



Dave Sanders

BOARD VOTE

A BETTER CUNY BUDGET

The CUNY Board of Trustees approve an ambitious budget request for the university. It's a great start to the budget process, but the PSC and CUNY students believe more can be done, like passing the New Deal for CUNY.

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RETIREES

Judge delays MA+ deadline

Oct. 31 opt-out deadline for city retirees' new Medicare Advantage plan is struck down, and the fight against the privatized plan continues.

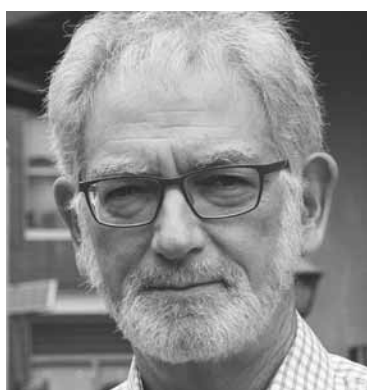
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COVID-19

A case for more testing

An environmental sciences expert at Queens College warns CUNY's weekly COVID-19 testing system for employees is inadequate.

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ORGANIZING

Unsafe work spaces

Members at Bronx Community College organize to alert the administration about mold and lack of ventilation at a campus building.

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VISION

PSC's strategic action plan

President James Davis explains the union's carefully crafted plan, focusing on CUNY Central, Albany, City Hall and the next contract.

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

Retiree health fiasco

● The last column of “The history of the retiree health-care change” (*Clarion*, October 2021) is full of misinformation and propaganda from the “Alliance” of the city and Municipal Labor Committee (MLC).

There is nothing “unique” about this Medicare Advantage plan: it’s a PPO plan filled with co-pays and requirements for prior approvals for any procedure or treatment that is likely to be expensive. It will not maintain, much less enhance, members’ health care. It is well documented that, when members of Medicare Advantage plans get really sick, they flee back to Medicare.

The federal subsidy to the Alliance is not the “key” to the plan, nor likely to be significant. It won’t be known what the subsidy will be for a year. The average subsidy to Medicare Advantage plans nationally are just 4% of what the federal government spends on recipients of traditional Medicare, not the 17% claimed by the MLC in its message to the member unions in July.

Because the subsidy will be small, and their overhead and profits are large, the Alliance will have about 24% less to spend on retiree health care than is now spent under Medicare with city-funded senior care. And the “promise by private insurers that they could provide better care for less money” that was cited in the article has absolutely no basis in fact, as I thought everyone recognized by now. They’re not doctors who provide care; they’re profit-making insurance companies that just pay for it. Even when they’re nominally nonprofit, like EmblemHealth, they behave just like for-profit companies; the CEO of EmblemHealth is paid \$3 million per year.

The insurers don’t get a “rebate” from Medicare. They receive a standard Medicare payment for each member as an average annual per-capita payment, plus the 4% subsidy referred to above. The city is reportedly paying them \$7.50 per member for 2022 under the as-yet-undisclosed contract. Since the average Medicare payment per person in New York State is about \$12,000 per year, this 0.06% payment hardly qualifies as a “subsidy” (though it may act as a fig leaf to cover the fact that this plan is not, in any real sense, a “city plan”).

The NYC Medicare Advantage Plus (MA+) plan is premium-free. So are other, possibly better, Medicare Advantage plans. Having \$0 premium is not a unique feature of this plan; it is standard for Medicare Advantage plans.

The city is saving \$600 million, Empire and Emblem will make a lot of money, and retirees will pay the price.

Leonard Goldberg
Queens College
Retired

No to bullying

● The PSC Anti-Bullying Committee engaged in a very exciting month of virtual events in October, where we raised awareness about bullying, spoke about bullying prevention and gave guidance about how to address bullying. Essentially, these workshops, sessions and presentations have only scratched the surface of trying to really address the CUNY culture of bullying in the workplace. The idea is to shift the CUNY workplace culture so that bullying is perceived as absolutely unacceptable in our workplaces.

We are continuing to plan events for the Fall and Spring. The set of events in the Fall semester include: a Workshop on Handling Disagreements on November 8; book group meetings on November 15, 22, 29 and December 13, 20; and a Workshop on Communicating in the CUNY Workplace on December 6.

Our focus is to nurture a workplace environment that is respectful and free from discrimination, harassment and bullying.

The book group will discuss the book, “Bully Free at Work: What You Can Do to Stop Workplace Bullying Now!” by Valerie Cade. We will discuss how to recognize bullying, the effects of workplace bullying, and how to address bullying and empower ourselves. We are looking forward to seeing you at these events, and for you to join the book group as you will find this very informative. Please check the website www.psc-cuny.org/issues/anti-bullying.

Clara Wajngurt
Queensborough Community College

Thinking about strikes

● I have been an adjunct on and off at CUNY for 22 years. While adjuncts have made some improvements in our working conditions over the last two decades, we have fallen short of winning the biggest, most important gains we have sought. Being an adjunct in 2021 is not fundamentally different from being an adjunct in 1999. We are still contingent workers who are subject to low pay and chronic job insecurity.

I am also a freelance musician and a member of another labor union made up largely of contingent workers, the American Federation of Mu-

sicians, Local 802. My involvement in Local 802 has taught me that the power of a union comes directly from its members’ capacity to withhold their labor to negotiate for better pay and working conditions. It has taught me that strikes work, and that a strike is the greatest leverage workers have to create life-altering change.

The Taylor Law prohibits public employees from striking, depriving us of our most powerful tool for change. The workers of the PSC have never gone on strike, which means that the PSC has developed no first-hand institutional knowledge about how the capacity to strike is so crucial to building union power.

Instead, we have focused on becoming political insiders, imagining that our union’s power comes not from its workers, but from its abil-

ity to influence politicians through lobbying, political action committees and campaign endorsements.

But the political insider approach to building power has not worked. That is why adjuncts have only seen modest improvements in our working conditions over the last two decades. That is why hundreds of adjuncts lost their jobs and health insurance in the middle of a pandemic, and why management felt that it could withhold our contractually mandated raises with impunity for nearly a year.

If the no-strike clause is what’s getting in our way, let’s work to repeal it. If we have the political clout in Albany to pass the multibillion dollar New Deal for CUNY, we should be able to strike a few sentences from Section 210 of the Taylor Law.

We have a year and a half to organize and build real power for our union before our next contract. Let’s get to work.

Scott Ethier
LaGuardia Community College

All out on Dec. 11!

PSC members, students and CUNY allies will march in Queens for a people’s budget with game-changing state investments in a people’s university. After years of racialized austerity for the public college students of New York City, the Black and brown communities served by CUNY are waiting for Albany to finally put their needs first. It’s time for a budget that’s worthy of CUNY’s mission. Time to end the faculty and staff shortages, the adjunct exploitation and the tuition hikes.

**Saturday, December 11,
11:00 am**

**LaGuardia Community
College, 31–10
Thomson Ave, Queens**

Give to COPE for PSC power

By **SHOMIAL AHMAD**

Member contributions to PSC/CUNY COPE, the union’s political action committee (PAC) fund, enhance the PSC’s political power and clout. Strategic deployment of these resources were an important part of the breakthrough last budget cycle, when then-Governor Andrew Cuomo’s proposed cuts were reversed and new money came into the system through an increase to the maximum TAP award. This year funds were used to support endorsed city candidates, and now the majority of the 50 candidates endorsed by the PSC are headed to city council, borough president seats and citywide office with PSC support.

CHOOSING CANDIDATES

“As part of the legislative committee arm of the PSC, [VOTE-COPE] supports the engagement, interviewing and endorsement of potential political candidates. We seek to understand their positions on issues central to the PSC’s progressive agenda, and the Legislative Committee decides whether to recommend endorsement,” said Renée Freeman-Butler, the union’s PSC/CUNY COPE coordinator.

During Membership Week, starting November 15, the union will be

organizing to get more members to voluntarily contribute. Contributions to COPE are separate from union dues. Nearly 1,100 members already give to the fund, and the union hopes that 20 more members at each campus will sign up. A stronger fund will get more CUNY advocates into office and help them stay there.

“Having one-on-one conversations with members about VOTE-COPE is an important organizing tool, compelling us to explain our political program to thousands of members and invite them to participate in and shape it,” said Luke Elliott-Negri, the PSC legislative representative. “Just this year, the political terrain in New York has changed drastically. There is an opportunity in the near term to win big, structural changes to the CUNY funding model. VOTE-COPE is an essential tool to take advantage of the moment.”

In PSC’s organizing plan (see page 7, “PSC’s Plan for #APeoples-CUNY,” by PSC President James Davis) to build power both at the workplace and for funding CUNY, COPE contributions are essential. These funds help build awareness and support for the New Deal for CUNY and sharpen our union’s in-

fluence with key decision-makers. Contributions also support political allies who advocate for increases in CUNY funding for contractual raises, other contract gains and to support public higher education. COPE funds are focused on endorsing and getting candidates into office who align with the union’s goals; it focuses on the electoral – not legislative – process.

MAKING A DIFFERENCE

Along with the PSC’s state and national affiliates, NYSUT and AFT, contributions help secure policy on the state and federal levels to reverse the defunding of public education and secure a progressive agenda on labor rights and social justice.

Contributions are voluntary and are not required as part of union membership. Members can sign up for payroll deductions to contribute to the fund at psc-cuny.org/cope.

Freeman-Butler said, “VOTE-COPE is making a difference by coordinating the voluntary contributions of members to give voice and shape perspectives influencing candidates to support higher education, our students, the University and our members.”

**Members
can shape
local
politics.**

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Editor: Ari Paul / Associate Editor: Shomial Ahmad / Designer: Margarita Aguilar / Copy Editors: Teri Duerr, Matthew Schlecht
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Trustees approve CUNY budget ask

By ARI PAUL

In October, CUNY Central administration released its initial budget request. For the last decade under Governor Andrew Cuomo, the annual autumn ritual has been for CUNY Central to put forth a bare-bones austerity budget request that left the union and its community allies to shoulder the burden of the fair funding fight in Albany and New York City Hall.

This year, however, with a new administration in Albany and mayor-elect Eric Adams, the CUNY budget request, while not perfect, includes robust funding requests, the likes of which have not been seen in years. It is a sign that there could be an avenue toward increased funding for CUNY this spring when the New York State Legislature and Governor Kathy Hochul sit down to negotiate the next state budget.

STEPPING STONE

"It's a stepping stone," said PSC President James Davis, who noted that the new, bigger budget request signals that the boot of austerity may be lifting off CUNY's neck in the wake of Cuomo's departure.

During a scheduled virtual October 25 meeting in which trustees discussed the FY 2023 CUNY budget

A good step, but PSC demands more



Students and PSC members write messages to the board of trustees about what CUNY could do with increased funding.

request, PSC members and CUNY students held a rally outside Baruch College to bring attention to their demands for fair funding. The union urged the board to approve the budget while calling on PSC members to

organize to improve it and make it a reality in the spring.

A PSC issued a statement saying, "CUNY is requesting 16% more for FY 2023 in state support than last year, an additional \$313 million, and

20% more in city support, an additional \$103 million," which CUNY plans to use to "hire 1,075 new full-time faculty, nearly half of whom would be in lecturer positions open to current adjuncts." This comes

out to "an additional \$416 million" in funding, the PSC said.

The PSC also noted in the budget request that "CUNY is seeking to bolster full-time staffing in mental health counseling, health clinics, and child-care centers. Rather than pursuing a 'predictable' tuition increase, as in many past years, CUNY would continue a tuition freeze next year. CUNY also requested \$1.247 billion in capital funding, a \$437 million increase over last year's capital budget."

REVERSING UNDERFUNDING

But more needs to be done to reverse decades of underfunding at the state level and the economic impact of the COVID-19 crisis. Part of the PSC's plan is to pass the New Deal for CUNY in the state legislature (see story below), which, as PSC Secretary Penny Lewis noted, would add 5,000 new full-time faculty to CUNY, 1,500 of whom would be current CUNY adjuncts. The PSC is pushing the university and the board of trustees to drive additional state investment into CUNY in the run-up to contract negotiations in the Spring of 2023. This is an important fight for the PSC because an increase in the state budget allocation to CUNY would not only improve day-to-day life at CUNY, but also make it pos-

Continued on page 8

PSC is pushing the New Deal for CUNY

By ARI PAUL

Queens Assembly Member Jessica González-Rojas recalls a lot from her time as an adjunct professor in the Latin American and Latino Studies department at City College. She remembers seeing plastic buckets on the floor used to catch water dripping from leaky ceilings and other signs of disrepair at Manhattan's oldest public college. "I remember the really low pay," she said. "I know what it means to see disinvestment."

González-Rojas is one of the many state lawmakers who have expressed their enthusiasm about the New Deal for CUNY, a bill backed by the PSC and the CUNY Rising Alliance, which would make CUNY tuition-free, add full-time faculty, mental health counselors and academic advisors, increase pay for adjuncts and invest in infrastructure and the physical maintenance of CUNY campuses. González-Rojas noted that she was born in 1976, the year after CUNY stopped being tuition-free in the wake of the city's financial crisis. "In my lifetime I want to see a free CUNY," she said.

LAWMAKERS ON BOARD

The New Deal for CUNY bill (S4461/A5843) was introduced earlier this year by State Senator Andrew Gounardes and Assembly Member Karines Reyes. The bill had

The time is right for passage



Assembly Member Jessica González-Rojas spoke at a rally with PSC members and the CUNY Rising Alliance at a recent event.

36 cosponsors in the Assembly and 18 in the Senate at press time.

Reyes joined with lawmakers, PSC activists and other CUNY advocates outside the Borough of Manhattan Community College on October 5. She said, "We deserve the best for CUNY students," noting that the bill would allow for the hiring of more full-time, tenure-track professors.

Among others in attendance at the October rally were Assembly Members Kenny Burgos and Nathalia Fernandez.

PSC President James Davis expressed optimism that the stars may be aligned in the next few months to push through the New Deal for CUNY: both houses of the state legislature are controlled by Democrats and the new

governor, Kathy Hochul, has gone to great lengths to separate herself from her austerity-obsessed predecessor. "We do have allies and champions in Albany, we do have allies and champions in city hall," said Davis, noting that the alliance between lawmakers, unionists and student activists make up an "extraordinary coalition."

MAKING THE CASE

Davis added, "It's a privilege to be in a struggle like this."

In a *Daily News* op-ed Davis hammered home the point that the dire need for the New Deal for CUNY is in large part the result of former Governor Andrew Cuomo's brutal campaign of disinvestment in the university.

"Tuition at CUNY senior colleges increased by 43% during Governor Cuomo's tenure and state investment per student fell by 3.6%, when adjusted for inflation. Cuomo starved CUNY of resources by refusing to fund routine increases in operating costs, even workers' negotiated raises. He twice vetoed bills passed by the legislature to stabilize CUNY and SUNY funding, forcing colleges to cut academic programs and student services and rely increasingly on underpaid adjunct faculty, more than 10,000 of whom CUNY now employs."

This chronic state disinvestment in CUNY has had a crippling impact

on the university's workforce. CUNY senior college faculty salaries lag far behind those in other major state university systems. A recent CUNY University Faculty Senate report showed that as a result of this disinvestment, the difference between resourcing for SUNY and CUNY is staggering.

"Most SUNY senior college students already have the advantage of more faculty members per 1,000 full-time equivalent students, so CUNY (and several lower-staffed SUNY campuses) should be funded to catch up. Based on Fall 2018 and Fall 2019 statistics, no CUNY campus meets the SUNY average full-time faculty rate. But some CUNY campuses are critically short of faculty," the report said. "The faculty gap did not exist in 2003. It gradually and consistently developed in the past 17 years. The current situation is educationally and morally unacceptable, and there is no historical explanation or excuse that can justify it."

The New Deal for CUNY is meant to address systemic underfunding. Doing so will improve the quality of education and the quality of the workplace for CUNY faculty and staff.

Davis said in his op-ed, "The governor and presumptive mayor can finally set CUNY on a sustainable path by building the provisions of the New Deal for CUNY into their budgets."

Support
for
ambitious
CUNY
funding

Judge delays retiree 'opt-out' deadline

By ARI PAUL

In a victory for municipal retirees and the PSC, a city judge struck down an October 31 "opt-out" deadline for the newly privatized NYC Medicare Advantage Plus (MA+) retiree health benefits plan imposed by New York City and the Municipal Labor Committee.

The contentious Medicare Advantage Plan, co-managed by an "Alliance" of EmblemHealth and Empire Blue Cross Blue Shield Retiree Solutions, is part of a move toward health-care privatization by the city and MLC in a bid to save money. As part of that plan, municipal retirees were given until October 31 to decide between two options: "moving into a premium-free Medicare Advantage plan or...staying in their NYC current plan, but paying a premium for supplemental insurance."

The judge, while not striking down the agreement outright, has ruled against the implementation of the deadline, postponing it indefinitely.

A BAD DEADLINE

New York State Supreme Court Justice Lyle Frank wrote in his injunction, "While the Court has already determined that [the city's] ultimate determination of choosing a Medicare Advantage Plan provider was rational and does not intend to disturb that determination, the Court finds that the implementation of its program is irrational and if the petitioners and similarly situated individuals are required to opt-in or out of a medical program by the October 31, 2021, deadline there would certainly be irreparable harm."

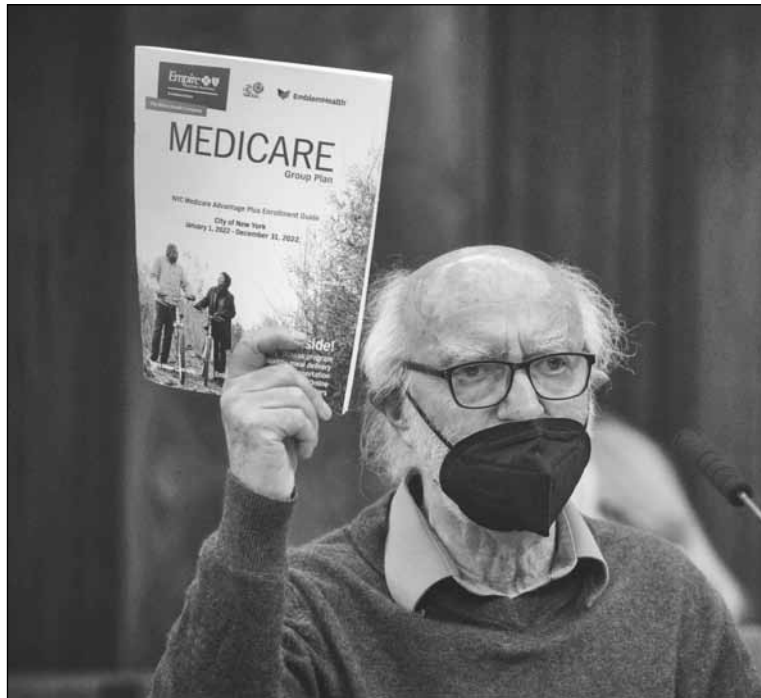
A joint report from *The City* and *New York Focus* said that "The suit was filed by the NYC Organization of Public Service Retirees, a group formed in opposition to the move to a privately administered Medicare Advantage plan," and that the judge "tentatively prohibited the city and the new insurer – a partnership between EmblemHealth and Empire Blue Cross Blue Shield known as the Retiree Health Alliance – from enforcing a planned Oct. 31 deadline for retirees to opt out of the plan."

The two outlets previously reported that many municipal retirees were rushing to avoid the new privatized plan: "Droves of city government retirees are preparing to pay thousands annually to keep their existing health insurance rather than taking a chance on a new cost-cutting plan."

DECISION WELCOMED

The PSC, a member union of the MLC, voted against the plan early this summer, in part on the grounds that participating unions needed more time and information to make an informed decision. Retiree advocates at the PSC protested the implementation of the Medicare Advantage plan, arguing that privatized coverage would ultimately lead to higher medical expenses for seniors and more restrictive health-care coverage. Some PSC retirees

Retirees fight against new plan



Bill Friedheim, PSC retiree chapter chair, tells New York City Council that the city should "hit the pause button" on the new Medicare Advantage plan.

feel the change signals the need to scrap employer-provided health-care plans altogether and instead support legislation to create a single-payer health-care system in New York.

PSC retirees hailed the judge's order.

"It's too early to break out the champagne since this is only a delay not a rescinding of the city's decision to pressure retirees into a privatized [Medicare] Advantage plan with heavy costs to opt out. For retirees, the pause is most welcome as it

provides more time for retirees both to get their questions answered and to build their organized resistance to the switch," said Eileen Moran, a member of the PSC retiree chapter. "The ruling highlights the ineptness of both the city's roll-out, its failure to reach the retirees most impacted by the change, changing deadlines and the false assurances and misinformation about all doctors being in the plan."

Mayor-elect Eric Adams has criticized the plan and welcomed the

Retirees blast 'privatization' of benefits.

court ruling. He has been quoted in the press saying, "We need to look at it and make sure it's not a bait and switch. I'm a retiree. I get retiree benefits. Their plan is my plan.... We want to make sure that it is a fair plan. Nothing is more frightening for a retiree than health care. That is frightening for a retiree, having health care be unsure, that's scary." The MLC still supports the plan, as does the *Daily News* editorial board, which called it a "good deal for retirees" as well as a cost savings for the city.

"When I retired, I thought that the package of health-care benefits I received was part of my compensation for my years of service," said Mary Jean Holland, a Baruch College retiree, who testified to a city council panel on the issue held on October 28. "I now know that the city can reduce these benefits at any time. I fear this is only the beginning. I am especially upset by the lack of choice the city is giving its retirees under the newly adopted program."

PSC President James Davis told the panel, "There is also a bigger picture to consider. The decision to privatize city retirees' Medicare was driven by a real crisis in rapidly escalating health care costs, which threatens the health care of active employees too. The privatized, profit-driven model upon which this decision was based will neither control costs nor deliver quality care. The bottom line is that we need national single-payer to achieve the goal of affordable, universal health care. There are many intermediate steps the Council could take to help move us towards that goal. For example, the Council could pass legislation

to curb exorbitant hospital costs, as Maryland has done. It could do more to ensure health-care funds are distributed to address race and class injustice, including the disparities between rich and poor hospitals. It could carefully consider whether self-insurance would save the city hundreds of millions if not billions by recouping excess payments to insurance companies and avoiding premium taxes."

HIT THE BRAKES!

Bill Friedheim, the PSC retirees chapter chair, in his testimony, blasted the city's process for reducing its health-care costs. "Which did they choose: self-insurance, with potentially hundreds and hundreds of millions of dollars in savings? Negotiating fairer prices with private hospitals? Neither," he said. "Instead, they reached for the low-hanging fruit, retiree benefits. In the middle of a pandemic they targeted retirees, New York City's most vulnerable health-care population, who had no agency in this process."

He added that his chapter's members were angry because the new plan means that "Medicare Advantage is the default and to keep traditional Medicare with supplemental NYC Senior Care we must jump through hoops, must submit opt-out forms for which there is no timely confirmation" and "must pay a \$191.57 a month penalty to keep a plan that was once free."

Friedheim implored the city council to step in and stop the deal, saying, "Tell New York City to hit the pause button, to stop implementation of this plan and to honor its commitments to its retired workforce."

Teaching modality 'shock doctrine'

A response to 'HyFlex' classes

By PENNY LEWIS
PSC Secretary

Last spring CUNY announced a pilot program across a number of campuses in "HyFlex learning," or courses that are both hybrid and flexible, in which students are given "modality" options to attend in person, remotely, or a hybrid of both. (e.g., synchronously or asynchronously.) HyFlex learning boasts that "students can move among available modalities from class session to session at their discretion." Since the start of the pilot program, participating campuses have spent considerable sums from their federal stimulus monies to invest in technologies to support such teaching.

The union has requested to bargain over CUNY's expansive "experiment" with HyFlex as an impact of the pandemic. Using the money this way and launching this program during the pandemic, clearly indicates that CUNY links the expansion of HyFlex to its gen-

eral pandemic response, and sees this modality as a possible panacea while the ongoing health crisis makes scheduling unpredictable.

In-person density on the campuses is lessened if rosters are split between in-person and remote students. In-person students can continue if they need to quarantine and students who do not want to attend in-person have access to classes that are, at least in part, "in person."

MASSIVE EXPANSION

CUNY could massively expand its online footprint while keeping the other foot nominally in the classroom. In fact, CUNY has indicated that for class schedules in Spring 2022, HyFlex courses count toward their arbitrary mandate of 70% in-person courses. On the other hand, hybrid courses, which traditionally alternate between in-person and online meetings, are counted as "online."

But the PSC sees it differently. Taking a page from the "shock doctrine" playbook, CUNY is not letting a good crisis go to waste. Despite its appearance as a benign response to pandemic conditions, the HyFlex pilot program and the massive investment in related technologies represents a new and problematic direction for CUNY.

The union has raised both broad and specific concerns regarding the dedication of resources to this new modality and the expansion of training and institutional structures that extend its reach. Our emerging positions reflect the concerns raised by individual faculty, department chairs and academic technology experts. The union has been convening groups to explore and hear from members on HyFlex learning.

In September, the John Jay Faculty Senate unanimously approved

a resolution registering grave concerns about CUNY's plans that stated, "HyFlex' is not a teaching modality with a defined instructional workload for CUNY faculty, even though it requires two course preparations, two course deliveries, two examination and assignment

CUNY admin is exploiting the crisis.

modalities, two methods of documentation attendance, and two assessment plans to document student learning, with absolute autonomy for students to flip from one mode to another without notice or any limitation."

Whatever its merits, the hard pivot to HyFlex at CUNY has major implications for pedagogy, faculty governance of the curriculum and workload.

Pedagogy: Most important for faculty who want to see our students succeed, instructors are concerned with the quality of education and the academic experience that this modality provides. Any wide-

Continued on page 5

CSI defeats governance plan overhaul – for now

By ARI PAUL

Faculty leaders and PSC activists at the College of Staten Island (CSI) have won a key victory in the battle to preserve democratic governance at the borough's sole CUNY institution. But it's not over.

The faculty and staff successfully organized a dramatic “no” vote, with 87% opposed to CSI President William Fritz's controversial faculty governance overhaul to effectively end faculty-led governance at the college and place key decisions, traditionally within the faculty's purview under the jurisdiction of the president or his designees. On the heels of this “no” vote, Fritz has announced his retirement at the end of 2021.

OVERWHELMING DISAPPROVAL

“This is a total surprise,” said PSC College of Staten Island Chapter Chair George Emilio Sanchez, noting that an earlier no-confidence vote was ultimately successful in pushing out Fritz. “It's not a day too soon and years overdue.”

With his departure, Fritz's controversial governance plan is now in flux. But the PSC chapter is confident that it will eventually be defeated, and faculty activists believe that Fritz's ouster shows the strength of their organizing.

In March, Fritz announced a plan to “replace the existing College Council and Faculty Senate,” with

President Fritz retires after faculty pressure



William Fritz, CSI president for nearly a decade, retired after two overwhelming votes of disapproval in the president and his proposals.



Jane Marcus-Delgado, the chair of the CSI Faculty Senate, said the president's governance plan was unpopular from the beginning.

“a unicameral body, representing the faculty, students, non-teaching instructional staff and administrators of the college, presided over by the president of the college.”

The proposal, as the *Chief-Leader* explained, “would also eliminate smaller committees such as the Academic Review Board Committee and a Committee for Higher Education Officers.”

Faculty members were shocked when the plan first came out. “The feedback was overwhelmingly negative, off the charts negative,” said Jane Marcus-Delgado, the chair of the CSI Faculty Senate. “We did a straw poll; out of a 100 people there were like two people in favor of it.”

LACK OF ACCOUNTABILITY

And so the results of a referendum on the plan in late September came as no surprise: 87% of voters said “no.” In announcing the results of the referendum, Fritz appeared to be determined to drastically overhaul college governance.

“I am reviewing these results in the context of feedback I have received from various constituents throughout this process,” said Fritz, because “I remain deeply concerned about the College of Staten Island conforming to best practices in higher education and CUNY, campus climate, the lack of collegiality, and how to best ensure compliance with Middle States standards.” He added that “it is clear that governance at the College of Staten Island needs to be improved.”

proposed governance plan systematically eliminates several standing committees such as college-wide budget, bylaws, and institutional planning with the stated intent to replace these when deemed necessary with ad hoc committees selected by the president. This is counter to recommendations of the AAUP to ensure faculty involvement at all times in such activities with properly elected faculty representatives.”

They also blasted Fritz's indication that he may push forward with the plan without faculty approval in a referendum, saying, “This position runs counter to 50 years of college governance within CUNY and over 100 years of AAUP policies of college governance.” John Verzani, chair of the CSI college council, said in a statement, “The president should immediately withdraw his proposal, engage the college's bylaws committee if he wants to pursue revisions, and begin mending the bridges he burned throughout this process.”

RESPONSE TO FACULTY

Fritz's attempt to consolidate power must be understood as a response to actions of the CSI Faculty Senate in December 2020. Senators voted no confidence in Fritz and Provost Michael Parrish because they “did not articulate a clear intellectual or scholarly vision for CSI and have failed to provide leadership or consistent instructional policies, guidelines, or parameters during the pandemic.” They “approved and allowed online class sizes to increase against the recommendations of the Faculty Senate and the faculty in general,” and they “ignored the Faculty Senate Committee reports on research and technology submitted over the last two years.” The senate said that the administrators had “jeopardized the college's financial solvency.”

Fritz's announcement of his new governance plan came not long after this formal rebuke. While the administration has maintained that the governance plan is not related to the vote,

One unicameral body presided over by the president

many CSI faculty and staff see it as retaliation for the vote and an attempt to ensure that another such vote against the president or high-ranking administration official would be next to impossible to organize. Worse, faculty and staff fear that if Fritz's plan is successful, a troubling precedent will be set for other colleges.

In his retirement letter, Fritz said that a “new team needs to decide if his proposals have merit, and to make recommendations to the CUNY Board of Trustees that they deem appropriate,” according to the *Staten Island Advance*.

Fritz said that he wants new CSI administrators to reform the college's governance plan and CSI faculty activists believe they need to keep fighting even after the president retires in order to protect democratic governance at the school.

“I'm really encouraged to see how people are fighting hard,” Sanchez said. “We will put up a pretty big front.” He added, “we're not stopping.”

Teaching modality

Continued from page 4

spread adoption of this new modality must be reckoned with by faculty with the best interest of CUNY students and faculty curricula in view. HyFlex instruction is not teaching in person or teaching online, it is both, simultaneously.

DEMOCRATIC INPUT

Governance: Course modalities must be approved by faculty governance bodies, and decisions to teach in specific modalities must be made by faculty and their department chairs. All HyFlex courses must pass through governance, with consideration of class size and technological supports, and all HyFlex teaching must be voluntary. On at least one campus, Lehman College, the administration changed certain Fall 2021 courses during the semester to HyFlex without the permission of the instructors, and the union has filed a grievance.

Workload: The HyFlex modality demands significantly greater

resources – of time, work, technology, assistance – as well as significant training and experience. It is the union's position that teaching HyFlex should come with paid training and additional hours or compensation while teaching. The union also expects that technical and teaching assistance be provided for all HyFlex instructors since effective teaching in this modality requires ongoing assistance with equipment and instruction.

In short, the PSC believes to the extent the HyFlex modality is used at all, it should be targeted and therefore rare; governed by faculty governance bodies with clear stipulations about class size and the purpose for which it is being used; supported with technical and teaching assistance; and voluntary and compensated commensurate with its additional demands.

PSC members can share their experiences with, reactions to, and questions about HyFlex teaching with the union at <https://www.psc-cuny.org/Hyflex>.

Scientist: CUNY needs more testing

By MAURIZIO GUERRERO

CUNY's weekly COVID-19 testing mandate for unvaccinated faculty and staff in place since October 7 may not be the best approach to avoid the spread of the coronavirus in the workplace, said Steven Markowitz, professor of environmental sciences at Queens College and director of the college's Barry Commoner Center for Health and the Environment.

"I don't think testing once a week actually does anything. It misses at least a couple of days of the week in terms of capturing the infection," said Markowitz in an informative virtual session organized by the PSC Environmental Health and Safety Watchdogs on September 30. "It allows the infectiousness to occur for a number of days."

TWICE A WEEK

Markowitz offered an example: If a worker gets infected during the weekend – usually when people socialize, travel or attend large gatherings – a test would not detect the infection by Monday and probably not by Tuesday. That would mean that this individual could potentially spread the virus throughout the week until the test is performed again the next Monday. Yet, testing twice a week, even

Weekly tests are not enough



Dave Sanders

Queens College Environmental Sciences Professor Steven Markowitz makes the case for more than once-a-week testing for the unvaccinated at a PSC meeting.

with antigen tests, could detect the infection on Thursday.

The Centers for Disease Control and Prevention (CDC) do not offer guidelines regarding the frequency of COVID-19 testing in the workplace Markowitz said, but his suggestion was to test workers twice a week to

reduce the spread of the virus. "This is what I think makes sense as of today," he said.

The period of detectable infection varies depending on several factors, such as the viral load, the biological susceptibility of the individual infected and the rate at which the

virus replicates once it has reached its host's cells.

The most accurate COVID-19 test, the RT-PCR (reverse transcriptase-polymerase chain reaction, which is the most common of the nucleic acid amplification tests or NAATs), can detect the virus within one to three days of the infection.

ACCURACY DIFFERENCES

The other common option: the rapid antigen test, has a lower level of sensitivity, between 60% to 80%, compared to 95% for the RT-PCR, Markowitz said. The rapid antigen test can also miss the virus for longer.

The RT-PCR is clearly a better option for certainty. However, it takes at least 24 hours to deliver results, compared to the almost immediate results from the antigen tests.

CUNY is administering the Linea RT-PCR tests to unvaccinated employees or those who prefer not to share their vaccination status, as well as to students with approved religious or medical exemptions. If these people are on campus or in the office weekly, the tests are mandatory for them every seven days.

Otherwise, anyone who enters CUNY premises must prove they tested negative for the infection within the previous seven days.

In his presentation, Markowitz made clear that he was not referring specifically to CUNY's policies. Yet, he suggested that a better approach to detect the spread of the virus in the workplace would be to administer rapid antigen tests, so officials could know right away if a person is potentially infected.

"Workplace testing of people without symptoms, [using] a rapid antigen test performed twice per week is suitable, but positive tests should be followed by a NAAT test to confirm," according to a slide Markowitz shared during the presentation.

The follow-up test is necessary because the antigen test is not as reliable as the RT-PCR test and sometimes comes back positive even when a person is healthy.

"The rapid antigen test is not as sensitive. It misses some cases, but if you do it frequently enough, the advantages of the frequency probably overcome any compromise in the sensitivity," Markowitz explained.

The frequent rapid test is very useful for people who do not show symptoms, Markowitz said. They are the greatest threat in terms of spreading the virus, he added, because they have the longest infection period.

A better approach to detect the virus

Sick workers, lack of air at BCC

By ARI PAUL

Thanks to the dogged work of PSC activists, the Bronx Community College (BCC) administration has closed a building with ventilation and mold problems.

A PSC safety walk-through at BCC's Nichols Hall – one of dozens of COVID compliance safety walk-through inspections conducted by the PSC across the university this fall – found that there was inadequate ventilation and mold in the building.

"The college administration has decided to postpone the occupancy of Nichols Hall until further notice," F. Javier Legasa, assistant dean for academic affairs, said in an October 25 email to HEOs who worked in the building. "Please continue to work remotely."

RESISTANT ADMIN

"The BCC administration had resisted previous requests to address several safety concerns expressed by the HEO advisors who work in the building," Yasmin Edwards, the PSC chapter chair at BCC, told *Clarion*. "There were several issues, obvious mold being one of them. The college decided to remove the mold using a chemical that required proper ventilation following use. However, one of the problems with Nichols Hall is that many of the windows do not

PSC wins safety at BCC

open or cannot be easily opened and this resulted in the space not being properly ventilated."

Edwards continued, "Several HEOs who were then told their office was safe for use returned after the chemical was used to clean the mold and experienced irritated and swollen eyes and respiratory irritation. I requested the safety

data sheet for the chemical used to remove the mold and it revealed that the symptoms the advisors experienced were described as a result of 'improper use of the chemical' most likely, due to insufficient ventilation. Ultimately, the administration only closed the building after HEOs became ill."

Christina Randall, an ASAP student advisor who works at Nichols Hall, said of the administration's attempt to remediate the mold problem, "They had supposedly cleaned it and they used a chemical and left the windows closed. They didn't ventilate the office, so people came back and their eyes were burning. It was like a chemical reaction."

Five days before the administration shut down Nichols Hall, Randall sent an email to HEOs at BCC saying, "From the start of the semester on August 16, staff returned to

filthy offices. We returned to work in offices that had mouse feces, dust, bugs and in some cases both mold and water damage. We did not have soap or paper towels in Nichols Hall at the beginning of the semester. The bathrooms were not clean, and

the date of the last cleaning of the facilities was before the pandemic started. We still, to this day, do not have hot water in the building or an HVAC system."

HISTORIC PROBLEM

The deterioration of buildings has been a long-standing problem for the members at BCC. In February

2020, *Clarion* reported the Faculty Council "passed a vote of 'no confidence' against Kay Ellis, vice president of administration and finance, at the end of the Fall semester... [for] allowing gross physical deterioration throughout campus, including a lack of proper lighting and inadequate indoor heating under her watch." The report continued, "Maintenance issues at the college led to chaos early in the Spring 2019 semester after pipes burst at Colston Hall, one of the BCC's main classroom buildings, which caused a weeks-long disruption, severe flooding and forced 500 classes – as well as faculty offices – to relocate."

ORGANIZING WINS

For Randall, even though her building has been shut down due to safety concerns, the fact that it took union action and workers getting sick to get results is proof of the administration's lackadaisical attitude when it comes to safety. "I realized that the college doesn't care about us, period," she said.

Andrea Vásquez, the PSC first vice president, told *Clarion* that the shutdown of Nichols Hall is another example of how the union can win safety victories when members organize together. She said, "As a union and as individual members, we have made it clear to our college administrations and CUNY that we will not accept unsafe working conditions. In 18 months, we have become better organizers and better defenders of our rights. This will serve us well in the months and years to come."



Mold on the ceiling and walls at BCC's Nichols Hall

PSC Bronx Community College Chapter

PRESIDENT'S MESSAGE

PSC's Plan for #APeoplesCUNY

By JAMES DAVIS
PSC President

At the same time that the PSC has been in motion on immediate pressing issues, we have been looking ahead. Though it may seem like a long time from now, our contract's expiration in February 2023 will be upon us before we know it. With Governor Andrew Cuomo gone, we have new opportunities with the state executive, and a new mayor of New York City too. The New Deal for CUNY has 57 sponsors among state politicians already and the support of community allies.

Our goal is that by the Spring 2023 semester, when the current contract expires, the union will have the power and capacity to get the New Deal for CUNY fully passed and implemented, win major new investment in CUNY through the state budget and settle a strong and just new contract. Through a campaign that combines increasing our internal organization and our external allies, we hope all members will join our renewed effort to transform CUNY into the people's university it was founded to be.

FIRST DISCUSSIONS

The PSC Executive Council began a discussion of longer- and medium-term strategic planning this past summer, and has since been working in consultation with elected leaders and union activists throughout the University. Over 150 members participated in an online meeting about the strategic action plan on October 14, and on October 25, 400 members attended our hybrid event held at the same time as the CUNY Board of Trustees meeting. We want PSC members to be aware of the strategic action plan, to connect it with the needs we experience in our workplaces and the needs of our students, so that we can be involved in its realization. We also want to continue building our CUNY Rising Alliance across the city with students, alumni, and commu-



President James Davis calls for more state and city investment in CUNY at a rally with PSC members and CUNY students.

nity and labor organizations. The role that students and our allies can play is pivotal. Together, we can make a flourishing CUNY a citywide goal. When realized, the PSC will be in a position to win a contract that will not only benefit our own members, but also our communities. We have long argued that "another university is possible." We think that in the coming years we can win a contract and financial support that improves our work lives and assures that New York's working-class students, who are predominantly students of color, will have a path to a top-notch education and from there, lives filled with opportunities that only such an education can create.

The cornerstone of the campaign is to develop member engagement at the campus

level, seizing upon the extraordinary work members are doing around health and safety, contract enforcement, one-on-one phone banking, strike readiness, union membership and in our union-wide committees. Campus Action Teams are being formed to bring members together across different job titles, departments, areas of interest and administrative areas of each college.

CHANGES IN GOVERNMENT

The urgency to launch a strategic action plan comes in part from the opportunities for political realignments at the state and city level. While we must maintain pressure directly on CUNY to make tangible gains for our colleagues and students, Governor Kathy Hochul is the single most important individ-

ual when it comes to enhancing resources. She and Mayor-elect Eric Adams will need to hear from us regularly and with increasing vigor about the urgency of reversing years of racist austerity for CUNY. We need to be in a position to influence them, especially as the first competitive Democratic gubernatorial primary takes place while the new mayor negotiates his first budget with the City Council in Spring 2022. We aim to have at least 500 PSC members participating in an in-person budget rally Saturday, December 11, in advance of Governor Hochul's announcement of the Executive Budget proposal in January.

PRAGMATIC VISION

That benchmark is one of several in the union's strategic action plan. We are seeking to be both concrete, flexible and ambitious about our organizing targets. We have established goals for the percentage of departments and offices with members serving on their Campus Action Team, goals for the rates of union membership, goals for increased contributions to VOTE-COPE (our political action committee fund), and goals for the number of members participating in events with the CUNY Rising Alliance, among other key areas.

It is clear that despite the enormous challenges of the pandemic and the inequities that it laid bare around the city, there have been few moments in the past 20 years when our concerted action as unionists could make a greater or more immediate impact. We have already seen that the CUNY budget request drew upon elements of the New Deal for CUNY. During the pandemic, members have fought hard and won many victories that allowed CUNY students to continue to receive their education and allowed faculty and staff to improve their working conditions.

But we need the increased capacity to equal the potential of this moment. With PSC members in motion, our strategic action campaign for a people's CUNY will be transformative.

REMOTE WORK

Why HEOs need flexible schedules

By RENÉE FREEMAN-BUTLER

Three months into 2020 we found ourselves in a world of uncertainty, one where COVID-19 changed our lives. It continues to alter our lives almost two years later. Societal norms are being challenged. Protocols, policies, political polarization and expectations are ever changing. At work, there are shifting perceptions and expectations, and at CUNY, the quality of a work-life balance is a paramount concern for Higher Education Officers (HEOs) and all PSC members.

Amidst the pandemic and national protests, higher education has a responsibility to help shape the conversation on workers' rights, racial equity, social justice and managing a national health crisis. Like much of the country and the world, CUNY faced a daunting challenge. As the COVID-19 pandemic swept across the globe, leaders in

higher education had to act swiftly. As CUNY campuses closed to go to remote learning environments, many questioned the validity and credibility of the online method.

A heightened sense of anxiety pervades our personal and work lives. For those of us in higher education, working remotely for industries that were in many cases underprepared and thrust into a technological online response to the crisis posed a collateral impact that has thrown the industry into uncertainty and highlighted the digital divide.

MEMBERS STEPPED UP

Even less clear was the expectation for staff to learn to navigate this brand-new world, its expectations and technological tools with little-to-no guidance or support. HEOs stepped up to create and implement an infrastructure to close the digital divide

and successfully reached out and engaged students online. A new model was revealed and for many a better approach to meeting work-life demands. Some industries, including higher education, recognized and appreciated the value of flexible scheduling from hybrid to fully remote. The pandemic has changed the way we live and educate.

A NEED FOR FLEX

Many HEOs throughout CUNY have expressed the need to have flexible scheduling as part of the PSC's contractual agreement. The pandemic has created a perfect storm, triangulating the impact on the delivery of education and services, the need for work-life balance and economics. HEOs want a choice on how and where they work. The pandemic has thrust this issue forward, representing a major shift in how we do business at CUNY.

In one case, flexible scheduling has enabled a staff member to manage a demanding work schedule while being the primary care giver to an extremely sick family member. Without flexible scheduling, this member would have had to exhaust her annual leave time and go on an unpaid family and medical leave. The member shared how flexible scheduling has reduced her stress and anxiety by allowing her to be there for her family while being able to manage increasing work responsibilities. It was a win-win situation.

HEARTS AND MINDS

Changing hearts and minds are at the core of offering the opportunity to choose flexible scheduling. CUNY is well positioned to lead the way for expanding the narrative on flexible scheduling in support of the changing times and commitments.

Renée Freeman-Butler is a delegate in the PSC HEO chapter and works at LaGuardia Community College.

COVID changed how we work



15-MINUTE ACTIVIST

Sign the 'Got Air?' petition

Eight CUNY campuses have failed to answer the PSC's request to see vital data collected by outside engineering consultant Ramboll on the effectiveness of ventilation systems and air quality in our CUNY rooms and workspaces.

The PSC requested Ramboll's reports at the start of the Fall semester, but over two months later, has yet to see full details. Poor ventilation and deteriorating infrastructure plagued CUNY even before COVID, but the issue of air quality is more pressing than ever. Our members and students deserve to know if and where there are "dead zones," or workspaces with poor ventilation. We deserve transparency and we deserve the right to a safe and healthy workplace.

Add your name to a petition at tinyurl.com/CUNY-got-air

Professional Staff Congress/CUNY
61 Broadway, 15th Floor
New York, New York 10006
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NEWS

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Trustees approve CUNY budget ask

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sible to organize and bargain for salary increases and new faculty and staff lines. In short, increasing the CUNY budget at the state level is an important step toward building the next PSC contract campaign

In order to get its budget approved, CUNY needed to overcome the resistance of State Budget Director and CUNY Board Member Robert Mujica, who long served as Cuomo's austerity enforcer. Mujica abstained from voting on the budget and, at a recent Fiscal Affairs Committee hearing, questioned why CUNY officials were "seeking hefty hikes in state and city aid," despite a drop in enrollment.

The obvious response, of course, is that CUNY needs further investment in order to recover from recent setbacks like the pandemic and drops in enrollment, as well as decades of underinvestment in the college. The PSC hopes that Mujica's callous cry to continue starving the city's university, will be met by progressives – especially those in the legislature – willing to call him out on his punitive agenda.

Michael Kink, executive director at the Strong Economy for All Coalition, tweeted: "Mujica is sitting on billions of dollars in federal funding explicitly designed to get public institutions through this crisis, but he still wants budget cuts."

VIDEO TESTIMONY

PSC members demanded via video testimony that the board approve the budget proposal put forth by CUNY, outlining the dire situation for students, faculty and staff across the university.

Davis, in his video message to the board, noted that the federal government helped CUNY during the pandemic with relief funds, but that about \$200 million was "plowed into covering lost revenue" as a result of drops in enrollment during the pandemic. Much of that money, he said, which was a one-time payment, has been sunk into covering losses. LaGuardia Community College, he said, spent \$24 million



Carolina Bank Muñoz, PSC chair at Brooklyn College, describes how budget cuts have undermined the retention of faculty, especially among Latino and Black educators.

to cover losses, and the College of Staten Island, Baruch College and John Jay College each spent \$16 million of their federal funds on covering pandemic-related losses.

Carolina Bank Muñoz, the PSC chapter chair at Brooklyn College, testified that at her campus there is "close to \$1 billion in deferred maintenance that impacts...learning conditions." She pointed out that "Wi-Fi constantly drops" and the "technology in the classrooms often doesn't work." Slim CUNY budgets over the years have been costly for campus personnel, too, she said: "We've lost 49 faculty in the last few years, and many of those are people of color," adding that "lackluster budgets" have resulted in professional staff departures, so that the "remaining staff are doing two to three jobs."

DELAYED GRADUATION

David Gerwin, the PSC chapter chair at Queens College, also noted that budget shortfalls have meant a loss of full-time faculty and professional staff. In some cases, class sizes have grown, and in other cases,

classes have been canceled, resulting in students delaying their graduation because they can't enroll in required classes for their degree. The Fall graduation date had to be delayed a month, he said, because there are "fewer people to review the large number of transcripts of people graduating."

He added, "There are too few full-time faculty trying to run programs, govern the institution, meet with students and work with our colleagues."

Jeanette Batiz, the PSC chair for college laboratory technicians, said the same of her campus, Bronx Community College (BCC), and in laboratories across the university. "We need supplies across campuses, especially in the sciences. We're very short of supplies," said Batiz.

Her BCC colleague, Sharon Utakis, who serves as the union's vice president for community colleges, concurred, saying, "CUNY also needs capital investment. It's hard for many CUNY campuses to reopen as much as the administrations would like now, because buildings don't have

Rallying in support of full funding

appropriate ventilation. Many CUNY buildings are old. The BCC campus has many beautiful buildings, but they're in disrepair. Even the newest building on campus is not really properly maintained. In the time I've been at BCC, there have been two sinkholes on campus, one campus building was shut down for weeks because of water damage and mold, and several other buildings have problems with mold, infestations and leaks. Our students deserve better than that."

Rosa Squillacote, the PSC vice president for part-time personnel, said, "As the City University of New York, as the people's university, CUNY should be providing our students with significant resources and support, with buildings that aren't falling down around them, with mental health counselors and academic advisors, with smaller class sizes and a smaller faculty-to-student ratio, and with professors who are paid a living wage."

She added that the pandemic and years of austerity have been

especially hard on CUNY's part-time workforce, suggesting that increased state investment could lead to pay increases and the rehiring of laid-off adjuncts in the future. "Thousands of part-time workers lost their jobs...during the pandemic, and these workers did not have any financial security to fall back on. The pandemic has plunged part-time workers into an even deeper crisis than we were in before and the precarity we live under has become clearer than ever."

GROWING GUTTMAN

Maggie Dickinson, assistant professor of interdisciplinary studies at Guttman Community College, testified that her small school in Midtown Manhattan would benefit greatly from increased state funding for CUNY. Faculty are cramped into cubicles and the facility doesn't have a cafeteria, which is particularly troubling because the area's food options are relatively expensive.

"We are in a small, leased building," she said. "Faculty and staff are literally on top of one another. We don't have enough room to grow our enrollment," adding, "because we are all in cubicles, we can't meet with one another privately."

So what's the next step? The union is organizing so that the governor includes funding for the CUNY budget request and the New Deal for CUNY in her Executive Budget proposal for Fiscal Year 2023, which she will release this coming January. State budget negotiations ensue, as state lawmakers and the governor must come to a budget agreement by April 1.

That sounds like a long way off, but it's not. The approval of the CUNY budget request by the board puts the union in a position to push for more funding from both the state and city over the next few months. PSC is committed to building the power in Albany and New York City to win CUNY strong state and city budgets. In turn, successful budgets put the union in a better position to organize and win a strong next contract in 2023.

Dave Sanders