

PSCcuny/ Professional Staff Congress / City University of New York

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August 20, 2020

Mr. William C. Thompson, Jr.
Chairperson, Board of Trustees
Dr. Félix V. Matos Rodríguez
Chancellor, The City University of New York
205 East 42nd Street
New York, NY 10017

Dear Chairperson Thompson and Chancellor Matos Rodríguez:

With the start of the semester less than a week away, the Professional Staff Congress has still not been provided with the reopening plans for all the CUNY colleges. On behalf of the members of the PSC, I call on CUNY not to resume on-campus work at any campus worksite until the University can demonstrate that the worksite is safe for use and that the University is in full compliance with federal and New York State health and safety guidelines regarding COVID-19.

The University has an obligation under the law to provide a workplace free from recognized hazards. Even though CUNY has indicated that more than 90 percent of classes will be held remotely, hundreds of PSC members and thousands of students will still be expected to return to campus. While the faculty and staff understand the urgency of enabling CUNY students to participate in hands-on learning in specific disciplines and programs, as well as the importance of being able to resume our own lab-based research, the incomplete information the University has provided about reopening fails to establish that CUNY has met its legal obligation.

CUNY has adopted a de-centralized approach to reopening, issuing guidelines but leaving the development of reopening plans to the colleges. The stakes are too high for such an approach. The CUNY central administration has accepted no responsibility for uniform compliance with the New York State requirement that college reopening plans “should reflect engagement with campus stakeholders,” including faculty, staff, students and unions. As a result, a few of the draft college plans appear to reflect engagement with the PSC and other stakeholders and may indicate that worksites will be safe, but many do not. The union recognizes the work of our members and leaders who contributed to reopening plans, but the PSC has received no evidence that all plans meet the University’s legal and contractual obligations.

Decades of underfunding and racialized austerity have resulted in University buildings characterized—even before the pandemic struck—by insufficient ventilation, poor water systems, inadequate hand-washing facilities, untreated mold and other hazardous conditions. Now there is mounting scientific evidence that the dominant route of coronavirus transmission is through the air, by respiratory aerosols. While there may be some CUNY campus worksites that have sufficient ventilation, ventilation has long been

American Federation of Teachers Local 2334

New York State United Teachers • New York State AFL-CIO

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a severe problem in many college buildings. Given this history, the University needs to provide evidence that all ventilation problems in any area it plans to reopen have been corrected, that the area will be sufficiently ventilated, that the required air filters will be in place and working, and that the scheduled occupancy does not exceed the area's ventilation capabilities.

CUNY already holds the sad distinction of having lost more faculty and staff to COVID-19 than any other university in the country. The University operates in a city that has been ravaged by coronavirus and in which thousands of our students live in communities that still have unacceptably high rates of infection. Many CUNY students have been employed throughout the pandemic in high-risk occupations, such as home healthcare and public transport, and many face challenging health conditions compounded by poverty and racism. The CUNY administration should be hyper-vigilant about ensuring safe conditions.

PSC members recognize that the University has announced that 94 percent of classes on average, CUNY-wide, will be conducted through remote technology. But CUNY's announced plan still means that hundreds of classes will be held on campus or in hybrid modalities. In addition, the University has announced that up to 25 percent of employees, including non-classroom and professional staff employees, may be on campus at any one time. CUNY employs 45,000 people and enrolls nearly 500,000 students. Twenty-five percent of the workforce is more than 11,000 people. Even if CUNY meets its stated goal of having only 10 percent of workers on campus, hundreds of PSC members and thousands of students will face exposure for sustained periods to conditions inside buildings that have not been demonstrated to be safe. Even one person put at risk is too many.

PSC members are immensely dedicated to our work. We have devoted hundreds of thousands of hours of unpaid labor to the University this spring and summer as we have reconfigured our classes and supported our students through a time of unprecedented trauma in their communities. We are more committed than ever to continuing to serve our students. But CUNY should not expect us to risk our lives by working in conditions that it has not demonstrated to be safe.

There is an especially urgent need for action at the Hunter College Campus Schools (HCCS), whose teachers are represented by the PSC. Unlike the CUNY colleges, HCCS appears to be planning to hold the majority of its classes in face-to-face settings. The plan would mean bringing back to the nearly windowless HCCS building hundreds of children and young people, as HCCS enrolls students in Kindergarten through 12th grade. The HCCS building, constructed in the 1970s to resemble the armory that once occupied its Upper East Side site, was already in a ventilation crisis before the pandemic began. HCCS officials claim that they have a "mandate" to go forward with resumption of in-person classes and assert that the ailing ventilation system will be overhauled by September 1. But work on the ventilation system—which is absolutely essential to maintaining safety in a building with very few windows—is still not finished. Our members have been told that repairs will be complete by early September but that testing of the new system will take place while they and the children are occupying the building.

It is completely unacceptable for teachers and students to be expected to occupy a building with this ventilation history while critical tests of the system are still being conducted. The building should

not be used until all upgrades and testing are complete and the results are satisfactory. What if the tests reveal a dangerous lack of ventilation and in-person classes have already resumed?

The PSC calls on the HCCS administration to delay the start of in-person instruction until at least Thanksgiving and until an independent inspector, mutually agreed upon by the PSC and HCCS, reports that the building meets the high standards of ventilation required to keep occupants safe. Not one teacher and not one child should have their life put at risk because HCCS insisted on reopening.

PSC members do not underestimate the challenges of managing the nation's largest urban university during a deadly pandemic. But CUNY must meet its legal obligations and must take the actions that prove it is putting the safety of students, staff and faculty first. In light of CUNY's history of unaddressed health and safety hazards, failure to demonstrate that its worksites will be safe this fall, failure to comply with state guidelines on engaging stakeholders, refusal to send all draft reopening plans to the union, devolving of responsibility onto the colleges and failure to hold them accountable, the PSC has no choice but to demand that no building be reopened until the University can demonstrate that the building is safe.

Sincerely,

A handwritten signature in cursive script, reading "Barbara Bowen".

Barbara Bowen
President, PSC/CUNY

cc: PSC membership

Randi Weingarten, President, American Federation of Teachers
Andy Pallotta, President, NYSUT
Vinny Alvarez, President, NYC Central Labor Council
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