractors are in compli-

ance with health and safety laws,” according to DiGirolamo.

DiGirolamo told *Clarion*: “Staff and faculty who work in the building, including myself, have started meeting so we can speak with one voice about what needs to be done. These problems cannot be addressed simply by hanging ‘Excuse Our Dust’ signs in the hallways.”

When the electricity was out, faculty members were forced to meet with students in the dark. The fourth, sixth and seventh floors have no women’s restrooms, and at one point, the fifth floor women’s restroom had only one working toilet. Some windows are nailed shut. In a dissection lab, the vapors linger inside – some students leave the room because of their burning eyes; some faculty have stopped doing dissections. Once, because of inadequate funding, a dead mouse remained in the wall and the odor as it rotted affected the adjacent rooms. Another time, the main bus bar in an electrical box was left open where someone could have been shocked or killed if they came in contact with it. The conditions are “unsafe” and “unacceptable,” and the faculty are developing a plan to hold the college accountable.

PSC members report concerns to the college’s environmental health and safety director, James Kaznosky, who faculty acknowledge, is

responsive but responsible for the entire campus and limited in what he can do. Rather than having to report problems as they arise, faculty and staff said that they want some more proactive steps from the administration and efforts to prevent predictable problems.

WE NEED A PLAN

“Our members shouldn’t be working in buildings that are undergoing extensive renovation like 17 Lexington. It’s dirty and dangerous,” said Jean Grassman, PSC Health and Safety Watchdogs co-chair. “Before a single hammer is lifted, the administration needs to develop a plan to ensure that the project will be done safely and that there are lines of communication in place so that problems can be responded to promptly.”

Grassman told *Clarion* that because of the complicated nature of the renovation, there are many contractors working in the building on a rotating basis. As a result, the ever-changing workforce is unfamiliar with the needs of the people working in the building and problems recur.

“The administration’s attitude is, ‘You tell us when there’s a problem.’ This approach is reactive and non-productive,” Grassman said.

The administration has begun to move some labs to places with less construction, according to PSC chapter officials. Air filters have been put in place in the hallways. Sometimes there is advance warning when the power or water will be shut off, but there are no advance warnings when there will be large accumulations of dust. While there is some communication about the ongoing construction, PSC members said that they generally do not know what to expect – day to day, week to week, semester to semester. With this uncertainty, they do their best to proceed with work, design their courses and apply for grants.

“It’s CUNY, and I’m not expecting it to be fancy, but I’m not expecting [my workplace] to be a health risk that I’m supposed to assess myself and sort of ‘use at your own risk,’” said Spokony, who is committed to teaching at a public university. “I want to be here, so I can do my research and my students can do their research. Every single day, I have to say to myself, ‘Why am I doing this to myself?’”



PSC member Rebecca Spokony sees a “health risk” at Baruch.

CUNY's austerity budget

Continued from page 3

tions in the area. In the name of politics, the Republican-controlled State Senate wouldn't stand for a tax hike; the governor wouldn't stand for a tax hike. We now have a totally Democratic-controlled state government, so the MOE and \$7K adjunct pay should now be doable if there is courage and the political will. It is inconceivable that the Board of Trustees would tell us we don't deserve a living wage, and that CUNY students don't deserve faculty who can truly serve their educational needs without distraction.

Noé Dinnerstein
Adjunct Lecturer, Art and Music
John Jay College and BMCC

A sham progressive

This budget does not ask for the kind of money that is required to fund the past contract, or the new one for which we are bargaining. Your proposal does not include a large enough investment in CUNY: a decent raise for the faculty and staff, and, in particular, a substantial raise for our part-time faculty. In the last contract we won an important demand, the reduction of the teaching load. Instead of this reduction being a cause for celebration, allowing faculty and staff to spend more time with students, preparing courses and doing research, for many faculty this gain has been turned into a loss. Without additional funding to implement the reduction, administrators have had to navigate a zero-sum game where there are many losers: research faculty, faculty who worked on college initiatives and do absolutely necessary administrative work in their departments, and students who have seen a decline in important services.

Governor Andrew Cuomo's claim to be a "progressive" is a sham when it comes to the fund-

ing of CUNY. He may think he can spin an image of himself as the anti-Trump and get away with it, but we who work at CUNY will not forget his refusal to adequately fund the budget for public higher education in this city and state. A day of reckoning will come when not only the people in the state of New York, but in the country as a whole, will pull back the curtain and recognize Cuomo for who he is, another politician that favors his wealthy donors over working people. If Cuomo wants to claim the mantle of a progressive reformer he needs to fund labor contracts above and beyond the operational

expenses to run the university, support free tuition and pay adjuncts a wage that recognizes them as true professionals.

Lorraine Cohen
PSC Vice President for
Community Colleges
LaGuardia Community College

Visualize austerity

I have moved out of my office on the third floor of our primary classroom building at Kingsborough Community College because of the water leaks that have flooded our corridors and soaked the walls of our office. Four of the seven offices along



Members pressed the demand for \$7K for adjuncts.

this corridor have been abandoned to black mold. Our maintenance staff constantly works to dry the lake that forms in the hallway, trying to keep it safe. While their workload has increased from infrastructure problems, the maintenance staff numbers have been reduced because of austerity measures. Our campus grows dirtier and wetter.

This is what happens at the physical level. Let me describe losses in our academic programs. Recently, the faculty in our community colleges were given a reduction in teaching hours; we had most of our funding for service reduced or removed. To continue the programs that enrich our students' educational experiences and successes, we are now required to work for no compensation. This is increasingly difficult as our workforce consists of more adjuncts. We have trouble attracting and keeping good adjuncts because of the low pay. Those who do work at our college need to travel to second jobs and are incapable of working for free.

Academic programs that enriched our students' lives and made them more successful are disappearing or have been gutted.

Beth King
Assistant Professor, Anthropology
Kingsborough Community College

Filling niches

Adjuncts fill niches – important niches – in a university where a record number of adjuncts do most of the teaching. I fill a niche. Upon request from students, I was elected as a faculty advisor to student government at Borough of Manhattan Community College, where I served students from 2006 to 2016.

After Hurricane Katrina, I advised the student government to appropriate \$35,000 for a trip in January, 2006, to New Orleans, where there were 1,833 confirmed fatalities due to the storm. We worked for a week gutting houses and remov-

ing mold from houses. Thirty-three students and faculty chaperones, including myself and my daughter, made the journey. We were the first CUNY college to do so.

I fill a niche. The street sign at the edge of the ramp leading up to our main entrance that reads Frederick Douglass Landing is the result of the decision made unanimously by the student government that initiated the move at BMCC when I was faculty advisor.

I fill a niche. I started up the college newspaper in my classes. We produced five hard-copy issues that ran from 2014 to 2017. Students want something that they can hold in their hands. Three editors-in-chief came from my classes and one came from student government. One editor-in-chief went on to Bard College after BMCC. One writer went on to the University of Pennsylvania, where I received my PhD in US history.

I call on you as trustees to oppose austerity for CUNY. Take a public stand for a contract that is fully funded, includes real raises for all and increases adjunct pay to \$7K per course.

In a city where the cost of living is higher than in any other city and will only increase – as Amazon's presence in Seattle has demonstrated – CUNY must not continue to be run on the backs of adjuncts.

Anthony Gronowicz
Adjunct Associate Professor, History
Borough of Manhattan Community College

Selling out

What is most troubling is a section [in the budget request] called "Partnership With Industry." The proposal names Amazon, Google, Con Edison and JPMorgan as corporations that will "develop curriculum...preparing students for meaningful internships and high-growth jobs." It goes on to propose new degree programs "based on industry feedback, course creation or revision."

Faculty should enjoy their own right to "high-growth jobs" with protection of their professional prerogatives. Remember, CUNY is not an industry training school. It is a university.

Stephen Leberstein
Retired
City College

Dereliction of duty

At a press conference Governor Andrew Cuomo announced, "One of the things that I have been very purposeful about for New York is that New York should be the progressive capital of the nation.... In New York we don't want to look progressive. We don't want to sound progressive. We actually want to be progressive."

Board of Trustees, this draft CUNY budget does not align with Cuomo's vision to make New York the progressive capital of the nation. A progressive budget challenges the fundamental premises of continued austerity for public higher education.

Amy Jeu
College Laboratory Technician
Hunter College

A year without a chancellor

By ARI PAUL

It has been more than a year since James B. Milliken announced his intention to step down as CUNY chancellor, and Vita Rabinowitz has served as interim chancellor since the summer. Rumors swirl that the search committee – assisted by an executive search firm (Isaacson, Miller) and made up of trustees, college presidents, faculty and students – is coming close to making a decision on a new top administrator.

LEADERSHIP VACUUM

The *Wall Street Journal* reported that in December, "Robert Hughes, who runs K-12 education strategy at the Gates Foundation and previously led New York-based New Visions for Public Schools, asked to be taken out of the running, ac-

A new chief may soon arrive

ording to people familiar with the search" and that "Anthony Marx, president of the New York Public Library, withdrew his name in August, saying at the time that he wanted to remain at the library." Last summer, two CUNY presidents, Gail Mellow of LaGuardia Community College and Félix Matos Rodríguez of Queens College, were reportedly also in the running for the top job.

The continued lack of a permanent chancellor has had a negative impact on CUNY. City Tech PSC Chapter Chair Benjamin Shepard told *Clarion* that the vacuum of leadership has led to lower-level administrators "pointing fingers at each other," shift-

ing blame over things like broken equipment on campus or the lack of a contract for faculty.

He said, "The ripple effect of not having a leader at the top means there's no one to deal with what campuses need, no one to lead the Board of Trustees and no one to seek what adjuncts need to move beyond poverty wages."

Martin Burke, chair of the CUNY University Faculty Senate, said, "The ability of the respective campuses to move forward in a variety of important areas, for example in developing and deciding upon online degree programs, has been hampered."

Media have reported that the

'The chancellor should be CUNY's greatest advocate.'

committee is close to ending the search. PSC officials said that they hoped a new chancellor would, upon taking the job, soon speak to the mayor and the governor, insisting on a final budget that would allow for a quick settlement to the PSC contract, one that addresses across-the-board raises, \$7,000 per course for adjuncts and other demands.

A CHAMPION FOR CUNY

"The chancellor should be CUNY's greatest advocate in Albany," said Penny Lewis, PSC vice president for senior colleges. "The new chancellor needs to be politically independent, and that means standing up against political leaders who want to cut us back. Not having a full-time chancellor means that the forces of austerity have not seen a challenge from people in CUNY administration."

BORDER

PSC members stand with migrants

By CLARION STAFF

As thousands made the journey toward the United States-Mexico border – in the hopes of gaining asylum and a chance to provide for their families – the rhetoric around immigration and the border hardened, with President Donald Trump invoking fear of the other through his use of “strangers.”

“A powerful wall,” “a steel barrier,” “a militarized border,” he tweeted, are needed to keep America safe from crime, drugs and gangs. But the Central American migrants making the long walk to the US southern border are not criminals. They’re seeking out a better life. A bus fare collector. A kid in a hooded sweatshirt on the shoulders of his father. A man in a wheelchair who hopes to get prosthetics in America.

Immigration is a labor issue. Many PSC members recognize that the crisis at the border is linked to global inequality and the economy’s need for the movement of labor. Below, PSC members share some of the ways they expressed solidarity from New York City to Tijuana.

A workers’ movement

By TONY O’BRIEN

On a cold New Year’s Eve morning, 20 New Sanctuary Coalition (NSC) volunteers gathered in a San Diego church to prepare for our work with asylum seekers at the border. Among us were a steelworker’s daughter from Ohio, a New School freshman, a doula, a Google worker in tech solidarity, a program director of health nonprofits, a California teachers’ local delegate and two PSC members.

Working against White House anti-immi-

grant rhetoric that wants us to wall off refugees as our enemy, the NSC uses the Quaker word “friend” to describe those vilified by the government. Not enemies, not victims either, not clients. Friends – or fellow workers, as the Wobblies said.

Our friends’ work had been to band together in an organized caravan and get here in one piece. Our work was to help them cross this last artificial barrier to somehow make a life here, the country largely responsible for making their lives unlivable at home. Our aim was to help them win asylum on the excellent legal grounds of their “credible fear” that return meant death.

BORDER IMPERIALISM

“Border imperialism” is a new conception of what is happening at the border and why we must fight it (see Harsha Walia, *Undoing Border Imperialism*). Of course the United States has been the imperialist colossus in the Americas for more than a century of economic domination, political manipulation and military intervention. Walia’s concept highlights new ways the border itself is being used not as a defense, but as a weapon of aggression against migrating workers and as the central trope in racist propaganda for domestic use.

The term also refers to collusion of the Mexican and US governments at the border. “Two governments, one system,” activists at the border say. While we were there, Mexican police blockaded and threatened to evict everyone at one of the refugee camps.

On our side, it’s “two countries, one movement,” as US volunteers and National Lawyers Guild attorneys stood together with our friends at that refugee camp and Mexican attorneys won an injunction against the evictions.

That week, the NSC volunteers worked at the food-aid group World Central Kitchen (WCK) and the legal aid group Al Otro Lado (AOL), both in Tijuana. One day we made 1,700 sandwiches at WCK. My main work was at AOL, serving the beautiful food to

the hundreds of asylum seekers who came for legal help in preparing their case.

As the food table was piled with sandwiches and oranges and hot casseroles and rice, I saw the heavy faces of depression open a little into half-smiles. My coworker went out to buy warm boots for a mother who made the winter trek in flip-flops. Two teenagers who looked like they’d never smile again were laughing together at day’s end in the warm room. And on the roof there would sometimes be a wedding – “the happiest spot in Tijuana at 3 pm” – with a glass of champagne and a rose.

Yet we knew that if they got in at all their next stop would be a freezing ice-box jail cell. The struggle continues on this side of the border, where we need to form “welcoming communities,” as NSC says. An international movement of fellow workers is building.

Tony O’Brien is a retired Queens College English professor and a founding member of the PSC International Committee.

United in Resistance

By STUART DAVIS

In mid-November of 2018, I went to the United States-Mexico border in Nogales, Arizona, for an *encuentro*, a meeting of the School of the Americas Watch (SOAW), a group founded in the 1980s to protest America’s role in the proliferation of military dictatorships in Central and South America. The theme for that year’s meeting was “border imperialism,” an idea that connects the creation and maintenance of empire around the movement of displaced people. Recent migration, for example, from Honduras and Guatemala can be linked to American military intervention and coups.

The *encuentro* included a march to the Eloy Detention Center, a major ICE facility in southern Arizona, and a vigil at the border fence to remember everyone in the Americas who was killed as a result of US foreign policy.

AMERICAN POLICY

A presentation about the Mérida Initiative (a program where the US government provides training and weapons to Mexico as part of the ongoing “war on drugs”) hit home for me. It featured Jessica Molina, a young college student from Laredo, Texas, whose husband was kidnapped – and now “disappeared” – across the border by an elite unit of the Mexican Navy funded through the Mérida arrangement. I taught at the university in Laredo that Jessica attended. Listening to Jessica talk about her current ordeal reinforced the point that if our country stopped meddling in other countries’ politics, then people like Jessica’s husband might still be living happily with their families.

Attending this event as the only representative of the PSC – and seemingly the *only* representative from a union – I was consistently met with the question: “Why is a teacher’s union in New York interested in this?” While attempting to answer, I quickly realized that as teachers and union activists we have an important opportunity to teach our colleagues that migrants are not a threat, but instead they could be our students, co-workers and friends.

Stuart Davis is assistant professor of communication studies at Baruch College and secretary of the PSC International Committee.

Solidarity

By ANH TRAN

When I was seven years old, my family and I emigrated from Vietnam to the United States. Vietnamese immigrants who arrived before July 12, 1995, enjoyed protected status (until Trump tried, but failed, to roll it back last autumn).

My family and I didn’t meet the cutoff date for protected status, but we did obtain green cards, and family members already living in the United States sponsored us. I am now a citizen because both my parents passed the citizenship test before I turned 18.

Like me, the Central American migrants fled countries still suffering from a legacy of US military interference and economic domination. But unlike me, they had to walk thousands of miles across hot and uncertain terrain, only to face tear gas, border police and racist threats once they arrived at the border.

It struck me how lucky I was that my journey to find a new home was exciting and hopeful, rather than dangerous and frightening. And the PSC Delegate Assembly was right there with me. Hearts were receptive to the pleas fellow PSC members and I made for donations and signatures of support for the caravan. Together, the Delegate Assembly gave exactly \$600. This is how we crumble borders...with solidarity!

Anh Tran is an adjunct lecturer and a PhD student in political science. She also is a PSC delegate representing the Graduate Center.

A victory for teachers in Los Angeles



United Teachers Los Angeles ended a weeklong strike in January with a tentative agreement to raise wages, cap class sizes and increase the presence of counselors, nurses and psychologists in schools.

AMAZON

An open letter to CUNY

By BARBARA BOWEN
PSC President

Editor's note: Both CUNY Board of Trustees Chairperson William Thompson and Interim Chancellor Vita Rabinowitz have voiced unequivocal support for the controversial plan for a new Amazon headquarters in Long Island City, Queens. The PSC president shared her concerns in a letter, which appears in part below:

In a series of public statements on behalf of the university, you have expressed an extraordinary level of support for Amazon's decision to locate a new headquarters in Long Island City, part of an agreement with New York City and New York State involving nearly \$3 billion in public money. In addition to Chairperson Thompson's November 13 statement Interim Chancellor Rabinowitz promised in the same message "to provide skilled graduates ready to compete for Amazon's 40,000 new jobs." LaGuardia Community College President Gail Mellow has also extolled the agreement in public comments.

In an opinion piece in the *Daily News* published on November 21, you wrote jointly that "CUNY is a lead partner in Amazon's expansion" and claim that Amazon's "great promise of opportunity" is "guaranteed in the agreement, for thousands of New Yorkers of diverse backgrounds and means."

The PSC has not yet taken a public position on Amazon's projected new location in New York City or on the agreement to dedicate billions of public dollars to support the corporation. Our members need much more complete information about the "guarantees" referenced in your opinion piece and many other issues related to your support for the agreement. Based on the information publicly available, hundreds of our members have expressed concerns and objections to the deal.

PSC members are well aware of Amazon's promises about jobs. We are also intensely engaged with CUNY students' aspirations for good jobs and fair pay. We work every day to help our students to realize their hopes for their lives. As CUNY faculty and staff, we also understand the economic importance of the tech sector and the potential of jobs in technology for communities that have been largely excluded from the lucrative positions it offers. Hundreds of CUNY faculty and staff work in the STEM fields and have devoted their professional lives to creating opportunities in these fields for CUNY students and to revolutionizing the fields themselves. But the agreement with Amazon, particularly in light of Chairperson Thompson's promise "to commit [CUNY's] considerable assets" to the world's richest corporation, raises a host of questions of vital importance to the university community.

We believe we are entitled to know what promises have been made, what support has been offered and what your embrace of the Amazon deal will mean for CUNY and those of us whose labor sustains it.

WHERE'S THE MONEY?

First, on the public subsidies:

- As part of the agreement, New York State will provide up to \$1.2 billion in "Excelsior tax credits," in addition to other subsidies using public funds. If Amazon fulfills its promise to create 25,000 jobs in New York, the amount



Protestors from the CUNY community insist hundreds of millions of dollars of public funding should support public higher education and not subsidies to corporate behemoths.

of the credit will be the full \$1.2 billion. How can that amount be justified at a time when New York State will not even provide "maintenance of effort" funding to CUNY?

- The proposal submitted by New York City in response to Amazon's competition to house its new HQ2 mentions CUNY repeatedly and cites CUNY programs in STEM and other fields to support the city's bid for HQ2. In announcing the decision, Amazon claimed that the proximity to an educated workforce was a key factor in its choice of New York City, and CUNY is expected to be "a lead partner" in supplying that workforce. What additional funding is being provided to CUNY as part of the deal?

- While Amazon has made a promise of 25,000 jobs, CUNY has a proven record of enabling more people to move out of poverty into middle-income jobs than any other institution in the country – including Amazon. Was there any discussion of a commensurate public investment in CUNY?

- As part of the agreement, Amazon will reportedly make payments in lieu of property taxes, or PILOTs, to the city. Half of the value of the PILOTs will go to a city infrastructure fund. Well before the Amazon deal was announced, the PSC made a proposal to the NYC Advisory Commission on Property Tax Reform to create PILOTs to generate additional revenue for CUNY. Will any of the revenue from the Amazon PILOT go to CUNY, given CUNY's preeminent role in enabling economic advancement for hundreds of thousands of New York residents?

- Given the prominence of CUNY in the proposal submitted to Amazon, does the deal include any agreement to address the unsustainable funding model for the CUNY senior colleges? Does it include a commitment that the state will fully fund the next collective bargaining agreement between CUNY and the PSC, or that it will finally fill in the fund-

ing gap created since the increase in enrollment in the last decade?

- Does the deal include any agreement to restore the state's base aid funding for community colleges to the level stipulated in state law?

- What guarantees are in place to ensure that further increasing CUNY students' tuition and fees is not an option if Amazon fails to create the promised return on the state's investment and the state seeks additional revenue?

ON THE 'PIPELINE'

Second, on what it means for CUNY to be a "pipeline" to Amazon or "to provide skilled graduates ready to compete for Amazon's 40,000 new jobs":

- What written agreements, if any, were made with CUNY as part of the Amazon deal? Did any of them include financial support for CUNY?

- The members of the PSC dedicate our professional lives to helping CUNY students to achieve the economic stability and the lives they imagine for themselves. We are intensely aware of the value to our students and their communities of attaining fulfilling jobs. But CUNY was founded specifically so that working people would have access to a full liberal arts education rather than being limited to technical training as designed by an employer. Does the commitment to make CUNY a "pipeline" to Amazon risk compromising CUNY's historic mission?

- Is there any agreement that will protect LaGuardia Community College from reducing the scope of its broad and innovative curriculum in order to serve Amazon's needs?

- Will there be financial pressure on LaGuardia and other CUNY colleges to tailor their curriculum to Amazon's needs, even if elected faculty governance bodies object?

- Have any jobs been promised for CUNY

graduates? If so, has Amazon made any commitment to ensure that graduates of LaGuardia and other CUNY colleges will receive high-paying jobs, or will they be expected to fill lower-status, lower-paid jobs?

- There is reportedly no guarantee in the Memorandum of Understanding committing Amazon to hire locally and only a relatively tiny \$5-million commitment to job training in the nearby Queensbridge public housing. Is that correct? Is there anything in the agreement to prevent Amazon from making only a token effort to provide high-paying jobs to the local community and finding most of its candidates for high-paying jobs elsewhere?

- Are there any commitments in the agreement to improve Amazon's record of employing African Americans, Latinos and women in influential and well-paid positions?

A BAD EMPLOYER

Third, on CUNY's embrace of a corporation known for opposition to workers' rights:

- A recent report by the National Council for Occupational Safety and Health lists Amazon as one of its "dirty dozen" of companies and cites "a disturbing pattern of preventable deaths" at Amazon facilities. As an example, an Amazon warehouse in Pennsylvania during a heat wave reported so many ambulance calls for the effects of overheating on workers that the company paid for paramedics to be stationed outside the warehouse – rather than fixing the conditions. Amazon is also vigorously anti-union. What agreements, if any, were made by Amazon to improve labor practices as part of the agreement to locate in New York City?

- As management of a fully unionized institution that has entered into numerous successful collective bargaining agreements, did you seek any protections for Amazon workers as you promised to commit CUNY's considerable assets to Amazon?

- Did you seek any labor protections for the CUNY students who might accept jobs at Amazon, including service jobs? Will CUNY require that such protections be in place before committing to serving as a "pipeline" to Amazon jobs?

- Did any of the discussion of CUNY's support for Amazon include a discussion of labor practices at CUNY, especially CUNY's reliance on underpaid part-time instructors to teach the majority of its courses? Amazon provides a training video to managers on how to prevent union organizing; it warns that even the use of the phrase "living wage" by employees could be a "warning sign" of "vulnerability to organizing." Does your embrace of partnership with Amazon signal approval of their labor practices?

JUSTICE FOR QUEENS

Fourth, the effect of Amazon's HQ2 on the Long Island City community:

- Two CUNY campuses are located in Long Island City: LaGuardia Community College and the CUNY Law School. The area is already congested and inadequately served. What provisions have been made to ensure that the ability of CUNY students, faculty and staff to travel to campus is not sacrificed to satisfy the infrastructure needs of Amazon?

Many companies relocate to New York City, and many have a mixed impact on working people. But the unprecedented level of public subsidies for Amazon makes the Amazon deal a public issue. And the CUNY administration's exceptional public embrace of the deal makes it an issue for the CUNY community. We believe that the CUNY community is entitled to a full and open report on all agreements concerning CUNY that were made as part of the deal.

What will Amazon do for CUNY?



15-MINUTE ACTIVIST

Adjuncts: Log Your Hours

The union is asking adjuncts to log how many hours they spend working outside of class in order to support the need for \$7K. The process is simple – using the app and computer program Harvest, the union has set up an easy, digital system to log how many hours of work an adjunct spends grading

papers and assignments, corresponding with students, handling administrative business, etc. The union is asking participants to log hours between February 19 and March 19. The deadline for signing up is February 11. If interested, go to psc-cuny.org/issues/form/sign-log-your-hours.

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COURTS

More court challenges ahead

By MOSHE Z. MARVIT

Starting in 2012, the Roberts-led US Supreme Court has engaged in a project of judicially dismantling the long-standing legal structure of public sector unions. In a series of cases that came to a crescendo in 2018 with *Janus v. AFSCME*, the Supreme Court reversed course on decades of precedent and declared that the so-called “right to work” – the confusing phrase indicating that a worker should be able to benefit but not pay for the costs of her union representation – was a constitutional right for public sector employees. Those who thought that *Janus* represented the height of anti-union judicial attacks, or that anti-worker groups would take a break after *Janus*, were wrong.

RENEWED ATTACK

The groups have stepped up and diversified their efforts on a variety of fronts, including fresh legal challenges and nationwide opt-out campaigns. They have expanded their attacks in the courts, bringing suits ranging from those seeking millions in payments from unions for past fair-share fees to recently asking the Supreme Court to accept a case that challenges exclusive representation. Simultaneously, they have invested millions of dollars in trying to convince workers to stop paying their union dues. The good news is that early indications are that so far, the *Janus* project is failing. *Governing* magazine reported in December that nationwide trends since the decision show that few members are leaving their unions and that some public-sector unions are actually growing. The bad news is that the federal judiciary and Supreme Court have continued to move in a conservative, pro-business direction, which indicates that workers may be facing future legal losses.

In anticipation of the *Janus* ruling, anti-union groups such as the State Policy Network, the Freedom Foundation, the Mackinac Center and other groups have engaged in a massive nationwide campaign of targeting union members to try to convince them to stop paying union dues. The groups get public employees’ contact information through public records requests and blitz them with anti-union messaging and information for how to stop paying dues.



Ellen Moynihan

Unions have prepared for a “right-to-work” regime mandated by the courts.

However, unions were prepared for such an attack, and they sought new ways to engage members and fight back against the assault. Early indications are that most public unions have not lost membership as predicted, and some have even gained members. Heather Gies at *In These Times* spoke with representatives from major unions with public sector workers in January 2019 – AFSCME, AFT, SEIU, NEA, and CWA – and each revealed that *Janus* has not decimated their memberships as many predicted. The unions explained that their ability to buck expectations came through years of preparing for the *Janus* decision and focusing more on organizing than servicing, reaching out to members directly to discuss how their union can be a tool for collective action and making efforts to cultivate trust. Though it is still too early to predict if the lack of an immediate drop in membership is an indication that unions have suffered the worst of *Janus*, the immediate membership stability bodes well for labor.

At the same time that these campaigns to convince workers to quit their unions

have been going on, anti-union groups have also brought a series of lawsuits trying to force unions to return millions of dollars in past union fees. The lawsuits argue that since the requirement to pay fees has been deemed unconstitutional by the Supreme Court, then unions should have to divest themselves of all the fees they collected over the years when the Supreme Court held that such requirements were permissible. It is unlikely that these lawsuits will be successful, but defending them will still drain unions of resources at a time when they face enormous hurdles.

EXCLUSIVE REPRESENTATION

Anti-union groups are not only attacking labor by building on their success in *Janus*, but they have also entered a new phase in their attacks by going after exclusive representation. In *Uradnik v. Inter Faculty Organization*, the right-wing Buckeye Institute is arguing that it violates the constitution for a union to represent all members of the bargaining unit. The lawsuit is being brought by a St. Cloud State

University (Minnesota) professor who claims that, despite Supreme Court precedent saying otherwise, it is a violation of her First Amendment rights to have the union speak on her behalf in collective bargaining sessions. Though there is a debate among workers-rights advocates whether labor should abandon exclusive representation or experiment more with members-only unions, the decision should be one that labor organizations decide in an effort to benefit workers. *Uradnik* seeks to leave the matter up to a Supreme Court that has not hesitated in showing its distaste for labor unions and industrial democracy.

A DARK AGENDA

The push to force “right to work” into the public sector through the *Janus* case was simply one step – albeit a major one – in the legal attacks on unions. The group that brought the *Janus* lawsuit, National Right to Work, has a 60-plus-year history of attacking unions in the courts and they have shown no sign of slowing down following *Janus*. They will try to judicially impose private sector “right to work”; they will continue to sue unions for past dues and fees; they will continue to go before the courts to destroy exclusive representation.

However, in the midst of all the destruction they cause, there is a bright spot, shown through the failure to convince masses of union members to quit their unions following *Janus*: In the 1965 fight to repeal the anti-union Taft-Hartley amendments to the National Labor Relations Act, the President of the National Right to Work Committee testified to Congress, “The record has shown that good unions don’t need compulsory unionism. I’m sure you gentlemen will agree with me that bad unions don’t deserve it.” The line later became a tagline for the group and was repeated often in its literature. The National Right to Work Committee and many of labor’s opponents assumed that workers would abandon unions under a “right to work” system. What they failed to consider is that there are far more good unions than bad ones, and workers could tell the difference for themselves.

Moshe Z. Marvit is a fellow at The Century Foundation focusing on labor and employment law and policy. He is the coauthor of Why Labor Organizing Should be a Civil Right.

Judicial activism for the 1 percent