

Clarion

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

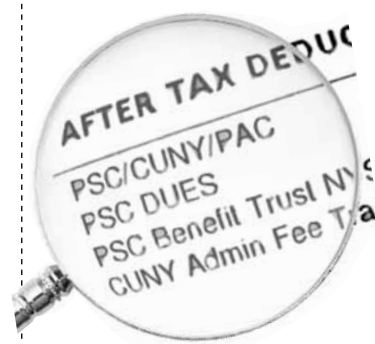


OCTOBER 2014

MEMBERSHIP

Union dues

Check your paycheck to make sure you're a PSC member. **PAGE 2**



Dave Sanders

UNION TELLS CUNY MANAGEMENT

WE NEED AN OFFER!

Close to 1,000 PSC members demonstrated outside the September 29 meeting of the CUNY Board of Trustees, demanding that management come to the bargaining table with an economic offer. The next event in

the union's contract campaign is a mass rally and march on October 21. PSC Treasurer Mike Fabricant says the action will "give voice to members' growing impatience." See inside for details. **PAGES 3, 12**

ELECTIONS

Control of the State Senate

Crucial legislative races in Westchester, Long Island and the Hudson Valley may determine support for progressive policy measures.

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NOV. 15 DEADLINE

Phased retirement

Eligible full-time faculty and staff may choose to "phase" into retirement. Carrying a smaller workload may be a good way to make the transition.

PAGE 9

CUNYfirst

A bad start to the Fall semester

Outages and constant service disruptions led to major problems throughout the University, from chaotic first days to some students missing a semester.

PAGE 5

CUNYfirst

Fully Integrated Resources & Services Tool

The CUNYfirst System is currently unavailable to all users.



ON CAMPUS

BCC president leaves position

The sudden departure of Carol Berotte Joseph as president of BCC came a few days after a vote by the college's Faculty Council.

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CALENDAR

TUESDAY, OCTOBER 21 / 5:30 pm: PSC Mass Event. The next step in the PSC’s contract campaign is at the Community Church of New York, 40 East 35th Street near Park Avenue South. Sign up at tinyurl.com/Oct-21-PSC-RSVP.

WEDNESDAY, OCTOBER 22 / 6 pm – 7:30 pm: PSC Solidarity Committee Meeting on organizing a labor-environment movement. PSC, 61 Broadway, 15th floor. (See end of second letter to the left.)

WEDNESDAY, OCTOBER 22 / 6:00 pm – 8:30 pm: Phone banking at the PSC. Please join us in an evening of phone banking to help Democrats keep the Senate. To RSVP, please contact Amanda Magalhaes by email at amagalhaes@pscmail.org or call 212-354-1252, ext. 221.

WEDNESDAY, OCTOBER 29 / 8:30 pm: Open Access Committee meeting at City College of New York in North Academic Center in Room 5-121.

WEDNESDAY, OCTOBER 29 / 6:00 pm – 8:30 pm: Phone banking at the PSC office. Please join us in an evening of phone banking to help Democrats keep the Senate. To RSVP, please contact Amanda Magalhaes by email at amagalhaes@pscmail.org or call 212-354-1252, ext. 221.

MONDAY, NOVEMBER 3 / 1:00 pm – 3:00 pm: PSC Retirees Chapter holds its monthly meeting at the PSC Union Hall, 61 Broadway, 16th floor. Featured Topic: Prospects and Pitfalls for Single Payer Healthcare in the Era of the Affordable Care Act. Dr. Oliver Fein, President of Physicians for a National Health Program will speak. At the end of the meeting, Larry Morgan, Executive Director of the PSC/CUNY Welfare Fund, will provide updates about the fund.

TUESDAY, NOVEMBER 4 / 6:00 am – 9:00 pm: Need to find your polling place? Find out at psc-cuny.org/how-find-your-polling-place.

TUESDAY, NOVEMBER 11 / 7:30 pm – 9:30 pm: CLT Chapter Meeting at PSC Union Hall, 61 Broadway, 16th floor.

FRIDAY, NOVEMBER 14 / 4:30 pm: “First Fridays” adjunct meeting will be held at the PSC, 61 Broadway, 15th floor. For further information, contact Marcia Newfield at mnewfield@pscmail.org.

FRIDAY, NOVEMBER 14 / 6:00 pm – 9:00 pm: Labor Goes to the Movies screens *The Birds* (1963), Alfred Hitchcock’s last undisputed masterpiece. A discussion will follow the film. PSC Union Hall, 61 Broadway, 16th floor.

SATURDAY, NOVEMBER 15 / 9:30 am – 12:30 pm: Meeting of the PSC International Committee. For location and other information, contact Renate Bridenthair at Bridenthair@yahoo.com.



LETTERS TO THE EDITOR

WRITE TO: CLARION/PSC, 61 BROADWAY, 15TH FLOOR, NEW YORK, NY 10006.
EMAIL: PHOGNESS@PSMAIL.ORG. FAX: 212-302-7815.

CUNYfirst, staff and students last

● The CUNYfirst system is a desk with three legs with no hope of prosthesis. This system is supposed to increase efficiency and student services. Nothing can be further from the truth.

CUNYfirst has increased the workload of all who work with it. No office is exempt: Admissions, Bursar’s, Business, Registrar, Financial Aid, Procurement, Counseling and Advisement offices are all affected, to name a few. Student dissatisfaction with CUNY services are at an all-time high, and many students frustrated with the system have opted to go elsewhere.

In academic advisement it takes five steps to view a transcript and six steps to access something as simple as a probation list. Employees spend huge amounts of time correcting unreliable data.

We often get complaints from students about CUNYfirst-related problems with their financial aid holding up their registration. Some get double-billing. When their advisors try to correct the problem they are told that this type of problem must be corrected at the Central Office level. Others have problems securing scholarships due to inaccurate reporting of their transcripts, thus increasing their frustration. Frontline staff in student services get the brunt of students’ frustration – but given the problems in their lives that CUNYfirst creates, that frustration is understandable. We are frustrated, too! This broken system is hurting all of us.

CUNY’s mission is supposed to be expanding access to a college education. But CUNYfirst is having the opposite effect.

Iris DeLutro
Queens College
PSC Vice President for
Cross-Campus Units

A change in the weather

● Congratulations and thanks to all the PSC members, officers, staff, and families and friends who contributed to making the People’s Climate March a success. One of the largest marches in NYC history, with many co-marchers around the world – not bad! The labor contingent was significant: numbers were satisfactory, with room for improvement. More and more unionists are seeing that good jobs and a sustainable planet go together, and that the economic crisis and the ecological crisis are deeply intertwined. Democratic control of energy, resources, land, and water is essential to our future.

Write to Clarion

Letters may be on any topic, but must be less than 200 words and are subject to editing. Send in yours by November 5.

The energy and exuberance of the march itself, the art and music, the presence of young and old and in between, the leadership of the multi-racial/ethnic environmental justice organizations were hopeful signs. Of course it was not perfect and not a direction-changer in itself. The limitations need to be acknowledged and addressed. But it was a beginning, an opening. It was

an opportunity for organizations which had been separate to get to know each other.

Now comes the key part: follow-up, building a labor-environmental movement, militant and effective, both within the PSC and beyond – linking up with the organizations that worked well together mobilizing for the march. To that end we have scheduled

a meeting at the PSC office on Wednesday, October 22, from 6:00 to 7:30, to assess the march and to plan next steps. All those interested in continuing this important project are invited to attend. If you can’t make it, stay in touch, and email us your ideas (lagsoc@aol.com).

John Hyland
Retirees Chapter

Are you a union member?

By SHOMIAL AHMAD

From a quick glance at your CUNY paycheck, you may not know whether you’re a union member or not. It’s hard to decipher all the codes and abbreviations, but we’ve created a quick guide on how to figure it out. If you are not a member, you cannot vote on important workplace and union matters, like contract ratification or in the upcoming union-wide elections next Spring.

MEMBER OR FEE-PAYER?

Just because you see a fee being taken out of your paycheck doesn’t mean that you’re a union member who pays dues.

Non-members, who are also known as fee-payers, pay an “agency fee” as required by law, to cover

the union’s costs of representing all employees in the bargaining unit. (See page 10 for a detailed discussion.)

Senior college paystubs, which come from New York State, are different from community college paychecks, which are issued by the City of New York. Here’s a guide to where to look, to determine if you’re currently a PSC member:

COMMUNITY COLLEGES

You can look at the “Description” column of your paycheck to verify whether or not you’re a union member. If you are a PSC member, the code for union dues is PROF STF C-U (Professional Staff Congress – Union dues). If you are a fee-payer, and thus not a union member, your paystub will read PRO STF CON.

SENIOR COLLEGES

You can look at the “After Tax Deductions” column on your paystub to check if you’re a member. For union members in full-time positions, this will read “PSC Dues.” “PSC A/S” is listed for fee-payers or non-members in full-time positions. “Adjunct Dues PSC” describes Adjuncts and CETs who are union members. “Adjunct A/S” describes non-members who are adjuncts or CETs. Basically, if you have A/S in this area, you are not a PSC member.

BECOMING A UNION MEMBER

You can become a union member simply by signing a union card. Call the PSC office at (212) 354-1252 and ask the membership department to send you a card.

Thomas P. DiNapoli State Comptroller		JOHN DOE		Total Gross Fed Taxable Gross	
Advice # 12345678		Pay Start Date 09/04/2014		Current 3,391.36	
Advice Date 09/18/2014		Pay End Date 09/17/2014		YTD 64,435.04	
Department ID 12345		NYS EMPLID N01234567		Net Pay 2,329.47	
EARNINGS		TAX DATA		Pay Rate 88,418.00	
Regular Pay Salary Employee		Federal State NYC Yonkers			
Hrs/Days Earnings Hrs/Days Earnings		TAXES		Current YTD	
3,391.36 64,435.04		Fed Withholding		5,770.59	
BEFORE TAX DEDUCTIONS		AFTER TAX DEDUCTIONS		Current	
TIAA Retirement Before Tax		PSC/CUNY/PAC		10.00	
CUNY Pre Tax Transit Benefit		PSC DUES		35.61	
GHI CBP Fam Basic Bof Tax		PSC Benefit Trust NYSUT		118.93	
		CUNY Admin Fee Transit Benefit			

The City of New York		EMPLOYEE		Payroll Management System	
PAY PERIOD 08/24/14 09/06/14		PAY DATE 09/12/14		DIRECT DEPOSIT PAY STATEMENT	
PENSION # 123456		ELECTRONIC FUND TRANSFER INFORMATION		PAYROLL# WORK UNIT CHECK NUMBER DISTRIBUTION #	
123456 123456789		1 A 02 A 02 1234567		123 1234 Z 12345678 BMCC	
TAX INFO		SOCIAL SECURITY		EMPLOYEE NAME	
TOTAL EARNINGS 1059.19		65.67		DOE JOHN	
FEDERAL TAX 9532.71		591.03		CITY TAX	
THIS PERIOD 1059.19		15.35		CITY WAIVER	
YEAR TO DATE 9532.71		138.22		TOTAL DEDUCTIONS THIS PERIOD	
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PSC-COPE 3.00					
OTHER ITEMIZED DEDUCTIONS		OTHER ITEMIZED DEDUCTIONS			

Above, where to look on senior college (top) or community college (bottom) paystubs to see if you are a PSC member.

Time for economic offer

Mass event on Oct. 21

By PETER HOGNESS

Close to 1,000 PSC members demonstrated outside the September 29 meeting of the CUNY Board of Trustees, demanding that management come to the bargaining table with an economic offer.

Suresh Tewani carried a sign saying *Chemists For A Good Contract*. “CUNY is without a contract for a long time,” said Tewani, an assistant professor at City Tech. “We need a contract, we need a fair contract, we need a raise.”

“I really need a raise because my rent has gone up, my health insurance has gone up,” Kate Walter, a lecturer in developmental skills at BMCC, told *Clarion*. “I’m actually taking home less money now than I did a year ago because my health insurance went up....It’s time!”

“We are here to make our voices heard,” said Katie Albany, an adjunct who works in the campus Learning Center at City Tech. “By being here together and supporting one another, we want to make the Board of Trustees understand that this is a pressing need for us.”

AT THE PICKET LINE

The protest began with picket lines at each of the entrances to Baruch College’s Vertical Campus building, where the trustees were meeting on the top floor. The crowd of union members grew so large that it eventually circled the entire block. “It’s one of the biggest rallies that I have been at for the PSC,” said Paul Washington, a Higher Education Officer and veteran union activist who has worked at Medgar Evers College since 2005.

Abass Abdullahi, an associate professor of biology at Bronx Community College, said he came with a diverse group from his school: “Biology professors, math professors, English professors, a lot of professors from various groups across the campus are here.”

“We have a fabulous turnout,” said Andrea Vásquez, a HEO in the American Social History Project and New Media Lab at the CUNY Graduate Center. “People from every campus and every division and every job title must be here – it’s really remarkable.”

“We’re here because of our commitment to our students, to their academic success,” said Nick Irons, who works in Academic Information Technology in the library at Brooklyn College. “That’s important to us. We all play some part in helping to educate somebody else’s children and to make that happen requires a fair contract for us all. We want a contract that will liberate us to do our best job for all of the students here.”

In addition to salary, issues in this round of contract bargaining include a more balanced teaching load for full-time faculty, job security for experienced adjunct faculty, and a clear path to advancement for CUNY’s HEOs.

Members’ message to trustees

While the protest grew outside, more than 100 members filled the audience chairs in the meeting room upstairs where the Board of Trustees had gathered. “The room was full,” City Tech’s Katie Albany told *Clarion*. “There were people standing on the sides, there were people standing in the back.” CUNY Chancellor J.B. Milliken, who took office in June, went around the room and introduced himself to union members, hearing a bit of what they had to say.

About 10 minutes before the trustees’ meeting began, the union crowd

broad agreement on the need for increased pay. “There is no question that our faculty and staff are entitled to raises, and that this is a high priority for the City University of New York,” he told the trustees.

“The quality of any university is dependent upon the quality of its faculty,” Milliken said, and CUNY must “be competitive...to attract and retain outstanding faculty. This is of course a point made by the PSC this evening, and I think it’s one with which we all agree.” He pledged to “continue to work, in consultation

ment “that would recognize the work that HEOs do, because right now there is no way to get a promotion,” said the Graduate Center’s Vásquez. Too many HEOs do excellent work at CUNY for decades without “receiv[ing] the recognition and the financial compensation that they deserve.”

AT THE BARGAINING TABLE

At a September 19 bargaining session held at the PSC office, HEOs including Maureen Pierce-Anyan, a Higher Education Associate at Queens College, presented the case for the union’s demand. The root of the problem, she told



More than 100 members filled the first BOT meeting of the school year, while hundreds marched outside.

began to chant: “What do we want? Contract! When do we want it? Now!” was followed by “Low pay?...No way!” and others. “It was powerful and energized, and people were really into it,” Albany told *Clarion*.

A few minutes after Board of Trustees Chair Benno Schmidt called the meeting to order, the chants started up again. “No contract, no peace!” echoed over the sound of Schmidt’s gavel; the chanting continued for a few minutes, then the union members marched out together to join the rally below.

“We need a fair economic offer on the table and we need it now,” PSC President Barbara Bowen emphasized in a letter she delivered to the trustees’ meeting. Recent negotiations “have been productive,” she wrote, “but they cannot progress without money on the table.”

CONTRACT DEMANDS

Union members “understand that our contract is more complex than most because CUNY is funded by both the City and the State, but it is the responsibility of the University administration to deliver a satisfactory economic offer,” said Bowen in her letter to the trustees.

In his report to the September 29 meeting, Chancellor Milliken voiced

with leadership in the City and the State,” toward that end. Milliken did not indicate, however, how soon management would bring an economic offer to the bargaining table.

Downstairs on the street, union activists told *Clarion* about the reasons behind the PSC’s contract demands.

“For adjuncts, it’s so important to win job security,” said Blanca Vásquez, an adjunct assistant professor in film and media studies at Hunter and a member of the union’s bargaining team. “Adjuncts are a critical part of the CUNY workforce, CUNY depends on us....It’s just unconscionable that we don’t know year to year if we’re going to be rehired, even though some of us have been coming back for 10, 15, 20 years.”

The teaching load for full-time faculty is a “widely-felt issue across CUNY,” said Lorraine Cohen, professor of sociology at LaGuardia Community College, and is especially acute at the community colleges. “The demands, in terms of publishing as well as teaching load and service, are just overwhelming,” she said. “We really want to be able to serve our students and do the best we can.”

CUNY’s Higher Education Officers need a clear path for advance-

Clarion, is that HEO titles are not defined as a promotional series. “If faculty do an excellent job in their titles, they can get promoted to the next one. But we have to show that our work has changed to the point that it is really a different job.” The only way for HEOs to advance in their career at CUNY is, in effect, to get hired for a new position all over again.

“I think we have to have a mechanism for advancement that includes peer review,” said Pierce-Anyan, who is QC’s director of minority student affairs and pre-professional advisement. This would contribute to more objective and consistent decisions than the current system, she said, and provide HEO-series employees with a clear career path.

There has been substantive discussion of the issue at the bargaining table, and at the end of her presentation, Pierce-Anyan said, “I had the feeling they were listening.” But it remains to be seen, she noted, whether the two sides will reach agreement.

Other issues in the current round of bargaining were reflected in signs that members carried at the September 29 demonstration. Library faculty brought signs calling

The next step in the PSC’s contract campaign is a mass rally and march on Tuesday, October 21, in mid-Manhattan, with members assembling at 5:30 pm at the Community Church of New York, 40 East 35th Street near Park Avenue South.

“We will update members on the latest developments in negotiations, then we will take our message to those in power with a demand for action,” said PSC President Barbara Bowen. “Our success depends on the number of people who make a commitment to come. We know from past experience that good contracts are won on the ground.”

The huge turnout at the union’s September 29 contract demonstration (see article at left) speaks for itself, Bowen said: “Our numbers are the best testimony to the intensity of our demand that the CUNY administration act now to resolve the contract.” To secure more progress, she said, more numbers are needed. “Every member who wants a raise, who wants a contract that is worthy of our work, should plan to be there.”

Sign up to say you’re coming at tinyurl.com/Oct-21-PSC-RSVP.

for parity in annual leave, while those who teach in the CLIP and CUNY Start programs – who are generally in the classroom 30 hours a week – demanded full-time status.

These and other issues are coming up in the union’s “Press the Presidents Week,” October 13-17, with PSC activists urging their college’s president to support action toward a fair contract settlement. “CUNY campus presidents have a responsibility to seek improved pay and conditions for their college’s employees,” said PSC Treasurer Mike Fabricant. “Press the Presidents Week is a campaign of both education and pressure, to get presidents to ‘do the right thing’ by using their influence in support of their faculty and staff.” The week features a range of events, from labor-management meetings to informational picket lines to sending messages by postcard or email.

MEMBER ACTION

The key October event in the union’s contract campaign comes with a mass action planned for October 21 (see above for details). The local campus events in mid-October and the CUNY-wide mobilization the following week have the same key focus, said Fabricant: “They all give voice to members’ growing impatience with the lack of an economic offer.”

At the September contract protest, PSC President Bowen told the crowd that the union welcomes the chancellor’s remarks to the trustees’ in support of increased pay. “But now we have to hold him to it,” she added, “because it’s one thing to say you’re committed – it’s another to put money on the table.”

Three hard years at BCC

By SHOMIAL AHMAD

On September 17, CUNY central administration announced that Bronx Community College President Carole Berotte Joseph was leaving her position. Her three years as president had seen an exodus of college administrators; conflict with faculty over hiring processes and selection of department chairs; and complaints that her management style left faculty and professional staff afraid to speak their minds.

Neither the CUNY press release nor Berotte Joseph's own statement offered any explanation for her departure, and neither statement said that she had resigned. The press release was sent to all BCC employees as an email from CUNY Chancellor J.B. Milliken, who said "I wanted you to hear the news directly from me." Milliken named Eduardo Martí, previously CUNY's vice chancellor for community colleges and former president of Queensborough CC, as BCC's interim president.

The announcement – barely three weeks into a new semester – was made five days after BCC's Faculty Council voted to create a select faculty committee to investigate areas of "widespread concern amongst the instructional staff regarding the administration of President Carole Berotte Joseph," and to either substantiate or refute such concerns. Franklin Moore, the chair of both the College Senate and the Faculty Council, told *Clarion* that the resolution had been prompted by a range of issues.

INSTITUTIONAL VACUUM

"She removed key players, leaving entire administrative departments essentially vacant.... Within a few months, the provost, the senior vice president of academic affairs and all of the deans within academic affairs were gone, either removed or resigned or retired at her urging," said Moore. The departure of so many senior administrators in a short time, became a subject of criticism and concern within the college. Some BCC employees interviewed by *Clarion* said that in certain cases Berotte Joseph had gotten rid of an ineffective senior administrator – but that she had also driven out others who did their jobs well.

Moore emphasized that whatever one thought of any individual personnel action, the scale of the turnover was itself a problem, especially when important positions remained vacant: "It left a vacuum, and there was no institutional memory. You need to have somebody who remembers, at least for a transition period." By this semester, Berotte Joseph's cabinet included only one person who had served on it before she arrived. Many left for positions elsewhere within CUNY, including CUNY Central, BMCC, City Tech, Gutman, John Jay, Lehman, LaGuardia and Medgar Evers.

In addition to high turnover and

Past president's tenure marked by turmoil



Franklin Moore, chair of BCC's College Senate & Faculty Council, with Sharon Utakis, PSC Chapter Secretary.

vacancies among senior administrators, BCC faculty told *Clarion* that Berotte Joseph had sought to micromanage faculty hiring decisions, giving less weight to faculty authority and taking so much into her own hands that she became a bottleneck in the hiring process. Steps that in the past would have taken 10 days stretched out to 6 and 8 weeks.

Professor James Freeman, who served as chair of the social science department and as chair of the council of chairs until this fall, said that Berotte Joseph created a "cumbersome process" that was difficult to implement. Freeman and other faculty leaders said she had diluted faculty search committees' role in the hiring of faculty. Committees were told to send the names of three unranked finalists for the president to interview, and the president would decide who to hire, said Debra Gonsler, longtime chair of BCC's Communication Arts and Sciences department. But with more than sixty finalists for this fall, she said it was impossible for the president to meet with each candidate in a timely way much less with adequate preparation.

Berotte Joseph removed Freeman as department chair this fall, via an abrupt announcement she made in a meeting of his department that she called on with less than one day's notice. A dozen department members walked out of the meeting in protest, department member Peter Kolozi told *Clarion*. Freeman is one of three department chairs at BCC who are fighting their improper removal through union grievances.

WORKPLACE INTIMIDATION

Amidst growing turmoil, "the atmosphere on campus grew more and more secretive," Moore told *Clarion*. "There was a lack of transparency. And in the past year, some faculty

members expressed fear about their jobs. It's in that context the College Senate and Faculty Council looked into what actions to take."

Among those who voiced that fear was Peter Kolozi, an untenured faculty member in the social science department. He spoke up at a union chapter meeting held the same day that the Faculty Council voted to form a select faculty committee.

"I got up and made a statement," Kolozi told *Clarion*. "I said that I felt intimidated and that I was scared for my job, as an untenured person. But I felt that it was important to speak about this, because if this kind of intimidation is allowed to go forward, people would just be silenced. As faculty members, how can we serve the academic mission of the college, how can we advocate for our students, if we are afraid to speak out?"

UNION MEETING

About 40 to 50 faculty and professional staff attended the union meeting, Kolozi said. He credited the chair of BCC's PSC chapter, Sharon Persinger, for "creating a space where we can talk about intimidation in the workplace." Another member who spoke said that they had come to BCC in part because it is a unionized workplace, which makes it more possible to resist this kind of intimidation, Kolozi recalled.

This past Spring, the chancellor had conducted an "early" review of Berotte Joseph's performance as president, with selected faculty, staff and students asked to fill out anonymous surveys. But at the start of this semester, faculty did not know the results of the review or if it had had any effect. In that context, Moore said, BCC's Faculty Council wanted to start its own inde-

pendent investigation and separate fact from rumor – "in a rather quick fashion." Depending on the results of that inquiry, Moore said, a vote of no confidence was seen as a possibility.

At the faculty council meeting, Moore said, a couple of speakers came to Berotte Joseph's defense. Two department chairs who he described as historically supportive of the former president were repeatedly contacted by *Clarion*, but chose not to comment. Attempts to contact Berotte Joseph for this article drew no response.

In the wake of Berotte Joseph's departure, rumors have circulated over a \$10 million budget shortfall, an amount that would be well over 10% of BCC's operating budget. "If there are financial difficulties, we need to know about them as soon as possible," PSC Chapter Chair Sharon Persinger told *Clarion*. "The college will need to find a way to make up that money without reducing the quality of teaching."

Moore told *Clarion* that some rumors circulating on campus about Berotte Joseph's actions have been exaggerated. But he said that overall, the vast majority of BCC's veteran faculty and staff had become "very, very disappointed" in her leadership of the college.

On her last day as the college's president, Berotte Joseph sent a "farewell letter" to the BCC Community. "As I leave this precious emerald of a campus, I look back on all we have accomplished," she wrote, citing a comprehensive orientation program and securing millions of dollars in grants that she said will boost the local Bronx economy. "I personally have done all I can to make Bronx Community College a place where all voices are heard and everyone's contribution to our

success is noticed and appreciated."

But faculty and staff interviewed for this article consistently said that the former president was difficult to work with. Some added that their working relationship was "cordial"; in the words of one HEO, who had worked at the college for more than 35 years before taking an early retirement, "I got along with her. It was just impossible to work with her." For this article *Clarion* interviewed a number of HEOs and faculty members who had worked closely with Berotte Joseph; their accounts were consistent, but none would agree to be quoted by name.

One faculty member still at the college said that he would often sit with others to craft emails to the former president. "You had to measure every email you wrote, every conversation that you had, and she was quick to rebuff any dialogue," he told *Clarion*. "You just spent so much psychic energy on how not to get her mad."

Others described her yelling at people in meetings, or verbally berating them if they voiced disagreement. She went through five secretaries in her three-year tenure, one staff member said.

"It was a great community and a fantastic place to work, and it turned into a campus with a really stifling atmosphere," commented one HEO who worked at BCC for more than a decade. "When you take things apart, you have to put them back together. It'll take a long time to repair and rebuild BCC."

BCC was not the first place where Berotte Joseph's leadership had sparked campus-wide discontent. In 2007, while she served as president at the commuter college MassBay, she received a 93-44 no-confidence vote from faculty there. When Joseph was a finalist for BCC, a plenary meeting of the College Senate urged then-Chancellor Matthew Goldstein to add more candidates to the finalist pool. That request was ignored.

DÉJÀ VU

"When she was hired, the administration knew what her background was and what the faculty at her previous school thought of her," said Sharon Utakis, professor of English and a member of the PSC chapter's leadership. Utakis notes that Joseph's appointment was not the only controversial presidential appointment at CUNY over the past several years. "So I expect CUNY central administration to take faculty views into account in the hiring of the next president," she told *Clarion*.

"Hopefully the chancellor will give more credence to campus input in that search for the next president," agreed the Faculty Council's Moore. That, he said, would be the best way "to move forward in all of this."

Kolozi said he was proud of the way that BCC's faculty, its governance bodies and the union chapter had come together this semester. "It was a great moment, at both the September chapter meeting and the Faculty Council earlier that day," Kolozi said. "It was really nice to see that the senior faculty, junior faculty and staff came together and were supportive of each other. It was one of the first moments where we all spoke with one voice."

Pat Arnold

CUNYfirst's breakdown

By SHOMIAL AHMAD & PETER HOGNESS

CUNYfirst, the University-wide computer system that handles everything from course registration to employee pay, promises on its homepage that you can sign in to the system “from anywhere, anytime.” But at the start of the semester it was more like “from nowhere, at no time,” CUNY staff, faculty and students said. The system crashed repeatedly across the university and was generally unusable on the first day of classes. Improvement was slow, with major disruptions persisting during the following week. As *Clarion* went to press in early October, intermittent problems remained.

“I had no access to attendance rosters, no access to room assignments, no access to anything!” said Julio Valentin, an adjunct lecturer in law and police science at John Jay College. Outages and slowdowns continued for about two weeks, he said, but “it seemed like forever.”

MELTDOWN

“Students couldn’t register for my courses,” a professor at Queens College told *Clarion*. “I told them to come anyway. As for me, I couldn’t get into any computer system in order to upload a curriculum, set up Blackboard, and so on.” Then the uploading of attendance records got corrupted: “So students were just dropped from courses in which they had properly enrolled and for which they had paid. They couldn’t get access to Blackboard after that, and couldn’t do their assignments.”

“I’ve never seen anything like this in all my days of working with computer systems and networks,” he added. “And I’ve been doing it since the 1980s.”

The CUNYfirst meltdown kept some students out of the classes they wanted, or out of CUNY altogether. “I was unable to make changes to my students’ schedules as needed,” said Victoria O’Shea, who works in the ASAP initiative at Queensborough Community College. “In the end, it left two of my students attending part-time. Another student, whose dismissal appeal was approved late, was unable to register for classes this semester.”

“Admissions were affected,” a longtime CUNY faculty member told *Clarion*. “Students were accepted and they paid and then they could not enroll. Some decided to go to other universities. Then, they struggled to get their money back. We lost students.”

“I’ve heard innumerable serious problems from students,” said Monique Whitaker, an adjunct lecturer in philosophy at Hunter. “There were students with financial aid that had been there but [was] suddenly reflected as not having been awarded. Another student was deregistered from all her classes without warning due to a CUNYfirst glitch.”

“A high volume of students simply wandered around outside my office

Disruptions at semester start



Above, a common sight this semester.

looking lost, and many of these students understandably asked for help in finding their classrooms,” said a HEO at a community college. Unfortunately, he could offer little help: “I was also not able to get into CUNYfirst to look up their schedules.” An assistant professor who described a similar scene was concerned about how CUNYfirst’s repeated breakdowns will impact graduation rates: “Students were wandering around lost and helpless. Is this how we increase persistence?”

More than 100 people responded within a few days to a PSC-CUNY survey on CUNYfirst’s problems this semester, raising a wide range of issues. Ordering supplies for a biology class was delayed so long that it almost forced the class to be cancelled. With students unable to register, classes that routinely fill up failed to do so. When adjuncts lost classes as a result, they lost a major portion of their income, while full-time faculty ended up with swollen teaching loads next semester.

Yedidyah Langsam, professor of computer science and chair of the Brooklyn College Faculty Council, said that in discussions among faculty governance leaders there is universal dismay with the system: “Every single college, branch of CUNY said the same thing: ‘The disruption during registration, the most critical part of the semester for students, is totally inexcusable.’”

Because of these severe service disruptions, CUNY central administration extended the deadlines for 100% tuition refund and for late registration fees.

The outages were due to the system’s inability to handle the large number of users at times of peak demand. “We actually started seeing issues the Wednesday before classes started,” Christian Keck, CUNYfirst project manager at Ba-

ruch, told *The Ticker*, the college’s student paper. “We started seeing a sluggish performance on that Wednesday and we saw the system go up and down, kind of like a rollercoaster ride. One minute you had no issues, and the next minute it was extremely sluggish or you were unable to do anything, including log in.”

According to a CUNY administration statement, “Despite previous load testing, these problems arose during peak loads created by an unprecedented number of concurrent user sessions.” *The Ticker* reported that the University’s chief information officer, Brian Cohen, told a September 8 meeting of CUNY college presidents that CUNYfirst has been designed to serve as many as 10,000 simultaneous users, and prior to this year had never seen more than 7,000. But in responding to questions from *Clarion*, the administration declined to say how many simultaneous users the system had experienced this Fall.

TESTING, TESTING?

“Steps have been taken to ensure that these problems...do not recur during periods of peak demand,” the administration pledged. “Although Oracle conducted load testing at various points prior to the semester’s start, CUNY is taking a close look at how the testing was conducted. [CUNY] is also preparing to conduct its own load testing by recreating the problems, implementing fixes, and then testing at peak loads,” the statement added.

“While CUNY is undertaking many steps to make its system more robust,” the administration asserted, “additional costs [needed] to fund these efforts will be minimal.” When asked about the total cost of development and implementation of CU-

NYfirst, which various sources have put at figures ranging from \$250 million to \$600 million to nearly \$1 billion, the administration declined to answer. (Full text of the CUNY statement is online at psc-cuny.org/CUNYfirst-admin-response.)

“The trouble is that, even when it is online, CUNYfirst doesn’t work properly,” said Hunter’s Whitaker. “It’s hopelessly under-resourced and ill-suited to the user population it supposedly serves.”

“CUNY Central has to learn that with this excessive, blind push for top-down centralization that they so highly tout come demands on computing power that simply were not met,” agreed a professor at Baruch. The predictable result, he said, has been “crashes and crippling slowdowns.”

Complaints about CUNYfirst on the campuses certainly extend well beyond its crashes and slowdowns. “Due to CUNYfirst-related account problems, we had well over 250 students and a handful of faculty unable to access Blackboard course sites for their face-to-face, hybrid, and completely online courses for weeks into the semester,” Helen Keier, who manages support services for John Jay Online, told *Clarion*. “These issues are not due to Blackboard, but result from CUNYfirst.”

At City College students were retroactively being denied financial aid – sometimes aid that had already been awarded in the past Spring semester. Even students this semester in good standing with Pell and TAP grants were denied financial aid because of rigid and inaccurate definitions of “Satisfactory Academic Progress.”

“We must be the only university on the planet that came up with a computer system that punishes our best students,” said Jane Gallagher, professor of biology at CCNY.

This summer Gallagher began to see large numbers of student who lost their financial aid without warning. Gallagher, who stepped in and began volunteering once she saw the problem, says 900 students at City College were affected this Fall. The problem isn’t just a CUNYfirst issue, according to Gallagher, but it stems from how CUNYfirst connects with data from DegreeWorks and the financial aid software FACTS.

CCNY’s faculty senate passed a resolution opposing retroactive tuition bills and the removal of student aid because of “imposition of previously unenforced restrictions on course selection.”

As a result of such widespread problems, CUNYfirst has few fans in the University’s student body. “I can’t emphasize enough how much trouble [CUNYfirst has] caused me and my students, nor how much students despise this system,” says Whitaker. “And I’m very much with them on that.” A student-initiated petition demanding that CUNY

fix the system (at tinyurl.com/CUNYfirst-petition) has drawn about 1,000 signatures so far.

“I don’t know if CUNY administrators look at social media,” Communications Technology Assistant Professor Michael Branson Smith told *Clarion*. “The ire of students is unbelievable.... It’s really bad to see all this negative language about a product of our campuses.”

As the semester got underway, one student tweeted, “You know school starts tomorrow...because CUNYfirst crashes today.” Another, tweeting as @cunysecond, wrote, “If you having #collegeproblems I feel bad for you son. I’m logged into 100 different websites, and #cunyfirst ain’t one.” But while there were many jokes at CUNYfirst’s expense, student tweets about the system contain far more profanity than humor.

Faculty and staff also weighed in via social media. When the system went down on the first day of classes this Fall, Smith himself tweeted a remixed video clip he had created that shows a computer specialist hurling his laptop to the ground; Smith’s editing adds a large CUNYfirst sticker to the back of the computer. It quickly became a hit online.

SOCIAL MEDIA

Perhaps the most prolific and rigorous satire came from the parody Twitter account @CUNYfrist, created in the first days of the semester when CUNYfirst was crashing hard (see page 11).

Smith, who teaches at York College and also advises students, says not everything is bad with CUNYfirst. He says the system makes it possible to compare large amounts of data in the query viewer, which helps him track the growth of his program and identify graduating students who need to come into advising.

But others say that any such gains from a more centralized system will continue to come at too high a price; they argue that CUNY should pull back from the CUNYfirst project. “CUNY Central needs to provide or restore greater local control to individual colleges and campuses, so that local fixes can be accomplished by local IT staff who best know our needs,” insisted a professor at Baruch.

PSC Treasurer Mike Fabricant urged staff and faculty who have not yet done so to share their experiences and ideas on CUNYfirst by filling out the PSC’s brief survey about the problems this semester, at psc-cuny.org/form/cunyfirst.

“CUNY needs to change course on CUNYfirst,” Fabricant told *Clarion*. “And that has to start with listening to the University’s staff, faculty and students. Failure to do so in the design of CUNYfirst has cost the University hundreds of millions of dollars. It has saddled us with a broken computer system that hurts students, staff and faculty through delay and an inefficient explosion of time dedicated to what were once simple, quickly completed tasks. That’s a waste of money and human energy that our University cannot afford.”

Getting the word out

By DANIA RAJENDRA

Part of an occasional series on the departments and staff of the PSC. Previous articles are at tinyurl.com/Clarion-Staff-Enforcement & tinyurl.com/Clarion-Staff-Membership.

The PSC reaches many audiences – its members, CUNY students, college and CUNY administrators, the public, the media, other unions, state and local officials. The union's five-person communications department is charged with ensuring that each audience gets the information it needs.

The union's elected officers are the ultimate decision-makers in developing the PSC's message and its communications strategy; those decisions set the direction for the communications department's work. Communications staff approach their work as a collaborative team, working closely with the officers and each other on the wide range of projects for which they're responsible.

Communications Coordinator Fran Clark is involved with more elements of the PSC's communications efforts than anyone else in the department. He sums up his wide-ranging job succinctly: "It's my job to figure out how to tell the story."

At a practical level, that means outreach to reporters; writing the union's email weekly newsletter, *This Week in the PSC* (sign up at tinyurl.com/ThisWeekPSC), managing the PSC's presence on Facebook (facebook.com/PSC_CUNY) and Twitter (@PSC_CUNY); sharing responsibility for the website; coordinating occasional ad buys in print, online and in radio and TV; and managing production of publicity materials for all the union's events, from grassroots lobbying on the CUNY budget to Labor Goes to the Movies.

Clark, who holds a BA from SUNY Oneonta, calls himself a product of New York's public higher education system. "I wouldn't have been able to afford college otherwise," he says, and that helped shaped his commitment to the issues PSC addresses. Before joining the PSC staff in 2011, Clark worked for 10 years at the NY Public Interest Research Group (NYPIRG) as its higher education program coordinator, lobbying, organizing students and building support for public higher education in New York State.

NYC MEDIA

"I believe in the vision for public higher education that the union has," says Clark. "I like that the PSC takes a lot of principled stances to advance that fight," he says. "Helping to shape and deliver those messages is a challenge I enjoy."

New York City is an intense and competitive media environment, but Clark has worked to expand the PSC's presence over time. When CUNY announced its new chancellor, his work helped position the PSC

The PSC's communications department



From left: Bill Friedheim, Shomial Ahmad, Fran Clark, Amanda Magalhaes and Peter Hogness

to be prominently quoted as part of that story, with the union's views cited in coverage by *The New York Times*, the *Wall Street Journal*, and online with the *Chronicle of Higher Education's* blog of breaking news.

In today's new media landscape, success can also come bottom-up – and while the union's electronic media still has its broadest reach through the website and email newsletter, the PSC's social media work has been paying off. For instance, social media photo shares helped make sure CUNY adjuncts became part of the focus of last December's "New Day New York" march in support of NYC's low-wage workers.

"We used photos of adjuncts teaching and collected personal stories to create a series of images promoting the rally," says Clark. "These images also asserted very effectively that colleges and universities also exploit low-wage workers – it's not just fast-food chains, car washes and Walmart." These photo shares had greater reach, and more engagement, than any social media posts the PSC had done before, Clark says.

VISUAL WORK

That campaign and other social media work are one area where Clark works closely with Amanda Magalhaes, the union's Legislative/Communications Associate, who splits her time between the PSC's communications department and its legislative work. Those two areas often overlap – for example, in producing the union's annual "budget books" for grassroots lobbying on the State and City budgets. These booklets have to break down the sometimes arcane details of public budgeting in a way that's clear, accessible, and show what's at stake for CUNY. The timetable for those lobbying visits, which Magalhaes coordinates, and the timetable for producing the printed materials, led by Clark, have to closely coordinate.

Magalhaes has a bachelor's degree in communications from St. John's University, a master's in Urban Affairs from CUNY's Murphy Institute and a certificate in graphic design. "I do a lot of the visual work – scouting

images, putting together graphics," she explains. "I like the creative aspect." Those skills are used in image-based emails and Facebook posts, but also in producing flyers, newsletters and other print materials. Magalhaes also manages the union's digital photo archive.

"I didn't come with a background in union work," says Magalhaes, who first started working at the PSC as assistant to the union's officers in 2002. But over time it's become part of what makes her tick. "Labor history, labor issues, they resonate so much when you discuss them with colleagues," she said – and that bigger-picture perspective helps inform the communications team in its day-to-day work.

Magalhaes, Clark and others contribute to the PSC's website, but the web work is led by the union's webmaster, Bill Friedheim, who has served in that changing role since 2000.

"It keeps me in the center of things at the PSC – the center of things not just at the office, but also what's happening at the chapters," says Friedheim.

Before he retired from BMCC in 2006, Friedheim taught history there for four decades and served in several union leadership roles; he now chairs the Retirees Chapter.

It was "quite accidental" that he began to build websites, he says, a development rooted in his experience as a community college faculty member and a participant in the American Social History Project, based at the Grad Center. "Digital media was a real boon to teaching history, with primary sources, particularly at a community college that didn't have a huge research library," Friedheim says. "And discussion boards really enhanced student engagement." He began by "experimenting a lot," and soon he was building websites for his courses and leading teaching-in-tech workshops.

In 2000, Friedheim took on building and maintaining a website for the union. He did so, basically solo, for a decade. The site has changed dramatically since it began, and to-

day Friedheim manages it as part of a committee, comprised of Clark, Magalhaes, PSC Associate Director Naomi Zauderer and Administrative Associate Patricia Young.

The team approach, Friedheim says, makes it much easier to keep the site up to date and think strategically about its direction. The integration of the website into the union's communications work helps a lot, he says: "There's an integrated strategy" for everything the department produces.

One of the most visited parts of the PSC's website is the online edition of *Clarion*, the union's newspaper. Both print and web editions are produced by Editor Peter Hogness and Associate Editor Shomial Ahmad, aided in the online edition by Moses Merisier, Assistant to the Associate Executive Director.

Since Hogness began as editor in 2001, *Clarion* has been consistently recognized by NYSUT, the AFT, and the International Labor Communications Association as one of the best local union newspapers in the United States and Canada.

But when asked what stands out in his almost 14 years on the job, the first thing he mentions is developing *Clarion's* letters column.

"When I became editor, *Clarion* hadn't had a regular letters column, so it took a lot of tending. People didn't have the expectation that you could write to *Clarion* and probably see your letter published." Many PSC members may recall Hogness buttonholing them after a meeting to suggest that their comment from a half hour before might make a fine letter to the editor. "Over time, the letters column really took root," he says. "It's become the members' soapbox, and readers often tell me it's one of the first sections they turn to."

Hogness's own interest in politics began in high school, when he helped his mother organize support for the United Farm Workers grape and lettuce boycotts in the 1970s, and developed further while he was a student at Harvard studying the labor movement. He's now been a labor activist

for 35 years, and a journalist for 20.

After moving to New York in the 1980s, Hogness worked at the Amalgamated Clothing and Textile Workers Union and the US-Guatemala Labor Education Project. He first got into journalism as a freelancer, publishing in *New York Newsday*, the *Village Voice*, *The New York Times*, the *Baltimore Sun* and elsewhere. In the late 1990s he combined journalism and his labor interests working for a health-and-safety newsletter.

In producing *Clarion*, Hogness and Associate Editor Ahmad are joined by two long-serving freelancers, designer Margarita Aguilar (a former union activist at NYU) and copy editor Teri Duerr. "They're both professionals who know, value and respect the work of the union. The fact that we've worked together for years, makes a big difference to the quality of the paper," Hogness says.

Associate Editor Shomial Ahmad, the newest member of the PSC's Communications Department, started work at the union last March. Like Hogness, she also moved to New York City after college and got hired as union staff. "I was politically active in college [at University of Texas-Austin] and New York felt like a good place to learn more about progressive politics," she says. After working at the New Press for a year and a half as assistant to André Schiffrin, she took a job with the Taxi Workers Alliance in the aftermath of September 11th "to see how to make change happen."

INDIVIDUAL STORIES

It was exciting being part of a group that was inventing new forms of worker organizing, Ahmad says, and the group's broad vision made it a good place to learn. But she found that the "straight-up political stuff" alone didn't feed her creative side, a fact that led her to NYU's journalism program. Ahmad freelanced for print publications in New York before landing a fellowship at National Public Radio in DC, then moved on to become a reporter for the NPR member stations in Atlanta and Houston. Ahmad's sound production skills are on display in an audio slideshow on the PSC website about the September 29 contract demonstration (tinyurl.com/Sept-29-PSC-rally).

"It's lonely sometimes, working as a journalist, because you keep a distance from your sources," Ahmad says. "But at a union publication, it's different because part of the job is building unity and informing members, too. Digging deep into issues that affect the CUNY community means doing good journalism, and is part of supporting our members in their lives at work."

A key part of reporting for *Clarion*, of course, is listening to PSC members – on the phone, online, and face to face. And that's true across the board in the union's communications work, where "figuring out how to tell the story" begins with the individual stories of members of the PSC. At the base of their work, department members say, is listening to PSC members, eliciting and amplifying their voices. That's who the union's communications work serves, and that's whose experience it needs to reflect.

Battle for State Senate

By PETER HOGNESS

The tightest contest in New York State elections this November is the battle for control of the State Senate.

Currently dominated by Republicans, the State Senate has blocked legislative action on a number of priority issues for unions and progressive activists. Proposals to tax the wealthy, expand undocumented immigrants' access to college, or give cities authority over rent controls have won support in the New York Assembly – only to be stonewalled in the State Senate.

POLITICAL IMPORTANCE

“Winning progressive tax reform is essential if we want to reverse decades of disinvestment in CUNY,” said PSC First VP Steve London. “To have a shot at that, we need to win the State Senate fight. The same is true for adjunct faculty unemployment insurance, the New York State DREAM Act and cities’ ability to hike the minimum wage. The results of this election matter.”

“If control of the State Senate shifts, labor will still have to mobilize if we want to move our agenda forward,” said Steve Levine, a member of the union’s Legislative Committee. “But until we change who controls the committees, we can’t get anything to a vote. This November, we can remove that roadblock.”

PSC members will join with activists from other unions in a “labor walk” in support of State Senate candidate Justin Wagner (see below), on October 18. To take part or to learn more about this or other PSC election activity, contact Amanda Magalhaes (amagalhaes@psemail.org or 212-354-1252).

State Senate candidates endorsed by the PSC and its statewide affiliate, New York State United Teachers (NYSUT), in the November 4 election include:

JUSTIN WAGNER, District 40 (mainly Westchester, also Putnam & Dutchess counties): New York “needs to foster and develop” its public higher education system, says Wagner, who received an early endorsement from NYSUT in July. He says the state must also prioritize keeping tuition under control: “Students and families should not have to plunge themselves into insurmountable debt to receive the education that is necessary to succeed in the 21st century.”

Wagner says that public investment in infrastructure and education can “both put people back to work and lay the foundation for future economic growth.” He emphasizes his support for the Women’s Equality Agenda, legislation strengthening women’s rights in reproductive choice, pay equity and domestic violence cases, which the State Senate defeated by one vote in 2013. Wagner’s opponent in the race for the open seat, Republican Ter-

Will shape fate of key issues

rence Murphy, opposes the Women’s Equality Act, which has led women’s groups and reproductive rights organizations to back Wagner.

The son of a public school teacher in special education, Wagner is an attorney working in commercial litigation. After the 2008-9 economic crash, his pro bono work included representing low-income homeowners facing foreclosure. He is also an opponent of fracking and a board member of New Yorkers Against Gun Violence.

ADRIENNE ESPOSITO (District 3, Suffolk County): Esposito has been a forceful advocate for full funding for public education in New York State, and has called for “moving away from the extreme focus on standardized testing.”

Newsday described Esposito as “a well-known Long Island environmental activist,” who has “led campaigns against pesticides in drinking water and to clean up pollution sites.”

The paper reports that Esposito is combining her environmental record with an emphasis on working-class concerns, “including jobs, property taxes and women’s issues such as affordable day care and equal pay.”

“Anyone working 40 hours a week should not be living in poverty, especially hard-working single mothers,” Esposito said outside the Suffolk County Legislature Building in Hauppauge on September 30, at a women’s rally in support of

raising the minimum wage. In addition to NYSUT and the PSC, Esposito is endorsed by the New York State Nurses Association, NARAL Pro-Choice New York and the Long Island Progressive Coalition.

CECILIA TKACZYK (District 46, western Hudson Valley north of Poughkeepsie, Catskills, and west of Albany along the NY State Thruway): When NYSUT endorsed Sen. Tkaczyk in July, Executive VP Andrew Pallotta called her

a “true friend to public education,” with a record of “vigorously advocating for a strong SUNY, CUNY and community college system that has a place for every student who graduates high school and wants to go on to college.” First elected to the State Senate in 2012, Tkaczyk won despite district lines widely seen as gerrymandered in favor of her opponent.

Tkaczyk is former president of the school board around Duanesburg, NY, where she and her husband own and live on a sheep farm. She is the only farmer currently serving in the State Senate.

This year Tkaczyk put forward a bill that would have banned other states from exporting hazardous hydrofracking wastes into New York, as Pennsylvania drilling companies already state they are doing. “These wastes have high levels of heavy metals, carcinogens and other toxic chemicals and compounds,” Tkaczyk noted, but under federal law on oil and gas exploration “they are exempt from the storage and treatment regulations which govern the handling of other hazardous substances.”

The bill was defeated in committee by a one-vote margin, opposed by every Republican on the State Senate Environmental Conservation Committee.

Several PSC- and NYSUT-endorsed candidates who won contested pri-

Continued on page 8

New York’s November ballot questions

By PETER HOGNESS

There are three referendum questions on this November’s ballot in New York State: Proposal 1 would make certain changes to New York’s redistricting process; Proposal 2 allows bills in the State Legislature to be submitted electronically, instead of always requiring paper copies; while Proposal 3 would authorize \$2 billion in bonds for computer hardware in school classrooms. NYSUT has not taken a position on the three ballot proposals.

Of the three, Proposal 1 has sparked the most controversy. Supporters, principally New York’s Citizens Union, Gov. Cuomo and the League of Women Voters, say that by creating a “politically bal-

anced commission” to draw district lines under new rules, the measure would help curtail gerrymandering for incumbents’ advantage.

Opponents, including the NY Public Interest Research Group (NYPIRG), Common Cause, the NAACP, Tenants PAC and NY Communities for Change, say that because legislative leaders would control appointment of the commission’s members and would make all final decisions on district lines, the proposal is a sham that would in fact entrench the status quo. *The New York Times*, *Albany Times-Union*, and several other papers have editorialized against Proposal 1.

The critics won a round in court.

The critics won a round in court in September, when a state judge ordered that the word “independent” be removed from ballot language describing the proposed commission. Such a commission “cannot be described as ‘independent’ when eight out of the ten members are the handpicked appointees of the legislative leaders,” ruled Judge Patrick McGrath.

For more information on the arguments for and against Proposal 1, go to noproplny.com and voteyes4progress.org. For more information on Proposals 2 and 3, go to tinyurl.com/NY-Props-2014-LWV or tinyurl.com/NY-Props-2014-State.

Marching for a contract at the Labor Day parade



Unions across the city showed their strength during this year's Labor Day Parade. Above, PSC members marched up Fifth Avenue.

Denial of reappointment? Know your rights!

By **DEBRA BERGEN**

PSC Director of Contract Administration

Knowing your rights is a priority when facing a denial of reappointment decision. One of the most important rights you have under the PSC/CUNY contract is the right to challenge a denial of reappointment.

The time is approaching when many members of the instructional staff are due to be notified of reappointment or non-reappointment for the 2015-2016 academic year. On or before December 1, 2014, CUNY colleges have a contractual obligation to notify all those in tenure-bearing titles and certificate-bearing titles who are in their second or more year of service about their reappointment or non-reappointment. This applies to full-time faculty, Instructors, and those in the College Lab Technicians series.

REAPPOINTMENT NOTICE

For Lecturers, notice of reappointment or non-reappointment must be received no later than April 1, 2015, in the second year of service, and on or before December 1 in the third year and beyond. For Higher Education series titles who are being considered for their first or second reappointment notification, the deadline is also April 1, and for those being considered for their third or more reappointment, it is March 1.

Adjuncts who were hired solely for the Fall 2014 semester must also be notified no later than December 1, 2014, about whether they are being appointed for the Spring 2015 semester. For those adjuncts who are eligible for a yearly appoint-

Notification deadlines are coming soon

ment, notice must be provided on or before May 15. Unlike full-time members of the instructional staff, adjuncts do not have the same contractual right to presidential reasons when non-reappointed. However, they retain the contractual right to grieve a denial of reappointment and lack of timely notice. Adjuncts who do not receive the required notice should promptly call the PSC office and report it to an adjunct grievance counselor.

RIGHT TO AN ACADEMIC APPEAL & PRESIDENTIAL REASONS

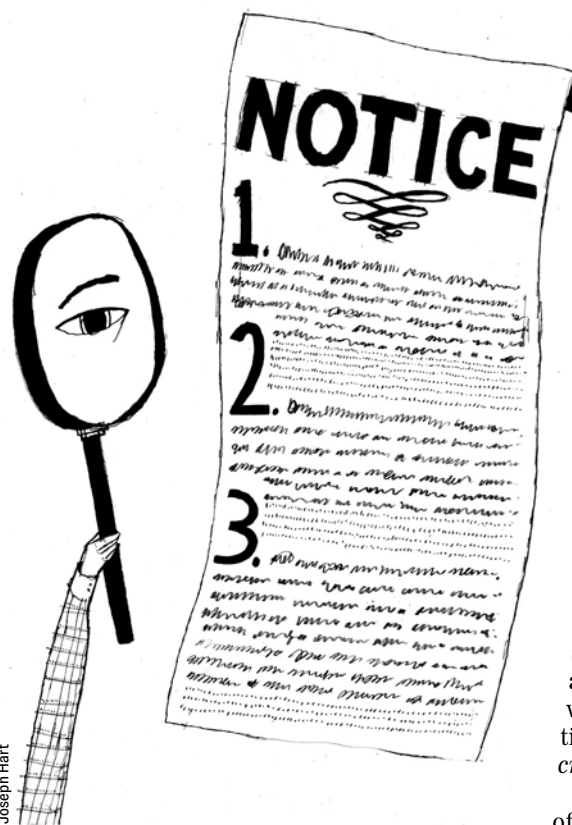
It's important to be familiar with the timeframe for challenging a negative decision, and you should know what actions to take if you are notified that you have been denied reappointment.

All full-time titles have the right to an academic appeal through their college's local appeals procedure.

A contractual right to appeal a negative decision

Because the appeals process varies from campus to campus, contact your chapter grievance counselor or your chapter chair for details. (For a list of chapter grievance counselors, go to www.psc-cuny.org and click on "Grievance.")

If no academic appeals procedure exists at your college, or where such procedures do not culminate in an appeal to the college president, full-time instructional staff have the contractual right to appeal a negative decision directly to the president. Should the appeal be denied, faculty and some instructional



Joseph Hart

staff have the right to request and receive a written statement of the reasons for the denial from the college president.

Article 9 of the contract (tinyurl.com/PSC-reapp) specifies that you have 10 calendar days (excluding Saturdays, Sundays and legal holidays) from the date of receipt of the president's rejection of your appeal to submit to the president a signed request for a statement of reasons. Within ten calendar days (excluding Saturdays, Sundays and legal

holidays) after receiving your request, the president must provide you with a written statement of reasons.

RIGHT TO GRIEVE A DENIAL OF REAPPOINTMENT

Upon receiving notice of non-reappointment (or if you do not receive the required notice) you should immediately contact a grievance counselor if you may want to challenge the decision, so that a grievance could be filed within the specified time limits. *This is of critical importance.*

Under the terms of our contract, a grievance relating to reappointment must be filed within 30 days, excluding Saturdays, Sundays and legal holidays, of your individual scheduled date of notification. You may contact your local campus grievance counselor or one at the PSC central office upon receiving a notice of denial of reappointment.

Grievances challenging a decision of non-reappointment for full-timers will be held in abeyance until after the academic appeal process is complete and, if the ap-

peal has been denied, a statement of reasons from the president has been requested and received. *However, the grievance must nonetheless be filed within the relevant time limits.*

Once you have received the president's statement of reasons, notify your grievance counselor. The counselor will meet with you, and after assessing your employment history, the presidential reasons letter, your personnel file and other materials and facts, will determine whether there is a contractual basis to pursue a grievance on your behalf. All notification contractual dates and deadlines for grievances for all job titles can be found at tinyurl.com/PSC-CUNY-contract.

DUE PROCESS

The contract recognizes the role of academic judgment, and that the president has a duty to support the appointment, reappointment and tenure of only those persons who he/she is reasonably certain will contribute to the improvement of academic excellence. But due process must be followed: a grievance may be pursued if the decision was in violation of the agreement or was not made in accordance with the Bylaws or written policies of the Board of Trustees, or if it constituted an arbitrary or discriminatory application of Bylaws or written Board policies.

Your rights in this area of the contract are set forth in Article 9, Article 10, Article 13, and Article 20 and it is worth taking the time to review these provisions. (See tinyurl.com/PSC-CUNY-contract.)

In order to defend your rights, you first need to know what they are.

Key New York legislative races

Continued from page 7

many races in September are strongly favored to win in the November general election. They include Sen. **Toby Ann Stavisky**, former chair of the State Senate Higher Education Committee and currently its ranking Democrat. Stavisky has been a graduate student at Hunter and Queens Colleges, and has worked closely with the PSC in support of increased CUNY funding. PSC First VP Steve London called Stavisky "a strong advocate for quality, affordable education for CUNY students, and for decent pay and working conditions for CUNY faculty and staff." A Forest Hills resident, she represents the 16th State Senate District in Queens.

SUPPORTING HIGHER EDUCATION

Another is **Charles Barron**, former chair of the City Council's Higher Education Committee, who clinched the Democratic nomination in the 60th Assembly District in East New York. A CUNY graduate, Barron has been a consistent voice for increased public funding

for CUNY, better student services, and for adequate capital resources to rebuild and upgrade college facilities. He has been a leader in developing new financial aid programs and has defended open admissions policies, saying that both are central to CUNY's historic mission.

Rebecca Seawright is a graduate of CUNY Law School, a former Assistant District Attorney in the Brooklyn DA's office, and now the Democratic nominee for Assembly in the 76th District on Manhattan's Upper East Side. She is chair of the board of directors of the Feminist Press, a non-profit publisher based at CUNY, and was the only woman candidate in this crowded primary race for an open Assembly seat. In addition to the PSC and NYSUT, she was supported by Citizen Action, NY State NOW, Gay & Lesbian Independent Democrats, the NYC Central Labor council and a wide range of individual unions.

Prior to the primary vote, the New York State AFL-CIO decided not to endorse any candidate for governor; NYSUT and New York's

largest union of State employees, CSEA, also made no endorsement, while the Public Employees Federation (PEF) backed Fordham law professor Zephyr Teachout's energetic challenge to Cuomo in the Democratic primary. *City and State* said that these stances reflected discontent over deep concessions Cuomo had demanded from public workers: "Two labor leaders who were elected after [2010] – PEF President Susan Kent and NYSUT's Karen Magee – joined CSEA's Danny Donohue in channeling the anger of their rank-and-file members."

Many individual unions are backing Cuomo in November, however, and several large labor organizations – including SEIU 1199, SEIU 32BJ and the Hotel Trades Council – pushed hard to get the union-backed Working Families Party to nominate Cuomo on the WFP's ballot line. In a fiercely debated decision (see *Clarion* tinyurl.com/psc-letters-cuomo), the WFP agreed to do so after Cuomo stated that he would support a number of its priorities, including a proposal to give cities

authority to hike the minimum wage and backing an aggressive push for Democratic control of the State Senate.

A Siena poll released September 26 showed Cuomo with 56% support, 27% for Republican Rob Astorino, and 7% for Green Party candidate Howie Hawkins. Hawkins' running mate for lieutenant governor, Brian Jones, is a doctoral student in urban education at the CUNY Graduate Center.

NYSUT and the PSC have endorsed Eric Schneiderman for Attorney General and Tom DiNapoli for State Comptroller, both running for reelection. NYSUT President Magee praised Schneiderman as a fighter for working people who has played a strong watchdog role as the State's top legal officer. DiNapoli, she said, has been a "tireless champion of retirement security" and a solid steward of the state's finances.

Most congressional races around New York City are not competitive, the main exception being Staten Island, where polls show Democrat Domenic Recchia running neck-and-neck with Re-

publican Michael Grimm. Grimm has seen his reelection prospects threatened after being indicted for tax fraud and televised threatening to throw a TV reporter off a balcony in the Capitol building. Recchia has significant labor support, with backing from the New York State AFL-CIO.

A CLOSE RACE

Meanwhile on eastern Long Island, Rep. Tim Bishop is backed by NYSUT and a wide range of unions against Republican challenger Lee Zeldin. "I don't believe we fix public schools by taking money out of them," Bishop told NYSUT's Representative Assembly last year. A member of the House Subcommittee on Higher Education and former provost of Southampton College, Bishop says "college affordability is a top concern for middle-class families on Long Island," and he has fought to lower the cost of student loans. A recent *Newsday* poll showed Bishop ahead, though some private polls have shown the race as closer.

A full list of NYSUT endorsements is online at mac.nysut.org/endorsed-candidates.

Phased retirement deadline

By CLARION STAFF

The time period to file for starting phased retirement in Fall 2015 has been moved back; the new deadline is November 15, 2014.

Under a three-year pilot program negotiated last year by the PSC and CUNY, eligible full-time faculty may take a voluntary phased retirement of one, two or three years in which they carry 50% of workload and receive 50% of pay. Eligible HEO-series employees and full-time CLTs can take a phased retirement for either six months or one year, at 80% of workload and 80% of pay. (Unfortunately, current New York law creates obstacles to a phased retirement option for participants in TRS, which is the only retirement plan open to CUNY adjuncts.)

ELIGIBILITY

To be eligible to begin phased retirement, faculty and staff must be enrolled in TIAA-CREF (or in the Optional Retirement Plan's alternate funding vehicles with MetLife or Guardian); must be at least 65 years of age; must have tenure, a CCE, or 13.3b status; and must have at least 15 years of continuous, pensionable service. (All these must be true as of the date that phased retirement is scheduled to begin; they need not all apply at the time that

Apply by November 15

you file your papers.)

The decision to retire completely after the phased retirement period is irrevocable.

IRREVOCABLE DECISION

"For people who can financially afford this option, this can be a good way to transition into retirement," Jared Herst, PSC Coordinator for Pension & Benefits, told *Clarion* when the program was announced last year. "But you need to be sure about your decision, because it's irrevocable." If you take phased retirement, you can decide to fully retire sooner, but not later, than your original target date.

The financial aspects of phased retirement are important because, while "phasing," employees remain active employees and will not have access to their primary CUNY retirement annuities. In fact, retirement contributions will continue from both CUNY and employees, based on their reduced rate of pay. On the other hand, those who are "phasing" will have access to funds in their supplemental retirement accounts, because they are older than 59 and 1/2. Employees may

also have access to other sources of income – but while they are working part-time during phased retirement, they cannot collect their primary pension from TIAA-CREF or other ORP plans.

Health insurance continues during phased retirement.

To be approved for phased retirement, faculty members are required to meet with their department chairs, while HEOs or CLTs must meet with their supervisors,

'A good way to transition into retirement.'

to reach a mutually agreeable configuration of their reduced work schedules. Any subsequent changes in a member's part-time workload configuration must be approved by their department chair or supervisor.

Notice of intent to take phased retirement must be submitted in writing to an employee's department chair or supervisor by November 15, 2014, in order to take phased retirement in Fall 2015. Forms are available from college HR offices, or online at tinyurl.com/CUNY-UBO-forms (click on "Retirement Benefits" and then look for the forms under "Phased Retirement.") Final arrangements, including an agreed-

on schedule of work, must be in place by February 1.

Professional staff also have a second option: they can begin phased retirement at the start of the Spring semester. To start "phasing" in Fall 2015, they must file by November 15, 2014 (with final schedule arrangements completed by the following February 1). To start in Spring 2016, they must file by May 1, 2015 (with final schedule arrangements complete by the following October 1.)

FINANCIAL PLANNING

"Keep in mind that once you sign a phased retirement application, your decision becomes irrevocable – so choose carefully before you sign," the PSC's Herst told *Clarion* this October.

Financial planning is an important part of making this decision. Herst encourages members to meet with their TIAA-CREF consultant or financial planner before reaching a final conclusion. Members can also meet with Herst to review details of the program; to contact the PSC Pension and Benefits Office, call 212-354-1252.

For more details on phased retirement, see previous *Clarion* coverage at tinyurl.com/Ph-Ret-Clarion-6-13, or see the letter of agreement at tinyurl.com/Ph-Ret-CUNY.

Union elections

The deadline for filing for candidacy for the upcoming union-wide elections is January 9, 2015. The declaration of candidacy form is available online at tinyurl.com/psc-candidacy-declaration. The spring elections are for the PSC's principal officer positions of President, First Vice President, Secretary, Treasurer; for Vice Presidents for Senior Colleges, Community Colleges, Part-Time Personnel and Cross-Campus Units; and for the other 19 positions on the PSC Executive Council. Members will also elect delegates to the AFT, NYSUT and AAUP.

Adjunct health insurance

The vast majority of CUNY adjuncts receiving health coverage under the old plan that ended on September 30 have signed up for coverage under the new City plan – but some have not. Enrollment in the new plan is not automatic: to continue your health insurance coverage this semester, you must fill out an enrollment packet for the new plan. If you have not, make sure to sign up immediately so that any break in coverage will be minimized.

Details at tinyurl.com/adjunct-health-sign-up.

If you have any questions, call CUNY's dedicated adjunct health insurance helpline at 646-664-3401.

Planning for the future



At the PSC-CUNY Pre-Retirement Conference, held at the CUNY Graduate Center on September 19, topics included Social Security and Medicare, Welfare Fund benefits in retirement, pension income and CUNY's pre-retirement paperwork.

Harris v. Quinn

Continued from page 10

The testimony cited in the opinion did not specify what proportion of California teachers are ineffective, though this question was at the heart of its case. Evidence introduced by the state suggested (without details on how this figure was derived) that between 1% and 3% of teachers in California public schools might be considered ineffective. On this basis, Judge Treu removed crucial due-process protections from all California teachers, good or bad.

ON APPEAL

On August 29, California's State Superintendent of Public Instruction Tom Torlakson asked the state attorney general to appeal Judge Treu's ruling, saying that the decision "is not supported by the facts or the law." Torlakson argued that the ruling wrongly blames teachers for problems not of their making.

"We do not fault doctors when emergency rooms are full," he said. "We do not criticize the firefighters whose supply of water runs dry. Yet while we crowd our classrooms and fail to properly equip them with adequate resources, those who filed and support this case shamelessly seek to blame teachers who step forward every day to make a difference for

our children." The case is now under appeal.

This isolated and poorly reasoned decision is being touted as the opening battle of a nationwide campaign to declare tenure laws unconstitutional in all states that have them. The theory of these cases is deeply flawed, in particular because it fails to show any causation connecting the tenure laws and student performance.

"There is no evidence that teachers' employment rights have anything to do with student achievement," a recent NYSUT statement points out. "Teachers in the wealthiest districts have the identical due process and seniority rights as teachers in the poorest districts — yet students in wealthy districts have much higher graduation and college acceptance rates." NYSUT notes that "students in our poorer districts have the greatest educational needs but are given the least resources, with our richest districts spending 180% as much on education as our poorer districts do."

FOLLOW THE MONEY

There is big money flowing into the campaign for corporate-style reform of public education and supporting its poorly disguised attack on public-employee unionism. The *Vergara* case has inspired a host of well-funded "copycat" cases, including one filed in New York by a

group headed by former TV host Campbell Brown. However the *Vergara* case is finally decided, we are clearly facing a wave of courtroom attacks on tenure laws, and their outcome will be important.

It would be a mistake, however, to just sit back and await the results. The case in defense of teachers' rights needs to be taken to the public, since this battle will likely get fought out in the legislatures of the various states (as has already been happening in Colorado and elsewhere). If

Vergara and similar suits are ultimately unsuccessful, the corporate and conservative interests behind them will not give up easily. And if this attack succeeds in court, supporters of teachers' rights will need to fight for changes in the law to undo the damage.

There are compelling arguments to make in support of teacher tenure, which protects educators' ability to speak out for what their students need. The more the public can be educated about the history and current purposes of teacher tenure, the greater public support will be. Fighting against well-funded private interests is always an uphill battle – but teachers have the public interest on their side.

Frank Deale is a professor at CUNY School of Law. Peter Hogness is editor of *Clarion*.

COURTS RESTRICTING WORKERS' RIGHTS

Two court cases threaten labor

By FRANK DEALE & PETER HOGNESS

Workers suffered two judicial setbacks this summer, in cases with potentially far-reaching effects. In *Harris v. Quinn*, the Supreme Court of the United States held that home health care workers could not be required to pay agency fee costs, as provided by an agreement between SEIU and the State of Illinois state legislature. In *Vergara v. State of California*, a California trial court held that California's laws on tenure for public-school teachers violated the California Constitution.

HARRIS V. QUINN

Over the years, an increasingly conservative Supreme Court has been chipping away at workers' rights, especially targeting the establishment of a "union shop," in which all employees must either join the union and pay dues or pay an "agency fee" to cover the costs of union activity on their behalf.

Unionists say that agency fees are a fair solution to the "free rider" problem in collective bargaining. By law, unions have a duty to represent *all* members of a bargaining unit, not just those who have chosen to join the union. If a non-member's rights under the union contract are violated, the union is obliged to offer them representation. When the union wins a wage increase, the higher pay goes to *all* members of the bargaining unit, union member and non-member alike.

These representational activities cost money to carry out, and an agency fee is designed to cover the cost of providing representation to non-members. Since non-members derive substantial economic benefits from such representation, unions argue charging an agency fee is only fair.

Imagine a group insurance plan where anyone covered could stop paying the premium but would continue to receive benefits. In most cases, such a plan would quickly collapse – and that's what right-wing anti-union groups, like the one that brought the suit in *Quinn*, are hoping will happen to unions if agency fee requirements are struck down.

AGENCY FEE

When unions seek gains for everyone in a bargaining unit, it's not just required by the law – it's basic to their nature: the strength of labor unions is inherently derived from collective action. If an employer who signs a union contract could at any time cut individual side deals, hiring workers at any pay to which those workers individually agreed, the contract would soon be worthless. Allowing individual employees to reject coverage by a collective bargaining agreement might appeal to Ayn Rand fans, but for workers it's a recipe for being powerless and poor.

The *Harris v. Quinn* lawsuit, filed by the National Right-To-Work Legal Defense Foundation, argued that the home health care worker who served as lead plaintiff should not be obligated to pay the costs of her labor representation. The suit asserted that charging her an agency fee violated her First Amendment rights, an argument that the Supreme Court had previously rejected.

Under Illinois state statute, home health care workers were deemed to be employed both by the individual person they were as-

sisting in the home and by the state of Illinois, which paid their wages. In Illinois, as in California and a number of other states, wage rates for publicly funded home care workers are set according to a uniform schedule, under an agreement between the state and the workers through their union. The individual in whose home they work has the power to hire and fire.

Although this kind of joint employer arrangement is not uncommon, a 5-4 majority of the Court said that it was a new and different circumstance than that authorized by precedent, which primarily addressed employees working full-time for a single employer. The Court's majority defined the case as an attempt to extend previous pre-

VERGARA V. STATE OF CALIFORNIA

To understand what's at stake in the attacks on public-school teacher tenure, it's helpful to look back at why tenure laws were adopted in the first place.

"In early public schools, principals hired and fired teachers based on personal connections, whims, and politics," Diana D'Amico, assistant professor of education at George Mason University, wrote this summer in Columbia University's *Teachers College Record*. Tenure laws were a Progressive-Era reform designed to counter this kind of favoritism, which harmed students' education.

Public-school tenure first came to the US in the early 1900s, when "good-government"

fort." Like many other wealthy corporate leaders who've appointed themselves as reformers of education, Welch thinks that if schools functioned more like the corporations he has run, with managers able to fire employees at will, education would be the better for it.

But allowing teachers to be fired at will is in fact bad for students, and bad for education. That's shown by the history of tenure, and by the role it plays today.

Tenure "provides teachers freedom to advocate for their students without fear of reprisal," argues Karen Magee, president of New York State United Teachers (NY-SUT). "Because of tenure, teachers can and do speak out against over-testing, outdated



edent to a new situation and then declined to do so. Its opinion holds that home health care workers, as organized under Illinois law, have a right under the First Amendment to refuse to pay the agency fee.

Some members of the Court undoubtedly relished the thought of using *Quinn* to remove the ability of unions to collect an agency fee from any non-union employee, but a strong well-targeted dissent by Justice Kagan managed to head off such thinking. Kagan argued forcefully that for both single employers and joint employers, precedent compelled non-members to pay the agreed-on agency fee. But she could not muster a fifth vote for her position, and the result was another incremental weakening of union rights.

Unions will now have to organize just that much harder to persuade workers in these situations of the benefits of paying union dues or an agency fee. This can be done, as shown by successful unions in states that ban union-shop agreements across the board. But while it's possible, this new narrowing of union rights imposes an additional burden on home care workers who seek to improve their low pay and weak benefits. They will now have to fight that much harder in order to win.

The right wing's ambition is to extend that burden to the labor movement as a whole, by further whittling down and eventually abolishing the agency fee.

reformers borrowed the concept from Germany," journalist Dana Goldstein wrote in *The Atlantic* in June. "During the Progressive Era, both teachers unions and school-accountability hawks embraced the policy, which prevented teaching jobs from being given out as favors by political bosses."

Tenure laws, which required administrators to show cause before firing a teacher, also helped protect academic freedom and thus the quality of education. In 1937, for instance, a teacher in Whitely Township, PA, was dismissed on charges that included "'advising' her pupils that 'the human race originated from monkeys,'" reported the *Brooklyn Daily Eagle*. The paper noted that while the case had "echoes of the famous Scopes trial" of 1925, it could have a different outcome: "Her lawyer has announced that he would appeal to the county court under the state's new teacher tenure law."

TEACHER TENURE

While the legislative history and specific forms of tenure for P-12 teachers are distinct from those of tenure in higher education, both arose at similar times and for similar reasons.

In California today, P-12 tenure is under attack in the case of *Vergara v. State of California*. According to the *Washington Post*, the lawsuit was organized and funded "by Silicon Valley mogul David F. Welch, [who] pumped several million dollars into the ef-

textbooks and cuts to academic programs. Teachers can – and do – join parents in advocating for students without the fear they can be unfairly fired for doing so."

The *Vergara* suit asserts that California's public-school tenure law prevents bad teachers from being fired, that those teachers are more numerous in schools with lower-income students, and that this violates those students' constitutional right to an equal education. The suit says that bad teachers – not dramatic funding disparities between school districts, or existing economic and social inequality – are responsible for disparities in student achievement.

As a remedy, the plaintiffs in *Vergara* asked Judge Rolf Treu to eliminate California's statewide tenure rules. And the June ruling by Judge Treu, an appointee of former governor Pete Wilson, did exactly that.

What's remarkable about this opinion is that it is so sweeping, yet contains no factual record. The ruling in *Vergara* contains no description of any individual teacher or any individual teacher practice. It does not demonstrate that any teacher practice caused harm to any individual student, and does not even state what bad practices might have harmed students or how. It concludes, however, that these unspecified practices "shock the conscience."

The blame attached to California's tenure rules is similarly unsupported. Nowhere in the opinion does the Court even state that the teachers who taught the student plaintiffs in the case had tenure.

Continued on page 9

Defending tenure & the union shop

SATIRE & SOCIAL MEDIA

@CUNYfrist keeps it unreal

When the CUNYfirst system went through a complete meltdown at the start of the Fall semester, it was hard to get information about what was going on. The official CUNYfirst Twitter account (yes, there is one) might have been one place to go for information – but it had not sent out a single tweet since August 11.

Into the breach stepped the parody Twitter account @CUNYfrist, with two transposed letters in its name that made all the difference. @CUNYfrist stands in roughly the same relationship to the real CUNYfirst system as Stephen Colbert does to Bill O'Reilly. Comparison to Colbert is apt, since @CUNYfrist is just as relentlessly in character.

The unknown authors behind @CUNYfrist have offered a steady stream of corporate happy-talk, cheerfully insisting that this is the best of all possible enterprise-wide computer systems. When a user fumes about how slowly the system responds, @CUNYfrist responds that "Patience is a virtue!" With this sage advice is a photo of a tortoise, and a quote from Tolstoy: "The strongest of all warriors are these two – Time and Patience."

Clarion's interview with @CUNYfrist was conducted via email at the beginning of October; the questions and answers follow below.

Q When did you start your Twitter feed?

A At the start of this semester, when CUNYfirst was having a few little "hiccups".

Q Why did you see a need to do so?

A We felt that the CUNY family needed some light-hearted fun during this time of dynamic service availability changes, and some guidance on how to use CUNYfirst more effectively – like not all logging in at prime times! The service is a lot more accessible during off-peak hours, 11:00 pm – 6:00 am.

Q Describe CUNYfirst in 140 characters or fewer.

A CUNYfirst is a dynamic \$600m (so far, we think!) integrated IT solution for a centrally-controlled realtime educational environment.

Q Can you comment on the sustained outages and disruption at the start of this semester and the resulting disruptions?

A Well, you know the old expression: Least said, soonest mended! But, as we hear our Chief Information Officer of CUNY, Brian Cohen, said in central IT meetings – it really wasn't a big deal and no one could have prevented it, not even the fourth time.

Q What is CUNYfirst doing when it's down?

A Like all members of the CUNY family, we work hard and play hard. And nap, of course! You know those weird commercials in movie theatres that ask if your phone dreams? Well, it does! And so dynamic integrated IT solutions for real time education environments.

Q How do you remain so relentlessly upbeat and optimistic?

A It's easy! CUNYfirst's such an invigorating system to work with. And trying to use its Twitter integration interface is never dull or same-y. Every day you're following a

whole new process... or just tweeting from your phone sometimes. It can be hard with all the kids acting out on Twitter – but like our father-figures in CUNY central, we really just tune out all the whining.

Q What's the best and worst thing about CUNYfirst?

A We're quite pleased with how the centralized control afforded by CUNYfirst has allowed the Board of Trustees to really roll through Pathways in spite of the endless griping the faculty and students had been doing about that. All those colleges, and faculty and student bodies, voting against it – and that silly anti-Pathways petition thousands of faculty signed! – that stuff was really getting the CUNY family down.

And there was a real chance faculty just weren't going to make the right business choices and would insist on things like not reducing lab hours or language teaching time, or might even try to run courses that just didn't fit in the new Pathways silos, so we feel CUNYfirst provided a great opportunity for dealing with all that negativity and turning it around!

The worst thing is not being appreciated for who we really are!

Q How should we think about CUNYfirst's role in the university?

A All-encompassing! I mean, we're totally central to the university and what it's becoming. Pathways, tuition hikes, adjunctification – we play a part in every aspect of the New Educational Business Vision for the whole CUNY family.

Q Are you any relation to former US Senator Bill Frist?

A Alas, we're no relation, but we do admire the work of his Tennessee education non-profit, SCORE, whose President and CEO Senator Jamie Woodson (R-Knoxville) is a keen supporter of attempts to repeal collective bargaining rights for teachers. That's the kind of right-think business mind that the muddled world of education needs!

Q Last year a computer science faculty member wrote in Clarion that:

The user interface is an affront to



Peter Kuper

common sense....For example: I log in. The system "knows" that I am a professor. Why then am I confronted with a dozen links, half of which have no relevance to my role? The links themselves are confusing. I'm searching for my class roster. Why would I expect that functionality to be found in "Self Service" rather than "Records and Enrollment" or "Campus Community" or "Reporting Tools" or "People Tools" or "CUNY"? If I click on "CUNY," I see it has a subsection "Campus Solutions" – wouldn't that be a place to find rosters?... (Hint: when you open up "Faculty Center," don't be so foolish as to excitedly click "Class Roster" – you must first click "My Schedule" and then find the unlabeled graphical icon that looks like three upper torsos, and click that.) Thus, CUNYfirst is a fabulous online version of the Where's Waldo books.

What's your response?

A Working out little things like the questions described above are part of what makes the system so interactive!

Honestly, we just don't know when everyone became so averse to rolling their sleeves up and doing some hard work! Some overthinking faculty members might call us "neoliberal" for saying this, but we all have to learn to do more with less. That's just how our world works today. Especially at CUNY.

If we recall correctly, everyone loved *Where's Waldo* – they even made it into a movie recently! In fact, this comparison perfectly encapsulates the spirit of CUNYfirst:

childishly simple, yet simultaneously very, very complicated. It's a children's book come to life as a university-wide integrated IT educational business solution.

Q Faculty have reported that when they go into the CUNYfirst section on "Payroll and Compensation," and look up their "Compensation History," they're offered the chance to "Review compensation history for base, variable, and stock options." [Editor's note: We did not make this up.]

Based on the performance of CUNYfirst, do you think purchasing shares in CUNY would be a wise investment?

A This is exactly the sort of whimsical touch that makes CUNYfirst such a magical experience for users. A whole afternoon can fly by as you wander the labyrinth of menus and find yourself in all sorts of unexpected places – like this one!

As for the question of CUNY stock; we've got a great feeling about that! With the current nation-wide trend of sky-rocketing tuition plus an overwhelmingly business-minded Board of Trustees, we have no doubt that creating value for shareholders would be CUNY's top priority!

Q When does it all get better?

A The future is *now*. What we need is a 180-degree change of attitude, to reconceptualize what "better" means – so that we can discover that we're already there.

'Free @CUNYfrist!'

Sadly, just before Clarion went to press the @CUNYfrist parody account was suspended by Twitter – most likely because someone with a thin skin filed a complaint that it was in violation of Twitter's formal rule against "Impersonation."

Attorneys from the Electronic Frontier Foundation (EFF), the ACLU and other civil liberties groups have often noted that parody, satire and social comment have broad protections under the First Amendment. Indeed, "temporarily 'impersonating' corporations and public officials has become an important and powerful form of political activism, especially online," a 2010 EFF statement points out.

The anonymous figure(s) behind @CUNYfrist told Clarion that they are working to get the tongue-in-cheek account restored.

Meanwhile, even though @CUNYfrist is (temporarily?) missing from Twitter, it lives on in its Google cache. The most recent tweet recorded there is appropriate: after another Twitter user exclaimed, "Ha! To think that CUNYfirst has a parody account," @CUNYfrist insisted with digital deadpan, that there's "Nothing funny abt dynamic IT solution for realtime edu environment."

To that, we can only say " :) "

Clarion will be proud to host a live Twitter chat with the figures behind the viral success of @CUNYfrist. The conversation will take place Thursday, October 23, at 5:00 pm. You're invited to join us: follow @PSC_CUNY, and look for the hashtag "#FreeCf".

Smiling through a system crash

Clarion OCTOBER 2014

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15-MINUTE ACTIVIST

Spread the word

Talk to at least one colleague about the union's mass rally and march on October 21 and make a plan to go. (See below, and page 3, for details.) Contracts are won with strong member action, not just at the bargaining table.

This September 29 we showed the Board of Trustees that we are ready to fight

for a just contract. Close to 1,000 members joined the protest, and we need to build on that momentum. To bring more pressure, we need more people. If each person who came on September 29 comes back on October 21 with one new colleague, we can show the trustees it's time for a fair contract.

Professional Staff Congress/CUNY
61 Broadway, 15th Floor
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UNION VIEWS

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HOW WE WIN

Solidarity for a just contract

Dear Members,

You were magnificent in response to our call for the demonstration on September 29. Thank you! Hundreds more people than expected showed up, and together we interrupted the CUNY Board meeting with our demands and filled the streets around Baruch with our chants. The photos on this page and others tell the story, as does the video on the union website: the demonstration was a crowded, lively, joyful, serious, angry, effective event. We spoke with a single voice: CUNY needs a raise, *we* need a raise, and we need it now. A good contract is good for everyone: students, faculty, staff, the University and New York.

Our message was heard. The union leadership met with the CUNY administration days after the September 29 protest, and it was clear that the sheer size of the event had created greater urgency to resolve the contract. Serious efforts are now under way with both State and City governments to reach agreement on an economic framework. The PSC is also working directly with

public officials to achieve a resolution.

But pressure, pressure, pressure is the key. When this issue of *Clarion* reaches you, the union will be in the midst of Press the Presidents Week and preparing hard for the mass rally and march on Tuesday, October 21. The PSC is 25,000 strong, and we have to make that strength visible to those in power. That means making October 21 a priority, just as nearly a thousand of you made it a priority to be at the demonstration last month. I know how overscheduled most of our lives are, but if a new contract is a priority for you, joining the PSC on the evening of October 21 must be a priority too. It's simple: we are stronger together, and we need *you*.

MORE PRESSURE

We will gather at 5:30 on Tuesday, October 21, in the Community Church of New York for a report on the latest developments in contract negotiations; then we will take our message to those in power with demand for action. The union is prepared to intensify the pressure and broaden our reach. One thing is certain: our success depends on the number of people



Members carried signs 'CUNY needs a raise' outside the trustees meeting on September 29.

who make a commitment to come. The union bargaining team and leaders are engaged in intense negotiations and political meetings, but contracts are won on the ground. The number of members participating matters.

Members keep asking me, understandably, Why is the PSC still fighting when other contracts in the city have already been settled? For two reasons. First: our contract is more complicated politically than almost any other public-sector contract in New York. Second: we refuse to settle for a contract that undermines us economically and professionally.

The PSC contract is uniquely complicated because CUNY's public funding comes largely from the State but also includes resources from the City. Our contract must reflect agreement between State and City governments as well as between the PSC and CUNY. All of the other public-sector contracts that have been settled this year, such as the United Federation of Teachers contract, require approval by only one government

NO AUSTERITY CONTRACT

An inadequate contract would have been easy to achieve. But if we want anything other than a below-inflation, concessionary settlement, we will have to expose the damage done to CUNY by years of austerity funding and demand a contract that supports our work. Doing so is not easy when contracts both nationally and locally continue to reflect austerity politics. But New York's economy is rebounding and

Wall Street is seeing record profits; there is no justification for a contract that imposes further austerity conditions on CUNY and on us. CUNY is one of the great, saving institutions in this still-unequal, still-segregated city; it should be supported by a contract that allows the faculty and staff to do our work and live our lives.

In a just world we would not have to fight for resources simply to maintain a modest level of income and dedicate our lives to public service. In a just world we would be supported for making the sacrifices we do to work at a public university. But this is not a just world. In this world it takes a serious fight to achieve a just contract at CUNY, a university that has been systematically underfunded because it serves primarily the working class and people of color. I think a just contract at CUNY is cause worth fighting for – for many reasons – and I suspect that you do too. The fight is about our lives, our families, our economic stability and about the belief that the powers and pleasures of higher education should be open to all.

If this fight matters to you – if a new contract matters to you – we need you at the mass action on Tuesday, October 21. We are stronger together; the whole history of fights for justice tells us that.

I look forward to seeing you on the 21st.

Barbara Bowen
President, PSC/CUNY



Members delivered a message to the first Board of Trustees meeting of the semester.

We need you on October 21.