

Clarion

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



NOVEMBER 2020



TEACHING Class size fight

PSC faces
ballooning
class size.

PAGES 6-7



Dave Sanders

WE ARE FACING A FIGHT FOR OUR FUTURE

Increasing class size. Unsafe campus reopenings. Fears of Draconian budget cuts from Albany. The union is organizing during this extraordinary time by fighting on all fronts for CUNY faculty, staff and students.

PAGE 3

K-12

HCCS wins, struggle goes on

Members at the Hunter College Campus Schools fought against unsafe reopening. Members won safety inspections, but the struggle goes on.

PAGE 4

ADJUNCTS

Grievance on adjunct layoffs

CUNY laid off thousands of dedicated adjunct instructors. Adjuncts – and full-timers – are fighting back with the union against this injustice.

PAGE 5



RETIREMENT

Debbie Bell retires

A lifelong unionist and activist looks back at her two-decade career as executive director of the PSC, leaving an important activist legacy.

PAGE 8

CHAPTERS

New PSC chapter leaders

Several PSC chapters have elected new leaders. These new chapter chairs are seasoned activists who are organizing members in trying times.

PAGE 9

Protecting the electoral process

By CLARION STAFF

As this newspaper went to press, the American public was learning to accept that the historic general election – a referendum on the Trump administration’s xenophobia, corruption and failure to address the COVID-19 pandemic – would not be settled immediately. PSC members sipped their morning coffee after a long night of cable news analysis and

Twitter updates, knowing that it could take days or even weeks of court battles over mail-in ballots in key states before we know the winner.

PSC PUSH

PSC members worked tirelessly this election cycle, even under the stress of pandemic lockdown, to mobilize voters against the Trump administration. They phone-banked for weeks, calling voters in

swing states. They donated their time and energy, coordinating with the PSC’s legislative staff as well as with the staff of our national affiliate, the American Federation of Teachers. The stakes are high. Another Trump term could mean further erosions of labor protections at the federal level.

As we write this, members were already mobilizing for demonstra-

tions in New York, coordinated with the rest of the city labor movement, demanding that the integrity of the vote be protected and that the states count every ballot before declaring a winner.

RESPECT THE VOTE

This militant mobilization has a short-term goal this month: to protect the vote count and the peaceful transition of power. But the union is committed to bolstering

that energy to address the fights ahead, which you will read about in this issue of *Clarion*. We must focus our pressure on our legislative representatives to push for progressive federal legislation for labor and education, and to pressure Governor Andrew Cuomo to listen to the growing demands to raise taxes on the state’s wealthiest in order to fund essential services like CUNY.

You, the member, are an integral part of that struggle. The movement for labor rights, economic justice and democracy will succeed only if you, the union member, get involved. Be on the lookout for actions to come. Fight for the future.

BLACK LIVES MATTER

Imagining real police reform

By FRANK DEALE

Knowledge workers at their best ask questions, seek answers to those questions, apply those answers to the problems of the world and publicize their conclusions. Legally sanctioned violence against people of color has been constant since this country’s founding. What information will allow us to use this rare moment to take action furthering the end of police violence? This period poses lots of questions, and it’s up to us to come up with answers.

What will community law enforcement look like if we defund and de-weaponize the police? Over recent decades communities have seen police forces grow larger and become highly militarized, armed with high-tech military equipment from the US Army. Why is this happening when data shows that crime in the United States is on a sustained downtrend? To what extent is the growth of militarized police forces connected to the ever-growing race and class economic disparity in the US? Activists argue that the more recent reforms put in place after the killing of Michael Brown have demonstrably failed and that it is now time for more radical solutions such as defunding and de-weaponizing law enforcement, and transferring such savings to better community purpose. What strategic steps must we take in those circumstances where such proposals will need the approval of regressive state legislatures?

IMPLICIT BIAS

What are the best screening mechanisms to flag violent and racist tendencies in potential law enforcement personnel so that they can be denied such positions? Implicit bias tests are administered in many police forces, including Minneapolis, but this happens most frequently after police are on the force. Would similar tests be an effective screening tool to prevent officers from joining the force? Do hiring checks of police officers screen and eliminate officers because of domestic violence histories? Who approves the content of police training programs and is there local community involvement in the vetting process?

Moreover, why are there so many repeat offenders? Derek Chauvin, we now know, had a spotty record even before George Floyd’s death. Something fundamental is awry in the selection, training and disciplining of police forces. The role of the police unions in these practices warrants serious scholarly investigation.



A Black Lives Matter protest in Manhattan, earlier this year.

Does diversifying police forces prevent these incidents? This idea needs study not just at the street officer level, but, more importantly, at the command level. Which cities have minorities and women at the top command level of their forces, and has this had any influence on how the street officers behave? Closely connected to this inquiry are reports of police officers having affiliations with white supremacists and neo-Nazi-aligned organizations. Governments at all levels have a compelling state interest in removing officers who belong to hate groups. Membership in such organizations conflicts with police obligations to enforce the constitution and its requirements of equal protection, due process, the right to vote and freedom from the badges and incidents of slavery.

Police forces must be barred from infiltrating protest movements and serving as provo-

cateurs, committing crimes for the purpose of turning public sentiment against the goals of peaceful protests, providing justifications for curfews and further police violence. Not only is there extensive evidence of such activity from the ’60s, with the infamous COIN-TELPRO work against the Black Panthers and other groups, but there is contemporary evidence that police-instigated violence is happening today, including possibly the attack on the CNN building in Atlanta. The white supremacist doctrine of “acceleration” explicitly calls for civil disorder to increase racial polarization in order to undermine social progress, and Donald Trump appears to be a fervent believer in this. These tendencies merit further study because there is

A national crisis

absolutely no legal or policy justification for governments to engage in criminal activity.

Community organizations have worked for decades to stop police violence, including the recent city council vote in Minneapolis to “eliminate” the police department. What has worked and what has not? Why do California cities, like Richmond, have fewer police deaths than nearby Oakland and San Pablo? Why is there not a federal data bank collecting incidents of police violence nationwide?

CHANGING LEGAL DOCTRINES

There are numerous legal doctrines protecting police officers and police departments that need to be scrapped. The doctrine of qualified immunity often protects officers who engage in the most brutal of assaults, simply because the facts of the specific assaults have never before been specifically deemed unlawful by a federal court. Municipal immunity doctrine protects local governments from liability for police violence if the culprit is the so-called “bad apple” who acted beyond official government policy. The imposition of municipal liability even in “bad apple” cases would force cities to take seriously their obligation not to hire such persons in the first place and to make sure they provide adequate training for those who manage to get through screening.

These are just some of the areas where effective scholarly work, combined with rigorous activism, will contribute to ending the problem of police violence.

Frank Deale is a professor at the CUNY School of Law. Deale has served as the legal director of the Center for Constitutional Rights.

Editor’s note: The PSC is working with other anti-racist organizations and Black Lives Matter. The union has formed its own Anti-Racism Committee.

Clarion NOVEMBER 2020

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Fighting the battles ahead

By ARI PAUL

The union has a plan to fight to save lives, save jobs and save CUNY. And that plan starts with you.

CUNY faculty and staff – as well as students – are facing an enormous crisis in public higher education in New York State. “CUNY management has already shown under Chancellor Félix Matos Rodríguez that it is all too ready to treat adjunct colleagues as disposable,” PSC President Barbara Bowen told members.

MEMBER INPUT

The union’s plan for the months ahead is based on member involvement. Chapter leaders, delegates, organizers and rank-and-file activists plan to have one-on-one conversations with members in every chapter about the crises facing our membership. With member-driven involvement, the union is fighting against increasing class size and unsafe campus reopening. With member-driven involvement the union is building a coalition of unions and community groups to pressure the governor into accepting the growing demand to raise taxes on the state’s super-wealthy to not only avoid further budget cuts but to *increase* funding to vital state institutions like CUNY. All around CUNY, PSC chapter leaders are talking about their anger toward an administration and a state that appears to care little about students, faculty and staff. The good news is that PSC organizing is turning that anger into action.

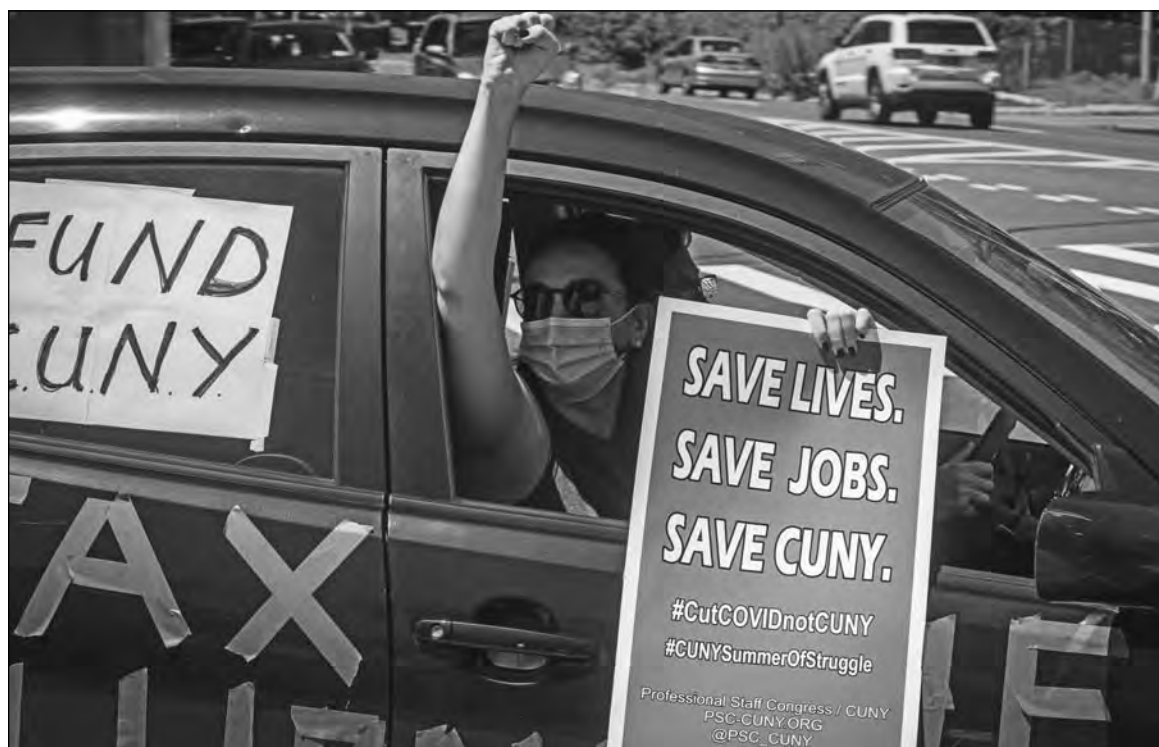
Already, the union has used court action, impact bargaining, political lobbying and grievances to fight on all of these fronts. But it’s only the beginning.

The pandemic’s toll on American academia cannot be understated. The *New York Times* reported in October, “As it resurges across the country, the coronavirus is forcing universities large and small to make deep and possibly lasting cuts to close widening budget shortfalls. By one estimate, the pandemic has cost colleges at least \$120 billion.” The report also said, “Even before the pandemic, colleges and universities were grappling with a growing financial crisis, brought on by years of shrinking state support, declining enrollment and student concerns with skyrocketing tuition and burdensome debt.”

CHRONIC UNDERFUNDING

CUNY faculty and staff know this well. PSC has fought against what it has called the state’s underfunding of CUNY in the years leading up to the current crisis. Union research shows that state funding per student for the senior colleges has fallen 21% since FY 2009, adjusting for inflation. PSC Legislative Representative Mike Fabricant told *Clarion* earlier this year that the 2020 state funding plan for CUNY “reflects the decline in state investment over

Resisting CUNY austerity



PSC members protested cuts to CUNY earlier this year at the College of Staten Island.



Chancellor Félix Matos Rodríguez sees PSC members as “disposable,” according to union president Barbara Bowen.

the last decade.” The governor has resisted calls to increase taxes on the wealthy in order to fully fund state services. As the pandemic has raged, the union has fought for the safety of all members and negotiated with CUNY over the impact the pandemic has had on members’ contractual protections (see story, page 4). Activists are confronting ballooning class size at several campuses as classes have moved online (see story, pages 6-7). The administration has cited fear of impending budgetary constraints to lay off nearly 3,000 adjuncts, despite obtaining federal stimulus money meant to keep such workers employed, and the union is fighting against this, too (see story, page 5).

While further cuts to CUNY may be on the way, PSC members are energized to fight back against this austerity and, beyond that, to fight against the chronic underfunding of CUNY that started long before the

pandemic and subsequent economic downturn. At a digital mass meeting on October 29, PSC leaders and rank-and-file activists outlined the problems facing members and how to fight back.

Luke Elliott-Negri, a PSC executive council member, explained that the state’s budget this year granted Governor Andrew Cuomo the power to withhold funding unilaterally for state agencies and others. “He’s holding back 20% of the state allocation,” Elliott-Negri said of the governor. “Rather than challenging the withholding, the CUNY administration has laid off faculty and restricted hours of adjunct CLTs.”

The union sued CUNY to stop the layoffs this summer, arguing, as the *New York Daily News* reported, that the cuts violated “an obligation to use funds from the federal CARES Act to try to keep employees on the payroll amid the pandemic.”

The union was not granted the preliminary injunction it sought to stop the layoffs, but the issue remains in litigation. Union pressure succeeded in winning back some adjunct jobs, but the union continues to try to get the rest rehired. Elliott-Negri added that the union

leadership fears that the cuts could remain beyond the COVID-19 crisis. “This 20% withholding could set up permanent withholding,” he said.

TAX THE RICH

The PSC has joined other progressive unions and activist organizations demanding that the state’s budget woes be addressed by taxing the state’s wealthiest. “We are supporting incumbents who are supportive of raising revenue,” said Andrea Vázquez, the PSC’s first vice president. “We currently have 14 revenue-raising proposals. Fifty billion dollars could be raised per year, if these are passed.”

Fabricant told members about the union’s campaign for a New Deal for CUNY, what he called a “back-to-the-future” piece of legislation.

“We’re demanding free tuition, that’s back to the 1970s. We’re demanding 5,000 new faculty members, which brings us to the same number we had in the 1970s,” he said of the proposed legislation. He continued, “We’re looking for the kind of advising students need [in order] to graduate on time. We’re also calling for parity for part-time faculty, and a capital budget that meets the needs of our students.”

ACTION AHEAD

Legislative action is only part of the union’s struggle. In several instances, including at Hunter College Campus Schools, the union has had to use militant action (including a strike authorization vote) to resist unsafe campus reopening plans (see story, page 4). The union is calling on activists to bring grassroots organizing to assess where each member stands and our readiness for action.

Members are the backbone of any union. Expect to hear more from your chapter leaders and organizers about these campaigns to come. The union is making an effort to have a face-to-face conversation with all members to ensure that everyone has a chance to do their part in this historic moment.

“We need to talk to every single one of our colleagues,” Elliott-Negri said.

Organizing members for the future

CUNY ‘cuts’ at the top

By CLARION STAFF

As *Clarion* went to press, Chancellor Félix V. Matos Rodríguez said in a letter to the CUNY community that in light of budget woes at CUNY, “All managerial employees under the Executive Compensation Plan (ECP), committed administrators who serve at the highest levels of leadership throughout the University, will be furloughed five days this fiscal year. As ECP members, the furloughs also impact myself and college presidents and deans.”

The chancellor cited a \$46.3-million reduction in city funding and \$75 million that was spent on emergency costs related to COVID-19. He cited the state’s “temporarily withholding [of]

20 percent of senior college aid, community college FTE (full-time equivalent) aid, and TAP” and said that “If there is no additional assistance from the federal government for New York State, we are facing a real risk of a permanent cut.”

PSC President Barbara Bowen responded, “A five-day furlough for highly paid managers is not a budgetary strategy; it’s theater. And if it is meant to suggest shared sacrifice or soften us up for delays in our contractual raise, it’s an insult. Thousands of adjuncts lost 100% of their CUNY income, not just a few days. Management should concentrate on using the CARES Act money to get those jobs back and on securing more public funding for CUNY, not on symbolic gestures.”

Hunter schools members win – for now

By ARI PAUL

It took a rally, a no-confidence vote, a media campaign, a lawsuit, labor-management meetings and finally a strike authorization vote to ensure a safe reopening this fall at Hunter College Campus Schools. Even after all that, the work is not finished. After several students and faculty members at HCCS tested positive for COVID-19 in October, PSC HCCS chapter chair Tina Moore told reporters October 17 that teachers were “scared” and that her members believe “that the safety protocols that the school has put in place did not work and did not keep our students safe.”

The possibility of work stoppage was not off the table.

PSC’S K-12 UNIT

HCCS is a unique place. It is the only place where the PSC represents members in K-12 education. And even though the school is a public school in New York City, it is administered by Hunter College under the education department of the state, not the city. Over the summer, members scrambled as the administration made plans, without any consultation with the PSC chapter leadership, for in-person education to begin in the fall.

While HCCS is a small PSC chapter, with fewer than 200 members, CUNY management’s fierce opposition to allowing independent safety inspections and willingness to mislead about air filtration devices suggests that there may be even bigger battles ahead if more worksites are reopened.

Even before the pandemic, PSC members at HCCS had worried about ventilation problems in the school’s main Upper East Side Manhattan building. A walk-through inspection by the union’s health and safety experts in February, before the pandemic hit New York, revealed severe air-safety issues. Moore explained that over the summer the administration had refused input from the union about COVID-related building safety. Some older members, worried about being forced to work in a potentially unsafe building, were beginning to consider retirement.

The chapter, working closely with PSC President Barbara Bowen and union staff, mobilized over the summer as the Fall semester approached. The HCCS PSC members had a simple demand: in-person teaching should occur only in spaces where proper ventilation had been ensured through an independent inspection.

PROGRESS, BUT NOT ENOUGH

HCCS and Hunter College administrations bugged, but only slightly. They offered to move some classes out of the school’s main building and into unused spaces at Hunter College. But management would not allow access for independent safety inspections. The union stood firm. As one of the PSC’s chief health-and-

Organizing for safety inspections



Tina Moore, the PSC HCCS chapter chair, spoke at a protest against unsafe reopening at the school.

safety coordinators, Jean Grassman, said during a press conference, “We demand verification.”

Members at HCCS contacted parents to explain why changes were needed to keep their children safe. Members also rallied in Manhattan, demanding independent inspection. Lawmakers pressed the administration, as did former students. But the CUNY bosses stood their ground: no independent inspection.

On September 22, the HCCS PSC members voted “no confidence” in Hunter College President Jennifer Raab (by 96%) and HCCS Director Lisa Siegmann (73%). The leaders of PSC’s state and national affiliates, New York State United Teachers and the American Federation of

Teachers, also pressured Hunter College and HCCS to agree to independent inspections. AFT president Randi Weingarten intervened directly, and sent staff to add support.

COURT ACTION

The next day, PSC attorneys argued before a New York Supreme Court judge that no in-person teaching could take place at HCCS without the installation of the HEPA filters that were required under Hunter College’s own reopening plan. (Hunter had instead installed non-HEPA air purifiers based on a technology not certified as effective for preventing coronavirus, according to union sources.) The judge issued a temporary re-

straining order (TRO) requiring that HEPA filters be installed in each instructional space before any in-person instruction could take place in that room. But it was not within the court’s purview to order an independent inspection. In court, CUNY’s lawyer, Steven Campbell, resisted inspection, saying, “Well, I think we would be more than happy to show [the PSC] pictures of the [HEPA filter] installation and give them comfort that this has occurred, but inspection is – I don’t know what that would mean. That could be a very difficult thing to implement.”

TIME TO STRIKE?

In short: the PSC achieved a clear legal victory on the air filters, but the issue of an inspection remained. That weekend, with the school set to reopen the following Tuesday, the members voted by a margin of 85% to authorize the PSC leadership to call a strike, with 92% of eligible voters casting ballots. With the threat of a major labor confrontation, HCCS and Hunter College finally agreed to do the right thing and allow an independent inspection on Yom Kippur, just in time to avert a strike.

“The inspectors presented a report that indicates that the ventilation system is acceptable and that it delivers ‘the maximum amount of fresh air with little to no return air,’” PSC President Barbara Bowen wrote in an email to members just after midnight on September 29, the day school was set to open. “In a meeting tonight, the HCCS teachers affirmed the recommen-

dation of the chapter leadership not to strike tomorrow, but they added that they must have a structure of continuing labor/management meetings to address safety problems as they arise. And they have required a commitment that a certain classroom that is not certified for use not be used. The faculty and staff of the Hunter College Campus Schools took a brave stand for the safety of students, teachers and the community.”

MEMBER POWER

The outcome is a victory for HCCS members, parents and teachers, and it is a testament to the power of rank-and-file organizing. Members used every possible tool to push for a safe reopening. But troubling questions remain. Why did the administration resist independent testing? Why didn’t the administration work with the PSC chapter to discuss reopening? Why did it take legal action, a no-confidence vote and even a strike authorization vote to win independent testing?

One concern for the union coming out of this fight is that CUNY will resist independent testing on other campuses, and that other campus chapters can expect similar battles in the months ahead. The chapter’s no-confidence letter states that the Hunter president “refused to allow an airflow check of the Silberman building until it became clear that the faculty/union inspector would be doing one (or we would go on strike)” and that she “delayed the opening of that building for the 9th and 10th graders while CUNY workers did an airflow check in the 11th hour (on 9/29, 9/30 and 10/2), and then instructed [HCCS] Director Siegmann to blame the faculty for the delay (which Siegmann did, falsely).”

The chapter’s militancy and grassroots organizing in the face of an administration that failed to protect about student and teacher safety is an important model for other PSC members. But the fight is far from over, as the union continues to push for proper COVID-19 safety at HCCS, and to prepare for the reopening of other CUNY campuses. The concerns remain at HCCS over lack of COVID-19 testing, proper distancing and the general safety of the school buildings. On November 2 the PSC amended its legal documents because of the failure of HCCS administration to ensure the integrity of the kindergarten cohorts, the union’s legal office said, as the PSC seeks to require HCCS to act to protect the safety of students and staff by maintaining separation of kindergarten cohorts.

“We may have to take some kind of action ... including job action,” Bowen said.

Members at HCCS also vowed to continue to agitate for safety. Gilana Reiss, an HCCS chemistry teacher, said of the administration, “We will continue to be a thorn in their side.”



HCCS’s main building in the Upper East Side has long been considered unsafe, even before the pandemic.

Dave Sanders

Dave Sanders

Fighting adjunct non-reappointments

By ARI PAUL

One of CUNY's most devastating and inhumane austerity actions in response to the COVID-19 crisis was the decision not to reappoint thousands of part-time instructors and staff. The layoffs are particularly inhumane because they affect CUNY's most precarious and low-paid workers.

As part of a campaign that has included federal litigation, street demonstrations, congressional pressure and campus protests, the union is fighting back with two class-action grievances. One is on behalf of all adjunct faculty who were eligible for three-year appointments and were improperly denied. The other is on behalf of adjuncts who were eligible for semester-long or one-year appointments and were improperly denied. Adjuncts in the middle of a three-year appointment were protected by the contractual provisions the union negotiated.

The Step 2 hearing for the three-year appointment grievance was held in two sessions this fall; the Step 2 hearing on the other grievance will be held on November 19. In the first hearing, held in September, the union argued that administrations at several colleges bypassed the recommendations of departmental personnel and budget committees that the adjuncts should be given three-year appointments. Medgar Evers College and Bronx Community College were responsible for the largest number of three-year appointment denials.

HEARTLESS JOB CUTS

A PSC summary of the case stated, "The decision by the university to not only allow but tacitly encourage the layoff of almost 3,000 adjunct

A major union grievance

faculty in the midst of a pandemic is one of the most egregious acts taken by an institution that has become more corporatized with every passing year. A significant number of those were adjuncts eligible for a three-year appointment, though we don't know exactly how many because CUNY is obstructing our request for that data."

The union summary went on to say that their primary concern was "that colleges failed to conduct the

An injustice against adjunct instructors

comprehensive review of both performance and programmatic and fiscal needs required by the contract and upheld in two critical arbitrations won by the PSC. In some cases they instructed departments to lay off adjuncts without review, in others they disregarded the department recommendations and non-reappointed adjuncts on arbitrary and unfounded bases."

Franky Laude, an adjunct assistant professor in communications on a three-year appointment at Medgar Evers College, has been an adjunct since Fall 2009. He testified that he had no expectation of not being renewed when he became eligible for a second three-year appointment this fall.

When asked how the loss of his job at CUNY affected him, he said, "I'm most concerned about health insurance in the middle of a pandemic. This especially concerns me as a person of color. In New York, black people are twice as likely as white people to die from the coronavirus; this statistic is available from nyc.gov. I've had black friends and family and students who've had the virus and a few who died. The

question goes through my mind: 'What if I have no insurance and I get COVID?'"

Howard Pflanzner, an adjunct associate professor of English at BCC, also received an unexpected non-reappointment decision.

"I had a lot of indications that I would [be reappointed]," he said. "My observations have been very good. My student evaluations are strong, with some glowing. I was assigned two courses for Fall 2020, as usual. The [department] chair told me that the committee approved me. I was shocked to receive a non-reappointment letter from CUNY Central. So were all of my part-time colleagues in my department."

FINANCIAL PAIN

Pflanzner added, "I have a crucial loss of income, which affects what I am able to do in life. I applied for an emergency arts grant. I lost my health insurance. I don't want to go onto Medicare; it's going to cost me thousands of dollars. I had once looked at COBRA, and would hate to spend more. The CUNY health insurance is very good."

Tamar Rothenberg, the chair of the history department at BCC, testified, "The administration did not provide the chairs with the information... about the total numbers of reappointed and non-reappointed adjuncts until after we found out through other channels. My department, for example, knew earlier than some and fared better than many, with all of the adjuncts we recommended (which was 100%) receiving reappointment letters for the three-year appointment."

The union presented documents and testimony noting that Medgar Evers administration's decision to

issue non-reappointment letters went against the college's own governance plan.

In fact, Professor Jean Michelet Jean-Michel, the chair of the mathematics department at Medgar Evers, said that his department had gone forward with a staffing plan on the assumption that three-year appointments would be issued to those who were up for renewal.

"My department only has about 15 full-time faculty members," he testified. "As of [this month], we had 40 sections of intermediate algebra and trigonometry on the schedule, almost all of which are taught by adjunct faculty. Even if we are forced to offer half that number of sections in the future, we would still need our three-year adjuncts. Their years of experience dealing with the student population that we have in courses like intermediate algebra make them indispensable to the department."

Jean-Michel said the administration's decision to cancel work for four of his department's adjuncts has been hard. "We're scrambling," he said. "These are tried-and-true adjuncts. How do we find not only the right fit for our college and student population, but someone already seasoned enough at online teaching in college math?"

WEAK ADMIN RESPONSE

In the continuation of the hearing on October 19, CUNY management responded to the union's case. Susan Fiore, labor designee and assistant legal counsel at Bronx Community College, said that the non-reappointments were made in response to projections that the COVID-19 pandemic would continue a three-year decline in enrollment.

"This was an academic judgment of the [BCC] president in light of

his responsibility to maintain the viability of the college," Fiore said.

PSC Grievance Counselor Carol Rial, who represented the union in the grievance against the College, responded that the administration's case for the mass layoff of part-time instructors showed a "lack of concentrated analysis of not only department but individual adjuncts." She added that departments were forced to impose a "feast-or-famine approach" to reappointments, or as PSC Treasurer Sharon Persinger observed, adjuncts were reappointed on an "all-or-nothing basis."

Rial asked, "We're not hearing about the individual analyses that are required under the contract."

Rial also questioned why the university had only responded to the case about non-reappointments at BCC and not at Medgar Evers. The union had previously submitted several pieces of testimony and evidence regarding mass layoffs at the Brooklyn campus.

Jerry Rothman, CUNY's executive director of instructional staff labor relations, responded that the BCC statement "mirrors the pressures that other colleges were facing."

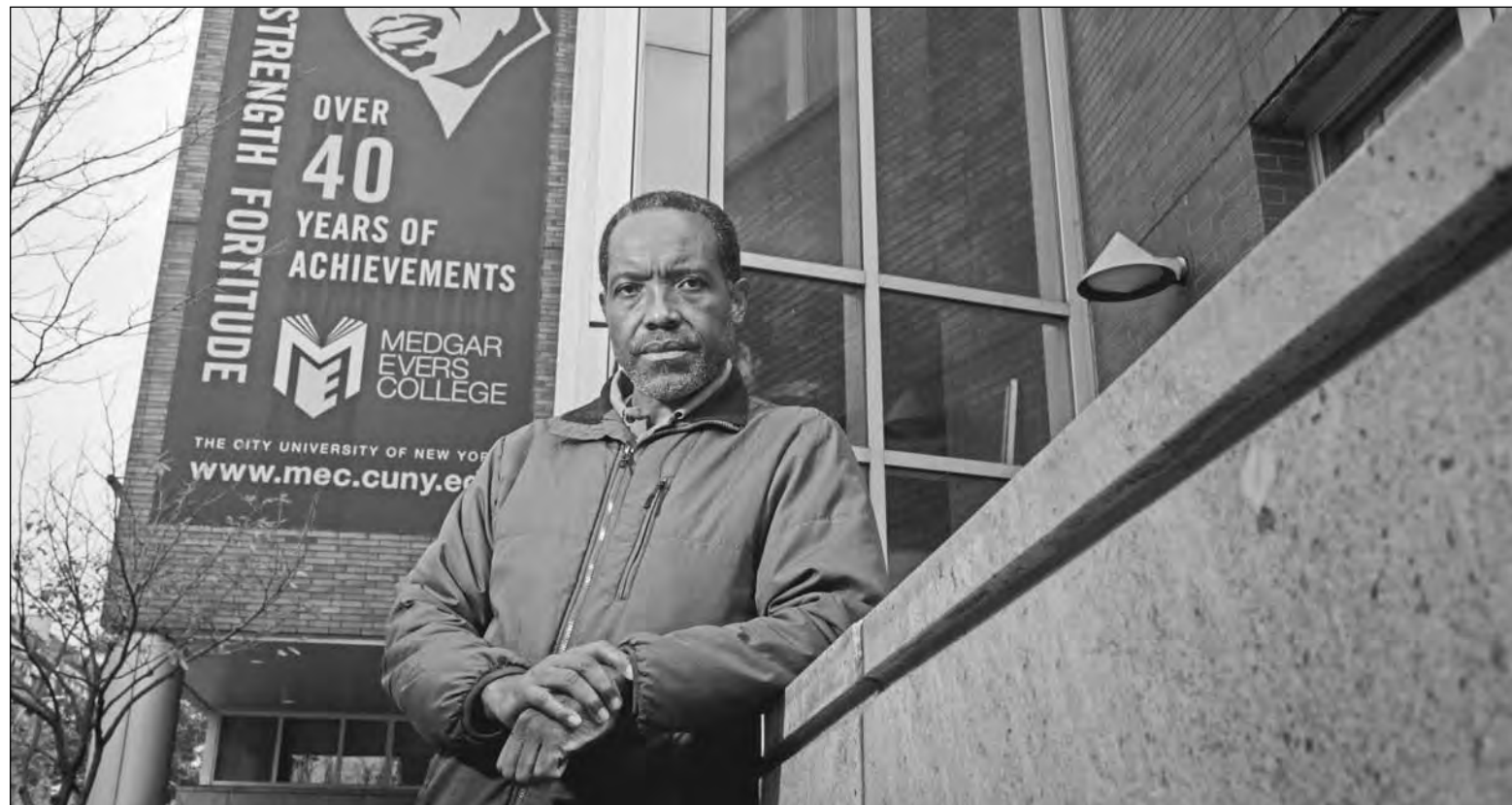
Worse, CUNY didn't even respond to the union's case that administration had ignored basic protocol and personnel and budget committee decisions.

Renée Lasher, PSC's director of contract administration, told *Clarion*, "The response from CUNY was insulting and dismissive. They refused to respond to the PSC's presentation about the extraordinary disregard for and violations of the contract and the negative impact it had in specific departments as well as the grave human cost for affected adjuncts, and instead responded with a story about a BCC dean who ran models on imagined projected enrollment declines and a president who made arbitrary decisions based on that modeling."

THE FIGHT AHEAD

The odds, at this stage, are stacked against the union. The hearing officer who will decide the case answers directly to the CUNY administration and, thus, is not an unbiased arbiter. But there is a road ahead for victory. All of the information that the union has presented can be used, ultimately, to win a just decision for laid-off part-time instructors.

The union expects to fight the layoffs on all fronts. Rosa Squillacote, the union's vice president of part-time personnel, told *Clarion*, "Adjuncts regularly experience an extraordinary amount of precarity in their employment. The PSC's hard-won right to a three-year contract for adjuncts offered a buffer against that precarity. By targeting adjuncts with three-year appointments for layoffs, CUNY is exposing how little regard it has for the union, and for the part-time workers who make CUNY what it is."



Jean Michelet Jean-Michel, an associate professor of mathematics at Medgar Evers College, said the cuts have been devastating for everyone at his campus.

Dave Sanders

Class size is up, members speak up

By CLARION STAFF

Class size is on the rise across CUNY despite the extensive research showing that classes conducted online or through remote learning need to be smaller than typical in-person classes if students are to succeed. Instructors and students agree: bigger classes adversely affect the learning environment. In an effort to slash budgets, some CUNY college administrations have merged classes and increased class-size caps, while others have pressured department chairs to reduce the number of sections.

And in the midst of these challenges, the University refuses to bargain over class size and its impact. In May, the PSC put forth impact bargaining proposals for CUNY that included a provision that class-size limits during the pandemic should remain unchanged from past practice, but this semester class-size limits have increased. The union continues to fight the administration on the issue of ballooning class size, arguing that anyone invested in educating the next generation of New Yorkers should know that class size matters. The PSC is organizing a membership campaign around the issue and preparing for legal action.

ACROSS CUNY

Some classes in the math department at City College of New York have nearly doubled in size, with enrollment caps hovering just below 80 students, the number for providing teaching credit for a jumbo course. At the Borough of Manhattan Community College (BMCC), caps have jumped from 25 to 30 students per course. At Medgar Evers College, the administration raised class caps from 35 to 50 without faculty input, lowering them to 42, and more recently, to 40, for classes for next semester, only after pushback from faculty and the local PSC chapter.



Shylaja Akkaraju

Remote classes see increases

"This is a new model and new danger for CUNY," said David Hatchett, a PSC Executive Council member from Medgar Evers. "This is not just a Medgar issue. This is a larger CUNY [community] issue. Because if this is allowed to happen at Medgar, it will happen someplace else as well."

In an op-ed published in the *New York Daily News* this summer, State Senator Toby Ann Stavisky and Assemblymember Deborah Glick, the chairs of the New York State Legislature Higher Education Committees, urged CUNY not to balance the budget through ballooning class sizes.

'SET UP TO FAIL'

"Cramming more students into our classrooms – especially into our online classrooms – sabotages both faculty and students," wrote PSC President Barbara Bowen in a September 22 email to members. "Overcrowded classes mean that our students, already under enormous stress during the COVID crisis, are being set up to fail."

Clarion's Shomial Ahmad spoke to CUNY faculty about how management's increases in class size have impacted their teaching, and their students' learning.

ELI AMZALLAG Doctoral Lecturer Department of Mathematics City College of New York

My class sizes have exploded this semester. They have nearly doubled, and I'm not getting any additional help or compensation. I feel like I'm being compelled to warehouse students. I'm not alone. Other faculty in the math department at CCNY are experiencing similar levels of unreasonable workload. These are courses that are prerequisites for many STEM majors at CCNY, including engineering and physics.

I'm teaching three courses this semester at CCNY, an intro pre-calculus class with 78 students and two upper-level math courses with 63 and 75 students enrolled. The official CCNY number to get jumbo credit for classes is 80 students, and many classes in the department are hovering at a little under 80.

Typically, I have around 45 students in my "regular size" classes. People may think that with math you can automate grading, but that's not true. You really have to inspect students' work carefully and make sure they're taking logical steps and not guessing their way to the right answers. Because a lot of the classes I'm teaching are building blocks for a major or program, it's important to set the right standards.

In the spring I set up tests on Blackboard. Some questions were multiple choice, but I had to go through many problems and grade

manually. That was already taxing with my "reasonable" class sizes of around 30 students. But doing this with around 75 this fall? This is insanity.

I'd like to continue working at CCNY for many years to come, but if the enrollment figures continue to swell to such drastic levels, I feel burnout is inevitable. Faculty in the department whom I have talked to feel the same way. If these working conditions persist, math faculty may leave, and this will have a domino effect with students not getting their prerequisite courses for core departments and majors that define City College's identity.

FRIMETTE KASS-SHRAIBMAN Professor Accounting Program Brooklyn College

Class sizes have always been a problem for us in the accounting program at Brooklyn College. Before the pandemic, I had about 35 to 40 students in my in-person introduction classes. Now, I have 45 students in those foundational classes conducted online and 30 in my upper-level auditing class, a writing intensive course; the previous course cap was 25. One of my colleagues has a class of 114.

Learning accounting is like learning a foreign language combined with a new logic system. Students often need a lot of review of concepts and problems, along with individual attention. This is nearly impossible in a large class. To mitigate the problem, I switched to flipped learning where I record the lectures, and during class time students spend time doing exercises and problems.

To make accounting come alive, I've added experiential learning projects. The hours spent organizing and dealing with problems puts me in a mode of constantly walking a tightrope in a state of exhaustion. Yet I plow through, because the students have raved about the projects despite all the logistical difficulties. A TA would be a great help.

ENDLESS WORK

The online teaching world makes things worse. At the beginning of COVID, I worked 10- to 14-hour days. In the past, I tried to work out problems with my experiential learning teams at the beginning or end of a live class with the entire team in attendance. Now, I have to deal with multiple emails. I also have to deal with what seems like gazillions of emails about students' technical problems with Blackboard or the book publisher's site. Then there are those students who can't complete assignments on time because of an illness in the family (COVID or non-COVID), connectivity prob-



Eli Amzallag

lems, computer issues, work schedules, childcare, etc.

I spend most of my time just managing the work and the issues and less time teaching. I certainly have little time with students. And being with students is why I do this job.

CUNY was founded as a college to teach the children of the working people, yet our class sizes defy good teaching practices. It makes me wonder how much CUNY management really cares about our students.

SHYLAJA AKKARAJU Professor Biological Sciences Bronx Community College

In order for remote learning to be effective in maintaining quality and student success, I emphasize individualized instruction and formative assessments. On a weekly basis, my students take quizzes, submit hand-drawn sketches and share video explanations on concepts, in addition to monthly exams and the final exam. Populating the weekly folders on Blackboard alone can take hours and involves following multiple checklists for myself and workflow charts for the students.

Class size for two of the three classes that I teach this semester has gone up to 30 students each. Typically, I teach around 24 students. As a result, my current workload is staggering.

As a community college professor, I constantly worry about retention and passing rates, and therefore, I devote a lot of extra time to create community and know the individual needs of students. Individualized instruction emphasizes communication, feedback and caring. This means longer grading hours, being available to support students

when they are feeling frustrated and cheering them on when they experience small victories, tracking down students who have fallen behind, and arranging for referrals for students who are dealing with learning disabilities or grief from the loss of a family member.

I do believe that digital learning can be faster and more effective. It can only happen if class sizes are capped at pre-pandemic levels, which was 20 before COVID. No one wins with large class sizes — not the students, not the faculty and certainly not the administration.

ZULEMA BLAIR Professor and Department Chair Department of Public Administration Vice Chair of College Council Medgar Evers College

At the beginning of this fall semester, enrollment in classes at Medgar Evers ballooned. The day before the first day of the semester, two classes in my department were merged without consultation with me, as department chair. These classes did not have low enrollments. Luckily, I had an extra course that I could give to the faculty member who lost their course.

The administration also wanted to bring class-size caps up to 50 this semester, ignoring the enrollment cap of 30 for hybrid and online courses that was set by the College Council a few years ago. Eventually, the cap was set at 42. The administration said that they'll bring in TAs to help with larger classes, but really what's available are supplemental instructors who are typically not



Veronica Manlow

trained in the subject matter of the courses. The instructors would have to be trained, and it'd be like teaching two courses.

On top of all this, most classes at the college are asynchronous. Administration overrode my decision to have synchronous courses in my department; I submitted courses with times and they were removed. Students aren't showing up to classes because they feel like they don't have to. This fact will drastically affect student retention rates, especially for freshman and sophomores, where structure, peer support and time management are essential for student success. Faculty are now forced to put in an extraordinary number of hours trying to engage students.

AFFECTING STUDENTS

The effects are real. Soon into this semester, the college encountered 900 instances where students were de-registered from classes because of lack of attendance. Provost Augustine Okereke sent an email to department chairs to work on "revers[ing]" this issue, by determining who is participating in classes by "several means."

These developments at Medgar are not a surprise. The Medgar Evers College administration have used the college as their personal fiefdom. Many departments are not given a budget, and when they were given a budget, it was \$250 for the entire academic year.

I teach public administration and I teach my students how to be accountable, transparent, fair, efficient and effective. Unfortunately, I can't use my own college as an example. At Medgar, these public administrators have set us back a whole generation.

(*Clarion* reached out to Medgar Evers College about the decision to make most classes asynchronous and the prevalent issue of students being de-registered from classes. A college spokesperson said the decision of modality of instruction was ultimately a department decision, and Provost Augustine Okereke sent an email about the 900 instances of student de-registration to determine whether students "deserve[d]" to receive a grade of WN." The issue of WN grades, the spokesperson said, is CUNY-wide.)

VERONICA MANLOW

**Associate Professor
Business Management
Department
Brooklyn College**

I have about the same number of students for my online classes as I did for my in-person classes. This is not optimal. With 40 students in each of my remote classes and the extra work that it entails, effective teaching is compromised.

I am spending all day long preparing for classes that meet at 6:30 pm. Much of my preparation has to do with finding ways around the impersonality of a 40-person class. I can't even see all the students on one screen.

I initially worked on creating smaller group meetings based on

collaborative projects. I spent days preparing the groups and creating them in advance on Zoom. This required that students come in with the same emails they registered with on Zoom. I couldn't do a test run in advance, and it didn't work. In a class of 15, it would be easy to get to know the students during the class, to discuss their projects and to create the groups in an organic way.

I consider the increase of class size a form of symbolic violence inflicted on our students and faculty. Some students are first responders and others have full-time jobs. Some have become ill or have had close family members die. Two of my students mentioned having babies and young children to care for. Many students deal with Wi-Fi issues and lack of private space to study and attend classes. Despite all these challenges, students are largely positive and are finding ways to navigate this new terrain.

Decisions should be made based on pedagogical soundness, not financial expediency. Our students

need more attention, not less. Faculty are working longer hours and are frustrated that sometimes, despite all that they do, they cannot deliver the classes they had hoped to deliver.

CHARLES TOWNSEND

**Adjunct Lecturer
Social Science Department
LaGuardia Community
College**

I'm teaching 38 students in my anthropology classes; it's the same number I taught for in-person classes before coronavirus, or "BC," as I say. Thirty-eight is the cap for my department, despite an administration directive that capped "fully" online courses at 22 students. The administration is making a distinction between online courses, where faculty have been trained and certified, and "distance learning" courses – a difference which, God help me, no one can figure out.



Courtesy of Charles Townsend

Charles Townsend

At LaGuardia, cap sizes vary. In the social sciences, it's mostly 38, but around 25 in math. Public speaking courses are capped at 19.

Remote teaching is a technological environment that requires double the amount of work. So, I'm doubling the free labor I'm giving to CUNY as an adjunct and there is more work in preparing lessons, researching usable up-to-date online content, making sure online links are functional, answering emails, creating exams in different formats, understanding breakout groups for synchronous classes and creating study groups and discussion board posts for asynchronous classes. Exams are take-home tests, so all remote courses have become more "writing intensive." This designation is important because writing intensive courses are capped at 25 students. I accommodate differently abled students and ensure everything works in a mobile platform as many students use smartphones.

In a virtual learning environment, I have less time to evaluate student progress as they would like and need. Maintaining large class sizes shortchanges students.

Show us your work, CUNY

By SHOMIAL AHMAD

Class size is "on average lower than it has been in the last six years" across CUNY. At least that's what CUNY Chancellor Félix Matos Rodríguez and CUNY Board of Trustees Chair William Thompson told eight members of Congress who had expressed dismay at the mass layoffs of adjuncts at CUNY.

When *Clarion* asked CUNY for this semester's average class size, and the number for the past six years, administration spokesperson Frank Sobrino said only, "CUNY's student-faculty ratio is consistent with those of other university systems across the country."

NOT AN ANSWER

That's not much of an answer. As for the student-faculty ratio, and the names of other university systems to which CUNY's student-faculty ratio is comparable, *Clarion* asked that too – no response from CUNY.

For many PSC members, classes aren't shrinking. Course caps for online classes at BMCC and BCC went up from 25 to 30. Department chairs at Brooklyn College felt pres-

sure to increase class size because of administration directives to reduce the number of sections by a targeted 25%, and several departments at City College have increased their class caps significantly, according to PSC activists.

Looking at average class size system-wide only tells a fraction of the true story. Certain classes could have shrunk while others increased dramatically – and those classes with the increases suffer tremendously. "The average isn't the right number to express the experience of an individual," said Sharon Persinger, PSC Treasurer and associate professor in the Department of Mathematics and Computer Science Department at BCC. "Even if the average number of students per section is 26, let's say, that student who is in a section of 50 and the instructor who teaches that section of 50 are experiencing a course with 50 students in it. The student gets a smaller share of the instructor's attention and the instructor has a higher workload than if the course had 26 students."

A professor at City College crunched CUNYfirst data for the

Fall semester average calculus class size at the college, a basic requirement for many STEM majors (see graphs). And contrary to what Matos Rodríguez and Thompson found system-wide, he discovered a dramatic increase in the average number of students from 2019 to 2020. The average number of students for regular classes jumped from

37 (in 2014) to 74 (2020). And jumbo classes jumped from 84 (2014) to 126 (2020). That's double the number of students for regular classes and a nearly 50 percent increase for jumbo classes since the Fall semester of 2014. "Prac-

tices vary across the campuses, but some colleges have an enrollment limit for a regular course," said PSC Treasurer Sharon Persinger. "An instructor [in some cases] teaching a course with enrollment above this threshold – a jumbo course – gets additional workload credit hours for the course." More and more students are being packed into these essential math courses, and both teaching and learning suffer. Not really a fact that you can brag to Congress about.

But CUNY management seems to take perpetual austerity as a badge of honor.

"We continue to do more with less to support our students," wrote Matos Rodríguez and Thompson in their August 31 letter to members of Congress. "Even with roughly \$64 million lost tuition revenue from a 4.4% drop in enrollment as of Aug. 25, we have continued to offer about the same number of sections as last Fall."

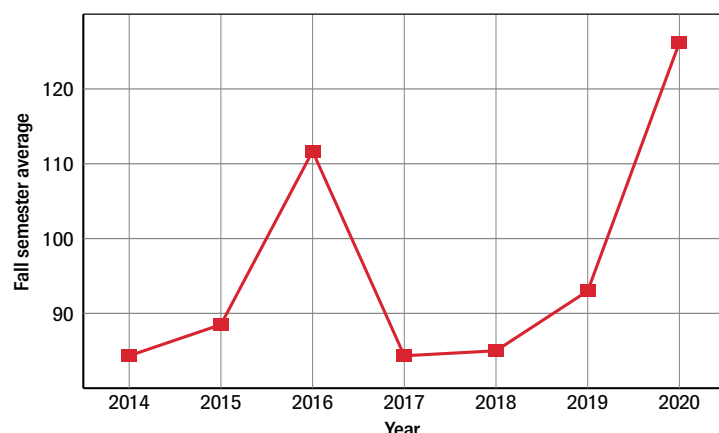
MORE WITH LESS

Translation: CUNY workers are doing more work with less money and less support. Anyone involved – whether it's teaching or learning – knows that remote instruction requires more work, not less. And more students in a class requires more work too. The union has pressed CUNY management for months to bargain around class size – and CUNY has yet to agree.

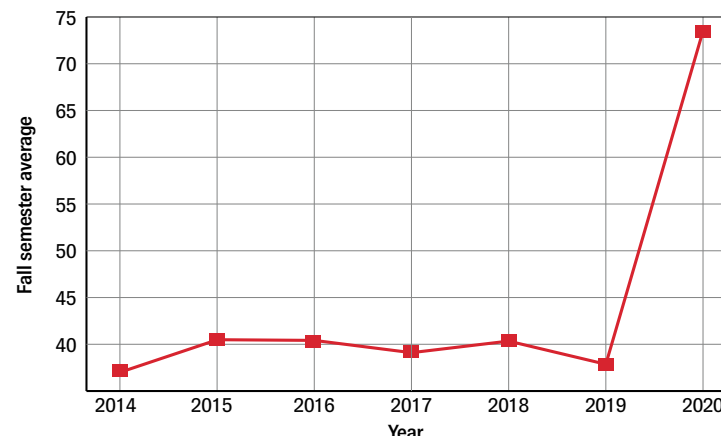
The union has launched a class size campaign, an issue that affects all members.

"Class size at CUNY, where 80 percent of undergraduates are people of color and most are working-class, is an issue of racial justice as well as academic integrity and professional workload," wrote PSC President Barbara Bowen in a November 1 email to members.

Average jumbo calculus class size at CCNY



Average regular calculus class size at CCNY



The numbers represent the average number of students. Data was collected through CUNYfirst.

PSC's formidable director retires

By ARI PAUL

Debbie Bell – the PSC executive director who for two decades oversaw PSC operations, helped win major victories for union members and blazed a trail for women leaders in the New York City labor movement – retired in June.

“Every PSC member has benefited from Debbie’s meticulous and wide-ranging work as Executive Director,” said PSC president Barbara Bowen, who hired Bell soon after the New Caucus assumed union leadership. “All of us in the labor movement are lucky that Debbie brought her formidable intelligence to the service of organized labor. Debbie Bell was essential to almost everything the PSC accomplished in her twenty years and unmatched in her command of detail. And underneath that pragmatic bread-and-butter-unionism exterior, Debbie was fueled by political commitments that made her fearless when fearlessness was needed.”

In an interview with *Clarion*, Bell noted that her first challenge as executive director was to work with the then-newly-elected leadership under President Barbara Bowen to modernize the office. The PSC office in 2000 had almost no computers, a newspaper that was edited by hand with a razor blade and no organizing department. Together with PSC officers, Bell went on to develop a staff devoted to research, contract enforcement, political outreach and on-campus grassroots organizing.

BUILDING THE UNION

“In addition to working closely with several generations of PSC leaders in negotiating contracts, hammering out viable financial solutions and language, I am proud to have built a staff which supports and carries out an organizing approach to working with union members, as is appropriate for an activist union,” Bell said. “Over the years, that has meant working on and supporting detailed analyses of state and city budgets and legislative initiatives and campaigns to educate elected officials about members’ and students’ needs at CUNY; finding new, more effective ways of getting PSC’s message out; as well as struggling to actualize one-on-one member organizing, even among traditionally resistant full-time faculty. That work led to high participation rates in the historic strike authorization vote and a persistent 95% membership rate among all full-timers.”

Bell came to the PSC from District Council 37, AFSCME, with a reputation as a formidable union negotiator who knew the byzantine world of municipal labor relations inside and out, as someone who rose through the ranks to the top of one of the nation’s most important unions. But her political consciousness was developed early.

“I grew up in Washington, D.C., which was still a very segregated

A lifetime of unionism



Debbie Bell testified on behalf of a PSC member at a hearing of the CUNY Board of Trustees.

city in the 1950s and 1960s,” she said. “The rise of the civil rights movement in the 1960s and all the cultural shifts of the 1960s challenged the political assumptions I grew up with. As for many, for numerous generations, attending college was life-altering, intellectually, politically and socially. I studied urban politics and city planning at Harvard and was active in the anti-war movement there. With all the marching and shouting and disruption of those years, I treasure the friends I made, the early intellectual exposure to feminism and the weeks spent silk-screening strike posters at the Graduate School of Design with the students who created the iconic red fist that represents fight-back for so many.”

But it was really her move to New York City in 1971 and her work as a sociological researcher at Columbia University that taught her about unionism. Bell organized clerical workers to join District 65 (a union with roots in the needle trades that ultimately merged with the United Auto Workers). “Workplace-based, one-on-one organizing, particularly among so-called hard-to-organize women professional and administrative workers had a satisfaction for me that anti-war organizing never did,” she said.

STARTING AT DC 37

Bell then worked at the New York City Department of City Planning – which attracted many other young progressives at the time who sought to remold the city’s landscape to be more equitable – and she joined Local 375 of DC 37.

The city’s fiscal crisis in the 1970s upended economic and labor relations locally and globally, the impact of which can still be felt today. It inspired Bell to work for the labor movement full time.

She started as a budget analyst and researcher at DC 37 in 1977, and worked her way up to become the first woman chief negotiator to represent the largely female union.

A champion for labor unions

Bell coordinated policy for the union for almost 25 years.

“At DC 37, I was involved in several critical fights that resulted in organizing opposition to the privatization of public hospitals and numerous efforts to privatize other governmental functions, from tree trimming to parking meter collections; working to defeat the more punitive aspects of national welfare reform, including organizing welfare recipients hired to ‘work’ in the NYC Department

of Parks & Recreation, sometimes replacing city workers; publicizing the potential negative impact of Clinton’s ultimately unsuccessful proposed health-care reform on both public hospitals and city employees’ health coverage,” she said. “Building effective alliances with affected communities, advocacy organizations and sister unions was a particularly satisfying aspect of all this work and contributed to the work’s success.”

Bell also witnessed the move toward pattern bargaining among city unions. “On the one hand, coalition bargaining allows for strength in numbers, but, on the other hand, it has become a means of controlling a single union’s ability to win more for its members,” she said.

NEW BEGINNINGS

The time at DC 37 prepared her, she said, for taking on a new role in 2001 at PSC, which had recently elected Barbara Bowen as president on an insurgent slate after years of what many members believed to be ineffective leadership against austerity at CUNY in the 1990s. Becoming executive director at a progressive union with new progressive leadership seemed to Bell the perfect opportunity to create a more forward-looking labor movement.

“When new leadership was elected at PSC, I wanted to work with them, seeing the energy with which they approached improving economic terms and conditions of faculty and professional staff at CUNY,” she said. “Yes, I thought 175 contract bargaining demands [the number in the leadership’s first bargaining agenda] was a ridiculous number, but PSC leaders were – and are – nothing if not ambitious! With every contract, accepted norms have been chal-

lenged and many of them changed for the better. The list of significant contractual improvements over the past six contracts is impressively long, and the continued effort of the union leadership to approach decision-making as a collaborative effort, while sometimes frustrating, has built the union’s strength and solidarity.”

Under the direction of the leadership and working closely with staff and members, Bell provided essential support for a lot of PSC’s accomplishments: improved pay and benefits for adjuncts, reduction of the teaching load, across-the-board pay increases, a successful strike authorization vote, parental leave and the creation of an active network of rank-and-file legislative and electoral activists.

She said, “Of the contract gains PSC has won over nearly 20 years, I am particularly proud of the role I played in achieving paid parental leave, stable adjunct health insurance, reasonably paid faculty sabbaticals, the HEO-CLT Professional Development Fund, full-time positions for certain continuing education programs and stability for employees in the Educational Opportunity Centers.”

FOCUS ON MEMBERS

Bell is known among PSC members and staff as someone who cares more about winning victories for members than taking personal credit for the union’s accomplishments or getting quoted in newspapers. She focused tirelessly on the bread-and-butter issues that have improved union members’ economic lives in a time of intense austerity.

“The work of defending members’ rights and benefits and the

Continued on page 9



Debbie Bell, right, marched with PSC members at a Labor Day Parade in Manhattan.

Peter Hogness

New PSC leaders face the battles

BY ARI PAUL

The stress of remote learning, COVID-related safety protocols and increasing economic austerity for CUNY colleges mean that PSC chapter organizing is more important than ever. The union is strongest when its chapters are organizing resistance at the grassroots level. And some chapters now have new leaders.

Chapter and delegate elections were concluded in the Spring semester. Chapters with new leaders are John Jay College, Bronx Community College, the Graduate Center, Hostos Community College and LaGuardia Community College.

A BRONX STORY

Yasmin Edwards, an associate professor of biological sciences at Bronx Community College, took over as chapter chair from Sharon Utakis. Edwards began as an adjunct instructor. She first learned about the PSC when she was approached by a union rep while teaching at Borough of Manhattan Community College about signing up for retirement benefits.

“Before that encounter, I did not think about the retirement system, but I took their advice, signed up and became drawn to an organization that would mobilize in that way to help its members,” she said. “When I was appointed to a full-time position at BCC, I was invited to attend chapter meetings and became active in the work of the BCC chapter.”

When recently asked to take over for Utakis, she was at first hesitant, but she found her confidence to step up to the challenge.

“Having observed [Utakis’s] amazing work over the years, I did not know if I was up to the task,” Edwards said of her predecessor. “Having no background in union work, I feel that there is a steep learning curve, but I am fortunate to have a supportive executive committee and campus community. I represent a diverse and active membership at BCC, and as a Black woman, who has struggled with the many forms of resistance people of color experience in academia, I hope that my work in the union can advance the

New union leaders at several campuses

Local, grassroots PSC chapter organizing



Lynne Turner, the new chapter chair for the PSC Graduate Center chapter, spoke at a May Day rally in 2019.

cause of greater diversity at CUNY.”

Lynne Turner, a veteran unionist, now serves as the chapter chair at the Graduate Center, replacing Luke Elliott-Negri, who remains on the PSC’s executive council.

Most recently, she advocated for her members at the CUNY Board of Trustees hearing in October, saying, “I am calling upon CUNY to provide equitable, quality health insurance through NYSHIP to tuition-only fellows at the Graduate Center per the historic agreement ratified in the 2019 contract settlement. Graduate employees teach thousands of classes across CUNY each semester. One-third of our doctoral students are tuition-only through a two-tiered funding system in which they receive no guaranteed health insurance and instead cobble together funding and health insurance on a semester-by-semester

basis through teaching adjunct, non-teaching adjunct positions and contingent fellowships.”

SEASONED ACTIVISTS

At LaGuardia Community College, former interim chapter chair Lara Beaty was elected as full-time chair. In the past, she organized against Amazon’s bid to build a headquarters near the campus in Long Island City. That bid failed. She replaces English scholar Sigmund Shen.

“I once believed that research alone would automatically lead to better practices – my research is about education and psychological development – but I quickly learned that thoughtful disagreements were the least of our problems,” she said. “I believe that collectively we can do more to make the world a kinder and more just place and that the PSC is part of a broader collective fight that helps thousands of New Yorkers have better lives.”

Beaty is on prescheduled sabbatical now, so the chapter is being led in the interim by longtime campus activist Laura Tanenbaum, who as a graduate student at New York University was part of the union effort that won graduate worker union recognition by the National Labor Relations Board. “While many parts of graduate school were alienating, organizing made me feel like I was a part of something bigger and more powerful than myself and that’s the feeling that keeps me organizing despite all the challenges,” Tanenbaum told *Clarion*.

RIISING TO CHALLENGES

“I’ve been at LaGuardia since 2007 as part of the huge English department. I love that we aren’t atomized into tiny little fiefdoms but really work together to build a real creative and intellectual home, and union work is my way of expanding

this, across all our departments and programs,” said Tanenbaum. “When I agreed to run for vice chair and step in for Lara during her sabbatical, I didn’t know what was coming. While it’s daunting to do this work while figuring out remote learning and with my small kids at home, I feel grateful to have a union at this time and to be able to play whatever useful role I can.”

Two new chapter chairs, Craig Bernardini of Hostos Community College, and John Pittman, of John Jay College, are new to their full-time roles as chapter leaders, but have previous experience leading their chapters. Bernardini and Pittman bring their track records of union leadership to their roles as chapter leaders in a perilous time, and they are working tirelessly to address ongoing issues of class size, campus safety and the threat of budget reductions looming over CUNY.

New faces on the PSC staff

By CLARION STAFF

Over the past several months, the PSC professional staff has been joined by several new people, working hard in a difficult remote environment.

Bettina Damiani became the union’s new legislative director in the spring, coming to the union after four years at The NewsGuild of New York and several years of being a worker advocate in the world of New York City politics. She has hit the ground running, organizing legislative activists within the union and pursuing ambitious lobbying goals for the PSC. She replaced Kate Pfordresher, who retired in the spring.

Denyse Procope-Gregoire became membership records coordinator this year after decades in data management. She replaced Diana Rosato, who retired this year after several decades of dedicated service to the PSC.

EXPERIENCE IN THE FIELD

Samantha Sherry became the PSC’s membership systems administrator, and is building on much of the work done by Doug Ferrari, who also retired this year after years of committed service to the membership department.

Greg Douros came aboard this year as a contract enforcement coordinator, working alongside Emma Powell and Faye Moore. He previously worked with the Service Employees International Union in Denver, and he told *Clarion* that he “spent eight years abroad in the Middle East and Asia supporting union organizing efforts and global campaigns in multiple industries, including mining, auto and hotels.”

PSC’s formidable director retires

Continued from page 8

vision to improve them have been a collective and collaborative process at PSC over the past 20 years,” Bell said. “Enforcing those gains is day in, day out work and requires persistence, confidence and doggedness, which I try to bring to the job each day, whether the task is ensuring that members are paid correctly and on time – or as on time as CUNY can do it – that time sheets do not become tools of subjugation or that faculty workload is recorded

and fully compensated. I have also worked to instill those qualities in the PSC staff, and many arrive with those qualities.”

RELIABLE RESOURCE

James Davis, Brooklyn College PSC chapter chair and executive council member, said, “Debbie was a totally reliable and accessible resource for chapter chairs. With years of experience, her institutional memory is extraordinary, and she was always willing to dig up docu-

mentation, and knew exactly where things were located despite the notorious messiness of her office. She was also a tremendous asset to the bargaining team, performing a ton of uncelebrated but necessary work, real detail-oriented stuff, pushing management with firmness and principle. More than most of us, she was able to see the current PSC as a whole and in relation to its history. I will miss her.”

The union has been conducting a national search for a new executive

director and has hired an executive staffing firm to assist in the effort.

Bell looks forward to spending time with her family, including her husband, prominent labor historian Joshua Freeman, a distinguished professor at Queens College and the Graduate Center – “From the day I met her, she was always the adult in the room,” Freeman said.

“Reading, maybe some writing – striving for broader intellectual stimulation – more time for music, art, movies, gardening and much more physical activity,” Bell said, when asked about her retirement plans. “I have many travel plans which I hope to get to some day.”

10

PSC AUDITED FINANCIAL STATEMENT

Clarion | November 2020

PROFESSIONAL STAFF CONGRESS/CUNY

FINANCIAL STATEMENTS with SUPPLEMENTAL INFORMATION

AUGUST 31, 2019 and 2018

CONTENTS

Independent Auditor's Report

Statements of Cash Flows

Statements of Financial Position

Notes to Financial Statements

Statements of Activities

Supplemental Information

Statements of Functional Expenses

Schedules of Expenses by Category

Independent Auditor's Report

To the Executive Board of Professional Staff Congress of the City University of New York

We have audited the accompanying financial statements of the Professional Staff Congress of the City University of New York (PSC/CUNY), which comprise the statements of financial position as of August 31, 2019 and 2018, and the related statements of activities, functional expenses, and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements: Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility: Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the PSC/CUNY's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the PSC/CUNY's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion: In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Professional Staff Congress of the City University of New York as of August 31, 2019 and 2018, and the changes in its net assets and cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

Change in Accounting Principle: As discussed in Note 12 to the financial statements, PSC/CUNY adopted new accounting guidance, ASU 2016-14, Not-for-Profit Entities (Topic 958): Presentation of Financial Statements of Not-for-Profit Entities. Our opinion is not modified with respect to this matter.

Report on Supplemental Information: Our audits were conducted for the purpose of forming an opinion on the financial statements as a whole. The supplemental Schedules of Expenses by Category are presented for purposes of additional analysis and are not a required part of the financial statements. Supplemental information is the responsibility of the PSC/CUNY's management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audits of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

NOVAK FRANCELLA, LLC

New York, New York, February 19, 2020

STATEMENTS OF FINANCIAL POSITION		
AUGUST 31, 2019 AND 2018		
	2019	2018
Assets		
Cash and cash equivalents	\$ 711,649	\$ 2,667,313
Investments – at fair value		
Certificates of deposit	992,000	992,000
Mutual funds	10,849,343	9,071,114
Investments – other		
Certificate of deposit	992,000	992,000
Total investments	11,841,343	10,063,114
Receivables		
Dues	125,000	357,000
Due from related entities	617,400	338,000
Due from other	90,000	–
Total receivables	832,400	695,000
Property and equipment		
Equipment	702,649	684,544
Leasehold improvements	531,860	529,641
Furniture and fixtures	341,405	340,407
	1,575,914	1,554,592
Less: accumulated depreciation	(1,416,898)	(1,366,771)
Net property and equipment	159,016	187,821
Total assets	\$ 13,544,408	\$ 13,613,248
Liabilities and Net Assets		
Current liabilities		
Accrued expenses	\$ 273,379	\$ 321,803
Accrued compensated balances	697,814	602,033
Due to related entities	1,620,215	2,140,517
Total current liabilities	2,591,408	3,064,353
Long-term liabilities		
Deferred rent	\$ 567,227	\$ 696,220
Unfunded projected pension benefit obligation	4,071,885	3,103,465
Total long-term liabilities	4,639,112	3,799,685
Total liabilities	7,230,520	6,864,038
Net assets without donor restrictions	6,313,888	6,749,210
Total liabilities and net assets	\$ 13,544,408	\$ 13,613,248

See accompanying notes to financial statements.

NOTES TO FINANCIAL STATEMENT

AUGUST 31, 2019 AND 2018

NOTE 1. ORGANIZATION AND TAX STATUS

The Professional Staff Congress of the City University of New York (PSC/CUNY) was created by a merger of the Legislative Conference of The City University of New York and the United Federation of College Teachers. It was created to be the collective bargaining representative of the instructional staff of the City University of New York (CUNY). The Professional Staff Congress of the City University of New York is a Local (Local 2334) of the American Federation of Teachers (AFT). Through the AFT, PSC/CUNY is affiliated with New York State United Teachers (NYSUT) and The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO).

The purpose of PSC/CUNY is to advance and secure the professional and economic interest of the instructional staff of the CUNY and other members of the bargaining units of PSC/CUNY. The objectives of PSC/CUNY are to negotiate and administer collective bargaining agreements; to improve the quality of education, research and scholarship at the CUNY; to cooperate with other educational, professional, and labor organizations in order to enhance the quality of education in the nation and to promote the professional and economic interests and the welfare of all workers; to serve as the public representative of the instructional staff of the CUNY and other members of the bargaining units of the Professional Staff Congress; and to cooperate with other CUNY employee and academic organizations and student bodies in order to advance the interests of the faculty, staff and students of the CUNY and the community it serves. The benefits members receive are paid for by contributions from the employer, CUNY, which are negotiated during bargaining as part of members' compensation. PSC/CUNY and its affiliated organizations have arranged for various special economic benefits for its members.

Supplemental health and welfare benefits are paid from a separate trust fund and are not included in these financial statements.

PSC/CUNY is exempt from Federal income taxes under Section 501(c)(5) of the Internal Revenue Code under a blanket exemption of the AFT.

Accounting principles generally accepted in the United States of America require management to evaluate tax positions taken by PSC/CUNY and recognize a tax liability if PSC/CUNY has taken an uncertain position that, more likely than not, would not be sustained upon examination by the

Federal, state, or local taxing authorities. PSC/CUNY is subject to routine audits by taxing jurisdictions; however, there are currently no audits for any tax periods in progress. Typically, tax years will remain open for three years; however, this may differ depending upon the circumstances of PSC/CUNY.

NOTE 2. SUMMARY OF SIGNIFICANT

ACCOUNTING POLICIES

Method of Accounting - The accompanying financial statements are prepared using the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP) for non-profit organizations. Net assets are classified as net assets without donor restrictions and with donor restrictions. Net assets are generally reported as net assets without donor restrictions unless assets are received from donors

with explicit stipulations that limit the use of the asset. PSC/CUNY does not have any net assets with donor restrictions.

Net Assets without Donor Restrictions - Net assets that are not subject to donor-imposed restrictions and may be expended for any purpose in performing the primary objectives of PSC/CUNY. These net assets may be used at the discretion of PSC/CUNY's management and the Board of Directors. Net assets without donor restrictions totaled \$6,313,888 and \$6,749,210 for the years ended August 31, 2019 and 2018, respectively.

Cash and Cash Equivalents - PSC/CUNY considers all cash and highly liquid investments, including certificates of deposit with initial maturities of three months or less, to be cash equivalents.

Investments - Investments are carried at fair value which generally represents quoted market prices, or the net asset value of the mutual funds, as of the last business day of the fiscal year as provided by the custodian or investment manager. Certificates of deposit held for investment that are not debt securities are classified as Investments - other and are carried at cost.

Property and Equipment - Property and equipment are recorded at cost. Major additions are capitalized while replacements, maintenance and repairs which do not improve or extend the lives of the respective assets are expensed currently. Depreciation is computed over the assets' estimated useful lives, three to thirty years, by the straight line method. Depreciation expense was \$50,127 for the year ended August 31, 2019 and \$69,670 for 2018.

Accrued Compensated Balances - Future employee absences that have been earned but not yet taken are accrued within the contract limits. The accrued compensated balances were \$697,814 for the year ended August 31, 2019 and \$602,033 for 2018.

Membership Dues and Dues Receivable - Membership dues are recognized as revenue over the membership period. Dues come from members through payroll deductions and direct payments. Dues receivable are recorded as revenues are recognized. PSC/CUNY has determined that no allowance for doubtful accounts for receivables is necessary as of August 31, 2019 and 2018.

Deferred Rent - Operating leases are recognized on a straight-line basis over the term of the lease. Deferred rent has been recorded for the difference between the fixed payment and the rent expense. Deferred rent was \$567,227 for the year ended August 31, 2019 and \$696,220 for 2018.

Estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect reported amounts and disclosures in the financial statements. Actual results could differ from those estimates.

NOTE 3. CONCENTRATION OF CASH

PSC/CUNY places its cash and certificates of deposit with financial institutions deemed to be creditworthy. The balances are insured by the Federal Deposit Insurance Corporation (FDIC) up to \$250,000. Cash balances and certificates of deposits may at times exceed the insured deposit limits. As of August 31, 2019, PSC/CUNY's cash and certificates of deposit in excess of FDIC coverage totaled \$461,650 and \$742,000, respectively.

STATEMENTS OF FUNCTIONAL EXPENSES						
YEARS ENDED AUGUST 31, 2019 AND 2018						
	2019			2018		
	Total	Member Services	Support Services	Total	Member Services	Support Services
Affiliation fees	\$ 9,934,737	\$ 9,934,737	\$ -	\$ 11,036,031	\$ 11,036,031	\$ -
Salaries, employee benefits and payroll taxes	5,519,277	2,298,823	3,220,454	5,477,311	2,182,086	3,295,225
Representational and governance	146,542	146,542	-	192,898	192,898	-
Public relations	154,877	154,877	-	167,447	167,447	-
Building expenses	1,401,783	583,843	817,940	1,404,396	559,511	844,885
Administrative, office and general	420,801	124,297	296,504	430,749	120,541	310,208
Professional fees	461,140	461,140	-	610,768	610,768	-
Contract and budget campaigns	759,168	759,168	-	112,855	112,855	-
Stipends and reassigned time	505,851	505,851	-	511,272	511,272	-
Depreciation expense	50,127	-	50,127	69,670	-	69,670
Membership campaign	31,707	31,707	-	106,302	106,302	-
Total expenses	\$ 19,386,010	\$ 15,000,985	\$ 4,385,025	\$ 20,119,699	\$ 15,599,711	\$ 4,519,988

STATEMENTS OF ACTIVITIES

YEARS ENDED AUGUST 31, 2019 AND 2018

	2019	2018
Revenue		
Membership dues	\$ 15,109,810	\$ 16,257,484
Organizing assistance	3,546,488	4,035,091
Investment income, net	802,753	241,411
Rental income	260,616	238,914
Total revenue	19,719,667	20,772,900
Expenses		
Affiliation fees	9,934,737	11,036,031
Salaries, employee benefits, and payroll taxes	5,519,277	5,477,311
Representational and governance	146,542	192,898
Public relations	154,877	167,447
Building expenses	1,401,783	1,404,396
Administrative, office and general	420,801	430,749
Professional fees	461,140	610,768
Contract & budget campaigns	759,168	112,855
Stipends and reassigned time	505,851	511,272
Depreciation expense	50,127	69,670
Membership campaign	31,707	106,302
Total expenses	19,386,010	20,119,699
Net increase in net assets	333,657	653,201
Net assets without donor restrictions		
Beginning of year	6,749,210	5,824,266
Adjustment to pension liability funded status	(768,979)	271,743
End of year	\$ 6,313,888	\$ 6,749,210

See accompanying notes to financial statements.

STATEMENTS OF CASH FLOWS

YEARS ENDED AUGUST 31, 2019 AND 2018

	2019	2018
Cash flows from operating activities		
Change in net assets	\$ 333,657	653,201
Adjustments to reconcile change in net assets to net cash provided by operating activities		
Depreciation	(502,569)	(27,265)
Net realized and unrealized (gains) losses	(27,265)	(110,071)
Pension liability funded status	(768,979)	271,743
Decrease (increase) in assets:		
Dues receivable	232,000	367,000
Due from related entities	(279,400)	189,884
Increase (decrease) in liabilities:		
Accrued expenses	(48,424)	(7,187)
Accrued compensated absences	95,781	(29,803)
Due to related entities	(520,302)	355,467
Unfunded pension liability	968,420	(60,784)
Deferred rent	(128,993)	(104,495)
Net cash provided by (used for) operating activities	(658,682)	1,677,431
Cash flows from investing activities		
Purchase of property and equipment	(21,322)	(1,516))
Purchase of certificates of deposit	(298,000)	(198,000)
Liquidation of certificates of deposit	298,000	198,000
Sale of investments	23,699	21,651
Purchase of investments	(1,299,359)	(1,215,126)
Net cash used for investing activities	(1,296,982)	(1,194,991)
Net (decrease) increase in cash	(1,955,664)	482,440
Cash and cash equivalents		
Beginning of year	2,667,313	2,184,873
End of year	\$ 711,649	2,667,313

See accompanying notes to financial statements.

ments measured at fair value at August 31, 2019 and 2018:

Fair Value Measurements at August 31, 2019				
	Total	Level 1	Level 2	Level 3
Mutual funds	\$ 10,849,343	\$ 10,849,343	\$ -	
Investments at fair value	<u>\$ 10,849,343</u>	<u>\$ 10,849,343</u>	<u>\$ -</u>	

Fair Value Measurements at August 31, 2018				
	Total	Level 1	Level 2	Level 3
Mutual funds	\$ 9,071,114	\$ 9,071,114	\$ -	
Investments at fair value	<u>\$ 9,071,114</u>	<u>\$ 9,071,114</u>	<u>\$ -</u>	

* PSC/CUNY has corrected the presentation of certificates of deposits within its portfolio investment fair value classification disclosure for 2018. The certificates of deposit were previously presented as Level 1 investments and now have been presented as investment- other.

PSC/CUNY contributes to the Professional Staff Congress/CUNY Pension Plan (the Plan), a single employer plan covering professional and management employees who meet age and service requirements. Contributions are actuarially determined.

NOTE 6. SINGLE-EMPLOYER PENSION PLAN

The Professional Staff Congress of the City University of New York Pension Plan is a defined benefit plan paying 2.2% of Final Average Compensation for each year of service, up to 25 years. Final Average Compensation is the average compensation over the last highest 5 consecutive years (or highest 60 months) of service. Plan assets do not include any securities of the employer or related entities. No amount of future annual benefits of plan participants is covered by insurance contracts. There were no significant transactions between the PSC/CUNY or related parties and the Plan during the years ended August 31, 2019 and 2018.

The following are the balances as of or for the years ended August 31, 2019 and 2018 as provided by the Plan's actuary:

	2019	2018
Projected benefit obligation	\$ (9,038,340)	\$ (7,413,308)
Fair value of plan assets	<u>4,966,455</u>	<u>4,309,843</u>
Funded status	<u>\$ (4,071,885)</u>	<u>\$ (3,103,465)</u>
Accumulated benefit obligation	<u>\$ (1,797,367)</u>	<u>\$ (1,597,926)</u>
Amounts recognized in the statement of financial position:		
Noncurrent liabilities	\$ (4,071,885)	\$ (3,103,465)
Amounts in net assets not recognized as components of net periodic benefit cost:		
Accumulated net gain or (loss)	(2,274,518)	(1,505,539)
Weighted-average assumptions:		
Discount rate (to discount plan benefit obligations)	2.85%	4.00%
Discount rate (to measure net periodic pension cost)	4.00%	3.60%
Expected return on plan assets	7.00%	7.00%
Rate of compensation increase	4.00%	4.00%
Employer contributions	<u>\$ 431,047</u>	<u>\$ 388,000</u>
Benefits paid	<u>\$ 60,355</u>	<u>\$ 112,653</u>
Net periodic pension cost	<u>\$ 584,418</u>	<u>\$ 550,574</u>

The change in unfunded pension benefit obligations consists of the following:

	2019	2018
Net periodic pension cost	\$ 584,418	\$ 550,574
Add: Administrative expenses	46,070	48,385
Less: Employer remittances	<u>(431,047)</u>	<u>(388,000)</u>
	199,441	210,959
Increase (decrease) in unrecognized accumulated net gain or loss		
	<u>(768,979)</u>	<u>(271,743)</u>
	<u>\$ (968,420)</u>	<u>\$ (60,784)</u>

In 2019 and 2018, PSC/CUNY has recorded a loss of \$768,979 and a gain of \$271,743, respectively, to its net assets for the additional change in accrued pension payable beyond the current-year pension expense.

The Plan's expected long-term rate of return on assets assumption is 7.00%. This assumption represents the rate of return on Plan assets reflecting the average rate of earnings expected on the funds invested or to be invested to provide for the benefits included in the benefit obligation.

The assumption has been determined by reflecting expectations regarding future rates of return for the investment portfolio, with consideration given to the distribution of investments by asset class and historical rates of return for each individual asset class.

For the years ended August 31, 2019 and 2018, there were no transfers in or out of levels 1, 2 and 3.

The following tables set forth, by level within the fair value hierarchy, the major categories of Plan investments measured at fair value and the allocation of the Plan's net assets available for benefits at August 31, 2019 and 2018:

SEE TABLE 1

PSC/CUNY's investment policies are designed to ensure that adequate plan assets are available to provide future payments of pension benefits to eligible participants. Taking into account the expected long-term rate of return on plan assets, PSC/CUNY formulates the investment portfolio composed of the optimal combination of cash and cash equivalents, equities, fixed income and mutual funds.

Future Cash Flows

The projected contribution for next fiscal year is \$420,000.

The following benefit payments, which reflect expected future service, are expected to be paid as follows:

TABLE 1 Fair Value Measurements at August 31, 2019					
	Total	Level 1	Level 2	Level 3	
Cash & cash equivalents	3.77%	\$ 187,311	\$ 187,311	\$ -	\$ -
Equities	38.83%	1,928,229	1,928,229	-	-
U.S. Government & Government Agency obligations	35.62%	1,769,203	1,684,280	84,923	-
Mutual funds	21.78%	1,081,712	1,081,712	-	-
	<u>100.00%</u>	<u>\$ 4,966,455</u>	<u>\$ 4,881,532</u>	<u>\$ 84,923</u>	<u>\$ -</u>

Fair Value Measurements at August 31, 2018					
	Total	Level 1	Level 2	Level 3	
Cash & cash equivalents	5.78%	\$ 249,143	\$ 249,143	\$ -	\$ -
Equities	44.71%	1,926,828	1,926,828	-	-
U.S. Government & Government Agency obligations	27.87%	1,201,126	1,106,839	94,287	-
Mutual funds	21.64%	932,746	932,746	-	-
	<u>100.00%</u>	<u>\$ 4,309,843</u>	<u>\$ 4,215,556</u>	<u>\$ 94,287</u>	<u>\$ -</u>

	2020	\$ 162,179
	2021	186,212
	2022	183,360
	2023	181,066
	2024	179,397
	2025 - 2029	944,128

NOTE 7. MULTIEMPLOYER DEFINED BENEFIT PENSION PLAN

PSC/CUNY participates in the Office and Professional Employees International Union, Local 153 Pension Fund, a multiemployer defined benefit pension plan, under the terms of a collective bargaining agreement that covers its union-represented employees who meet age and service requirements. The risks of participating in multiemployer defined benefit pension plans are different from single-employer plans in the following aspects:

- Assets contributed to the multiemployer defined benefit pension plan by one employer may be used to provide benefits to employees of other participating employers.
- If a participating employer stops contributing to the multiemployer defined benefit pension plan, the unfunded obligations of the multiemployer defined benefit pension plan may be borne by the remaining participating employers.
- If the Plan chooses to stop participating in the multiemployer defined benefit pension plan, the Plan may be required to pay the multiemployer defined benefit pension plan an amount based on the underfunded status of the multiemployer defined benefit pension plan, referred to as a withdrawal liability.

PSC/CUNY's participation in the multiemployer defined benefit pension plan for the annual periods ended August 31, 2019 and 2018, is outlined in the table below. The zone status is based on information that PSC/CUNY received from the multiemployer defined benefit pension plan and is certified by the multiemployer defined benefit pension plan's actuary. Among other factors, pension plans in the red zone are generally less than 65 percent funded, pension plans in the yellow zone are less than 80 percent funded, and pension plans in the green zone are at least 80 percent funded.

SEE TABLE 2

* PSC/CUNY participates in the Local 153 Pension Fund through a collective bargaining agreement between PSC/CUNY and the Office & Professional Employees International Union, Local 153 AFL-CIO (Local 153). The collective bargaining agreement has a three year term of October 1, 2018 through September 30, 2021.

SEE TABLE 3

* The employer contribution rate of the Pension Plan was \$267 per week per employee effective June 1, 2019, and \$260 effective June 1, 2018.

SEE TABLE 4

NOTE 8. MULTIEMPLOYER PLAN THAT PROVIDES POSTRETIREMENT BENEFITS OTHER THAN PENSIONS

PSC/CUNY contributed to one multiemployer defined benefit health and welfare plan during the years ended August 31, 2018 and 2017 that provides postretirement benefits for its full-time support staff employees. PSC/CUNY's contributions to the welfare plan on behalf of its full-time support staff employees, contribution rates, and number of employees covered were as follows:

SEE TABLE 5

*Under a collective bargaining agreement between Local 153 and PSC/CUNY, PSC/CUNY established coverage through an insured Preferred Provider Organization Plan to provide medical, dental and prescription benefits. PSC/CUNY contributed \$66 per month to Local 153 Health Fund per active employee and \$8 per month per retiree under a collective bargaining agreement between Local 153 and PSC/CUNY to provide supplement benefits for life insurance coverage and vision benefits.

NOTE 9. RELATED PARTY TRANSACTIONS

Identification of Related Organizations

PSC/CUNY has the following related entities:

- American Federation of Teachers (AFT)
- New York State United Teachers (NYSUT)
- Professional Staff Congress of the City University of New York Welfare Fund
- The American Association of University Professors (AAUP)

The entities listed above share common trustees, officers or affiliation with PSC/CUNY.

PSC/CUNY is affiliated with New York State United Teachers (NYSUT) and the American Federation of Teachers (AFT) through arrangements whereby PSC/CUNY pays dues to each entity in order for its members to participate in affiliated programs and, in turn, is reimbursed for various expenses, including reimbursements for meetings, organizing, legislative representation, training programs, and arbitration.

Dues paid to NYSUT for the years ended August 31, 2019 and 2018 were \$6,463,851 and \$7,177,294, respectively. As of August 31, 2019 and 2018, PSC/CUNY owed NYSUT \$1,069,000 and \$1,407,543, respectively for dues. Dues paid to AFT for the years ended August 31, 2019 and 2018 were \$3,147,839 and \$3,528,480, respectively. As of August 31, 2019 and 2018, PSC/CUNY owed AFT \$542,000 and \$724,924, respectively for dues.

Reimbursements from NYSUT for the years ended August 31, 2019 and 2018 were \$3,282,000 and \$3,749,590, respectively. As of August 31, 2019 and 2018, NYSUT owed PSC/CUNY \$521,000 and \$303,000, respectively. Reimbursements from AFT for the years ended August 31, 2019 and 2018 were \$264,398 and \$285,501, respectively. As of August 31, 2019 and 2018, AFT owed PSC/CUNY \$88,000 and \$35,000, respectively.

PSC/CUNY pays NYSUT a monthly fee for dues processing. Dues processing fees totaled \$72,600 for the years ended August 31, 2019 and 2018. As of August 31, 2019 and 2018, PSC/CUNY owed NYSUT \$6,050 for dues processing.

PSC/CUNY reimburses the Welfare Fund for shared computer services. PSC/CUNY's portion of shared computer expenses totaled \$38,978 and \$34,575 for the years ended August 31, 2019 and 2018, respectively. As of August 31, 2019 and 2018, PSC/CUNY owed the Welfare Fund \$3,165 and \$2,000, respectively for shared computer services. As of August 31, 2019, the Welfare Fund owed PSC/CUNY \$5,400 in consulting fees related to office construction.

Office Space Leases

PSC/CUNY leases office space from 61 Broadway Owner, LLC (the Realty Corp). On September 30, 2005, PSC/CUNY entered into a sixteen year lease with the Realty Corp for Suites 1500 and 1615 of the 61 Broadway building. The lease was amended on August 4, 2009 and May 17, 2012 to include Suites 1630 and 1610, respectively. The leases, all which expire on August 31, 2022, are classified as operating leases and provide for minimum annual rentals, plus certain additional expense escalations and utility charges. Per the agreement, PSC/CUNY is also responsible for its portion of real estate taxes.

The minimum annual future rental payments under the three leases are summarized as follows: Year ending August 31,

	2020	\$ 1,247,967
	2021	1,282,830
	2022	1,309,149
Total		<u>\$ 3,839,946</u>

Rent including utilities and maintenance was \$1,189,874 for the year ended August 31, 2019 and \$1,182,644 for 2018.

PSC/CUNY subleases office space to the Professional Staff Congress of the City University of New York Welfare Fund, a related party. The Welfare Fund pays PSC/CUNY a sum equal to 23.90% of the lease of Suite 1500. The sublease expires on August 31, 2022.

The minimum annual future rental income under the sublease with the related party is summarized as follows: Year ending August 31,

	2020	\$ 212,300
	2021	216,546
	2022	220,877
Total		<u>\$ 649,723</u>

Total rental income for the years ended August 31, 2018 and 2017 was \$238,914 and \$237,402, respectively.

NOTE 10. LITIGATION

Certain claims, suits, and complaints arising in the ordinary course of business have been filed or are pending against PSC/CUNY.

On October 24, 2018, a non-member filed a lawsuit against PSC/CUNY along with several of its affiliates, as a class action suit. The claim arises from PSC/CUNY's collection of agency fees of which the non-member is seeking an order from the court directing a refund, along with interest, damages, and reasonable attorney fees and costs. The complaint does not specify a dollar amount sought. The plaintiffs filed an amended complaint of April 12, 2019. PSC/CUNY and its affiliates in the suit are parties to a joint defense agreement and moved to dismiss the claim. In an Opinion and Order dated January 3, 2020, the Judge granted the motion to dismiss and issued a judgment dismissing the case on January 10, 2020. The plaintiffs filed a notice of appeal with the U.S. Court of Appeals for the Second Circuit on February 5, 2020. The appeal has been assigned docket number 10-460.

NOTE 11. CHANGE IN ACCOUNTING PRINCIPLE

In August 2016, FASB issued ASU 2016-14, Not-for-Profit Entities (Topic 958): Presentation of Financial Statements of Not-for-Profit Entities. The update addresses the complexity and understandability of net asset classification, deficiencies in information about liquidity and avail-

TABLE 2

Legal Name of Pension Plan	Pension Plan's Employer Identification Number	Pension Plan's Plan Number	Pension Protection Act Zone Status				Expiration Date of Collective Bargaining Agreement
			Zone Status	Extended Amortization Provisions Used?	Zone Status	Extended Amortization Provisions Used?	
Local 153 Pension Fund	13-2864289	001	Red as of 01/01/19	No	Red as of 01/01/18	No	*

TABLE 3

Legal Name of Pension Plan	Contributions paid by the Plan directly to the Pension Plan		Contributions to the Pension Plan greater than 5% of total Pension Plan contributions (Plan year ending)		Employer Contribution Rate of the Pension Plan		Number of Employees Covered by the Pension Plan for which the Plan contributes directly to the Pension Plan	
	8/31/2019	8/31/2018			8/31/2019	8/31/2018	8/31/2019	8/31/2018
Local 153 Pension Fund	\$ 126,844	\$ 128,412	No, Plan year ending 8/31/19.	No, Plan year ending 8/31/18.	*	*	10	10

TABLE 4

Legal Name of Pension Plan	Funding Improvement Plan or Rehabilitation Plan Implemented or Pending?	Surcharge paid to Pension Plan by the Benefit Funds?	Minimum contributions required in future by CBA, statutory requirements, or other contractual requirements?	
			No?	If yes, description
Local 153 Pension Fund	Rehabilitation Plan Implemented	Yes	No	N/A

TABLE 5

Legal Name of Plan providing postretirement benefits other than pension	Contributions to Plan		Employer contribution rates		Number of employees covered by Plan	
	8/31/2019	8/31/2018	8/31/2019	8/31/2018	8/31/2019	8/31/2018
Local 153 Health Fund	\$ 9,440	\$ 10,246	*	*	16	17

ability of resources, and the lack of consistency in the type of information provided about expenses and investment return. PSC/CUNY has adjusted the presentation of these statements accordingly. The ASU has been applied retrospectively.

NOTE 12. SUBSEQUENT EVENTS

PSC/CUNY has evaluated subsequent events through February 19, 2020, the date the financial statements were available to be issued, and they have been evaluated in accordance with relevant accounting standards.

SUPPLEMENTAL INFORMATION SCHEDULES OF EXPENSES BY CATEGORY YEARS ENDED AUGUST 31, 2019 AND 2018

	2019	2018
Affiliation fees		
New York State United Teachers	\$ 6,463,851	\$ 7,177,294
American Federation of Teachers	3,147,839	3,528,480
The American Association of University Professors	256,333	260,500
Municipal Labor Committee	36,464	33,220
Other	<u>30,250</u>	<u>36,537</u>
	<u>9,934,737</u>	<u>11,036,031</u>

Salaries, employee benefits, and payroll taxes		
Salaries	3,512,710	3,586,257
Payroll taxes	264,845	279,832
Health benefit expense	937,222	845,657
Pension benefit expense	757,332	727,371
Other	<u>47,168</u>	<u>38,194</u>
	<u>5,519,277</u>	<u>5,477,311</u>

Representational and governance		
Conferences and conventions	112,429	105,773
Elections	27,572	82,723
Committees	<u>6,541</u>	<u>4,402</u>
	<u>146,542</u>	<u>192,898</u>

Public relations		
Mobilization and outreach	123,648	129,589
Community relations	26,851	32,306
Cultural activities	<u>4,378</u>	<u>5,552</u>
	<u>154,877</u>	<u>167,447</u>

Building expenses		
Rent and services	1,189,874	1,182,644
Real estate taxes	126,794	120,935
Repairs and maintenance	<u>85,115</u>	<u>100,817</u>
	<u>1,401,783</u>	<u>1,404,396</u>

Administrative, office and general		
Office	\$ 262,870	\$ 264,331
Postage	30,542	31,498
Insurance	49,769	55,585
Dues processing	72,600	72,600
Other	<u>5,020</u>	<u>6,735</u>
	<u>420,801</u>	<u>430,749</u>

Professional fees		
Legal	176,065	246,036
Consulting	139,457	237,312
Accounting and auditing	34,600	37,100
Computer	<u>111,018</u>	<u>90,320</u>
	<u>461,140</u>	<u>610,768</u>

Contract and budget campaigns		
	759,168	112,855

Stipends and reassigned time		
	505,851	511,272

Depreciation expense		
	50,127	69,670

Membership campaign		
	31,707	106,302

Total expenses		
	<u>\$19,386,010</u>	<u>\$ 20,119,699</u>

See accompanying notes to financial statements.



15-MINUTE ACTIVIST

Sign the class-size petition

Class size is on the rise across CUNY. The union has filed grievances to fight back against the class-size increases. The PSC is demanding that CUNY bargain over the impact of these increases during the pandemic. The reality of online learning is that it requires more work – not less. More and more students packed into a remote class adds to the workload of the faculty member teaching classes. It also impacts HEOs and CLTs who help set up the labs and support student needs. Let CUNY administration know that increasing class size shortchanges students, and it further impersonalizes remote learning. Sign the petition: tinyurl.com/class-size-petition.

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PRESIDENT'S MESSAGE

Saving lives, jobs and CUNY

By **BARBARA BOWEN**
PSC President

The experience of the past months has made it clear to PSC leaders and activists that we will need to work in a new, strategic, union-wide way if we are to be able to protect our interests and our members in the continuing pandemic crisis. It is still a fight to save lives, save jobs and save CUNY. It's also a fight for the integrity of our profession and the education of our students. As always at CUNY, the struggle boils down to an effort to prevail against the political and economic interests that keep CUNY poor because those interests do not want our students – our black and brown and working-class and poor students – to thrive.

For many of us, the past seven months have been a time of unremitting stress, whether because of illness, anxiety, rage or a massive increase in workload. By calling us to action, the PSC offers an alternative.

I see two primary threats that could demand swift, union-wide action.

THE 20%

First, New York State could turn the current 20% “withholding” of funds into a permanent cut, and it could enact even bigger cuts. The City, also contending with a huge budget hole that it has failed to address with energy, could deliver a cut to community colleges. CUNY management could attempt to impose even deeper cuts in programs, resources and positions than we have already endured. Earlier this year both the City and the State moved to delay collectively bargained back pay and contractual raises for other public-sector unions. In past years the PSC has fought back – and won – against an attempt by New York State to impose furloughs. We may have to fight again. My point is not that we should get scared, but that we should get organized.

At an extreme, the CUNY trustees could declare financial exigency and invoke the policies of retrenchment. Retrenchment is strictly regulated with guidelines, time-frames and contractual protections, but at its most severe it allows the trustees to abolish departments and jobs. I want to be clear: I have not heard a single public or private discussion about imposing retrenchment. My



PSC President Barbara Bowen, left, spoke at a rally at Hunter College Campus Schools.

own sense is that the City, State and CUNY will do a lot to avoid it. But the CUNY administration and trustees have already made it abundantly clear that they will not stand up against budgetary pressure. They laid off thousands of adjuncts even before cuts were imposed. We cannot count on them if the State and City try to gouge CUNY's budget.

The second threat is about reopening. The current CUNY administration has repeatedly violated its own inadequate reopening plans and has now taken the position that the union does not have the right to bring independent safety inspectors onto campus if we believe that a building may not be safe. The extraordinary teachers at the Hunter Campus K-12 Schools represented by the PSC were on the brink of a strike before management finally relented and allowed an inspection. If CUNY management decides that some segment of PSC members must return to campus and we believe that our health and our lives may be at stake, PSC members may need to be prepared to take action on a greater scale than we did at Hunter.

The union's response to the threats we have identified is to get organized – in two ways. First, through sharp, immediate campaigns – against increases in class size, unsafe buildings and New York's failure to

impose fair taxes on the ultra-rich. Second, by preparing to take more militant and potentially disruptive union-wide action, including preparing for a strike authorization vote, if that is the only way to prevent devastating cuts, massive workload increases or unsafe conditions. The PSC cannot wait until disastrous changes are upon us to start organizing. If members are called back to work in conditions that threaten their lives or New York State demands even more severe cuts, we cannot start then to discuss with each other what action is needed and whether we are willing to take it. We have to start now – and hundreds of PSC activists have already begun.

TALKING TO MEMBERS

Union activists have already conducted more than 3,000 individual organizing conversations with colleagues to begin to build the network of mutual support we need. I am asking you to join them. The key to winning in any collective workplace action, especially actions that involve sacrifice or risk, is knowing where your coworkers stand. We are only as powerful as we are united. That's why the PSC has organized to hold systematic conversations with every union member to assess where they stand

and urge them to be ready to stand up for each other.

I hope that PSC members are not put in a position where every other tactic we have tried – litigating, media campaigns, legislation, mass demonstrations, collective bargaining and more – is still not enough to save lives, save jobs and save CUNY. But if we are in that position, the union cannot rely on waiting, pressuring and hoping. We need to be ready. We need to have done the strategic planning and honest assessment a job action requires. We need to be in a position to consider using labor's unique power to withhold our work.

IT IS UP TO US

One thing PSC members know already is that we cannot count on the CUNY administration under Chancellor Matos Rodriguez to demand an alternative to austerity. We have to count on ourselves, together with our allies among student groups, labor, and our political and community organizations. If we ever needed proof of whether we could count on management to defend us, we have it now. Despite their blandishments about how much they value the faculty, staff and students, CUNY managers during this crisis have delivered cuts instead of resistance.

There is an alternative. A CUNY administration could demand publicly that the university serving the communities hardest hit by the pandemic and its economic aftermath should see increased investment, not cuts. It could stop romanticizing scarcity and start offering a vision for what CUNY students need. In the Great Depression, CUNY built or established three new colleges. Now, we find Chancellor Matos Rodriguez imposing punishing cuts on the senior colleges even before the reductions are demanded by the State. We find CUNY management refusing to spend even a small portion of the millions of dollars in federal CARES Act money CUNY received to sustain adjunct jobs – despite the provision in the law that mandates keeping university employees on payroll. This is not an administration that can be counted on to resist austerity – or to keep our workplaces safe.

The resistance has to come from us. We have to organize ourselves to protect our safety in the workplace, to defeat budget cuts, to save our colleagues' jobs and even our own. If we organize ourselves, others will join us. Right now, as we anticipate the results from a turbulent presidential election, as millions of people have put their lives on the line to demand an end to racism and working people are taking the brunt of this crisis, there are also new possibilities for resistance and change. If PSC members can work with each other to develop collective power, we can be part of that change. It's worth everything we've got to try.

Members fighting against austerity