

Clarion

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OCTOBER 2015



DING! Spirited protest

Members take fight to chancellor's digs.

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Dave Sanders

TURNING UP THE HEAT

NO CONTRACT, NO PEACE!

As we went to press, PSC President Barbara Bowen announced that the union plans to hold a strike authorization vote sometime in the next several months. Bowen emphasized that it will be a vote to authorize the PSC's Executive Council to call a strike if necessary; the union's goal is to achieve

a good contract without the need to take job action. An affirmative vote by the PSC membership would "give the union the power to use labor's strongest weapon, if, after everything else is tried, we cannot achieve a fair solution any other way."

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TWITTER FIX

Repairing Brooklyn

A novel hashtag campaign calls attention to campus decay, bringing members and administrators together to solve problems.

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UNION BASHING

Who's behind Friedrichs?

A little-known group, flush with funding from the Koch network, is behind the case the Supreme Court case that threatens unions in a big way.

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CALENDAR

Keep escalating!

It's time to step it up! Find union-wide actions and events, meetings of your chapter and helpful information in our handy guide.

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AUSTERITY WOES

Budget cuts take steep toll

With senior colleges facing a 3 percent budget shortfall, faculty, staff and students shoulder the burden, facing larger class sizes and short supplies.

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IN BRIEF

CUNY prof wins prestigious 'genius' grant

Ben Lerner, professor of English at Brooklyn College, was awarded a 2015 MacArthur Fellowship earlier this month. The prize, often referred to by its nickname, the "genius grant," awards \$625,000 in unrestricted funds to those who have shown extraordinary originality in their creative pursuits.

"Lerner makes seamless shifts between fiction and nonfiction, prose and lyric verse, memoir and cultural criticism, conveying the way in which politics, art and economics intertwine with everyday experience," reads a statement on the MacArthur Foundation website.

The New Yorker praised Lerner's first novel, *Leaving the Atocha Station*, as "subtle, sinuous and very funny." *The New York Times* described his second novel, *10:04*, as "frequently brilliant."

"I think of the Fellowship as a challenge – in the most generous form imaginable – to do more and more adventurous work," Lerner told CUNY Newswire.

Committed to both his craft and his students, Lerner has mentored students who later won prestigious literary prizes themselves, including Ocean Vuong, Class of 2012, who received the prestigious Pushcart Prize in poetry.

Cuomo considers free community college

Governor Andrew Cuomo's office is in talks with the White House to become part of a program that could make community college free in the state, according to Carl Campanile of the *New York Post*.

College Promise is President Barack Obama's proposed plan to make community college free to students in states that take part, with the federal government footing three-quarters of the cost and states providing the rest. The proposal currently faces an uphill battle in Congress, but the *Post* reports that the White House has been luring state officials to join the campaign and possibly take part in federal pilot programs.

The federal initiative could create savings in the state budget. The state currently pays a quarter of community college costs, according to *Politico New York* – the same amount required of states in the proposed federal plan. With the federal government footing the bill for the rest, the state would be relieved of its obligations to community college students in the New York Tuition Assistance Program.

PSC president Barbara Bowen, invited to a White House summit on Obama's free community college proposal, voiced concern that eliminating tuition without substantially increasing funding will leave the nation's community colleges unable to maintain academic quality. Any new program, she urged, must address the staffing crisis in community colleges and the reliance on thousands of underpaid adjuncts.



LETTERS TO THE EDITOR |

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Terror marks grim anniversary

● On October 3, 2015, just days before the 14th anniversary of the war in Afghanistan, the US bombed a hospital run by Doctors Without Borders in Kunduz, Afghanistan. As of the date of that grim anniversary – October 7, 2015 – 22 people had died, 37 were wounded, and 24 were missing. Though President Barack Obama apologized, Doctors Without Borders insisted that the US knew the coordinates for the hospital, asserted the bombing was a war crime and called for an independent investigation.

On September 28 in Yemen, and again on October 7, US coalition partner Saudi Arabia bombed wedding parties killing at least 70 and 23 people, respectively. This is not unusual. Since 2001, the US has bombed at least eight wedding parties in the region. A recent review paper by Doctors for Social Responsibility estimated that approximately 1.3 million people have died in the three main battle zones of the US so-called Global War on Terror (GWOT): 1 million in Iraq, 220,000 in Afghanistan and 80,000 in Pakistan. Millions more have been

injured and displaced. Optimistically, it will take multiple generations for these countries to recover from the destruction.

GWOT is a failure. As with US conflicts in Korea, Vietnam and Central America, war crimes are routine. Politically, the US promised democracy but has delivered neoliberal corruption – profitable for US contractors and local elites but incapable of building stability, no less democracy. GWOT, which continues to leave chaos in its wake, is now the primary cause of the spread of terror. Among US service members, 6,840 have died and 970,000 have disability claims registered with the Veterans Administration. The Brown University Watson Institute estimates that the cost of the war to date is \$4.4 trillion. The final cost will likely be at least \$8 trillion.

Whether the president is a Democrat or a Republican, this war is immoral, self-injurious and insane. The perpetual war must end.

John Lawrence
College of Staten Island
PSC Committee on the Militarization
of CUNY

Ranking rewards war on CUNY

● Baruch, CUNY and New York's governor are all hailing yet another college ranking coup: Our college's home page prominently boasts that *Washington Monthly's* ranking of hundreds of colleges for the "Best Bang for the Buck" in the Northeast places Baruch in the No. 1 slot. In fact, four of the top five colleges on the list are CUNY campuses: Lehman College, John Jay College and Queens College took the third, fourth and fifth slots.

But there's a major paradox here. Almost no one who knows anything about them has anything good to say about college rankings. They are nothing but beauty contests, we agree, based on data the institutions themselves supply (and often falsify), and should not be taken seriously. So why do we hear hosannas each time we rise in the standings, as if we were on our way to a berth in a major bowl game? This conundrum reminds me of Woody Allen's joke about the man who says his brother thinks he's a chicken. "Have you thought of turning him in?" he's

asked. "We would, but we need the eggs," is his reply.

With the sole exception of a minor inflection in the first couple of positions, all the first 100 of these slots are listed in perfect rank order of how little they charge. That is, even though the rankings purport to be about "bang" for "buck," if we strip away all information about academic measures, and rank the institutions purely in order of how low their net tuition charges are, nothing – not a thing – would change.

And in this case, what the governor makes clear by celebrating our placement in this list is that by starving CUNY of funding, he finds cover in it for shortchanging students and their educators. CUNY faculty and staff have gone six years now without a contract or a raise. V.I. Lenin, the Soviet Union's first leader, is reputed to have said that "the capitalists will sell us the rope with which we hang them." It seems to me that by celebrating Baruch's placement atop this absurd ranking we're doing exactly the same thing.

Glenn Petersen
Baruch College

Members march in Labor Day parade



PSC First Vice President Mike Fabricant leads the PSC contingent in the 2015 New York City Labor Day parade, which took place on Saturday, September 12.

Budget cuts hit senior colleges

By SHOMIAL AHMAD

Senior colleges across the CUNY system began the school year facing the sobering reality of budget cuts of at least 3 percent, all because the state failed to fund mandatory cost increases, such as increases in building rents and utility bills.

The most drastic news came out of City College, which faces a staggering deficit of almost 10 percent, about a \$14.6 million shortfall.

MULTIMILLION-DOLLAR SHORTFALL

"The entire campus is experiencing serious mid-academic-year downsizing," wrote PSC member Harold Forsythe in an email to union officials. "This downsizing, particularly in instruction, almost certainly will mean a net drop in enrollment, which will in turn lead to further budget cuts in subsequent years."

Many variables have contributed to the multimillion-dollar deficit, in-

Larger classes, fewer adjuncts

cluding increased personnel costs, a decline in meeting CUNY enrollment targets and the state's failure to adequately fund senior colleges, among other things. College administration officials arranged several meetings with the City College community, at which administrators were "open to criticism," and presented the bad budget news in a transparent manner, according to PSC Chapter Chair Alan Feigenberg.

"This is something that we all have to unite around. It's not an 'us versus them' issue," Feigenberg told *Clarion*. College-wide, administrative departments are taking a 5 percent hit, and academic departments face a 3.6 percent reduction in their budgets. Departments with lower enrollments face even greater budget constraints.

'It's the magnitude that's difficult to determine.'

In the CCNY School of Education, faculty expect a 50 percent adjunct budget cut, according to Feigenberg, and departments in the Division of Humanities and the Arts have been asked to draw up a plan that would eliminate all adjunct faculty. Additionally, the Mathematics Department is looking into creating super-sized sections, according to Michael Green, professor of chemistry, and the chemistry department, he says, may no longer conduct workshops.

"Undesirable things will happen, for sure. It's the magnitude that's difficult to determine," wrote Jerry Carlson, chair of the Department of Media and Communication Arts, in an email to his department. "[We] are doing whatever we can, whenever we can, in order to preserve the educational integrity of our pro-

grams. As we all agree, our students deserve nothing less."

Meanwhile, CUNY Chancellor James Milliken addressed the lack of adequate state funding in a letter to the CUNY community saying, "The failure to fund mandatory costs ... has led to a required budget reduction at the senior colleges and more significant cuts at CUNY's central office." This point, though, was buried in the letter, sent via email on September 10, which touted CUNY achievements, such as overall record high enrollments and new state-of-the-art facilities. (Milliken, however, did prominently state that reaching agreement on a union contract was his "highest priority.")

MORE AUSTERITY

Presidents at other senior colleges zeroed in on the 3 percent budget cut, and how it would affect their respective colleges. At Brooklyn College, the reduction adds up

to a budget decrease of between \$3.5 to \$4 million. As a result, the administration will subject adjunct appointments and the filling of vacant positions to additional review. Money from tuition increases at Brooklyn College will be set aside for a potential new union contract, according to a June 25 email from President Karen Gould.

Faculty at Brooklyn College have been encouraged to apply soon for non-contractual travel because of limited money, and some City Tech faculty have been told that they may have to bring their own toner cartridges for use in college printers. At John Jay College, there has been "a hiring pause" for administrative staff, and searches for new faculty will be authorized only in the "most compelling circumstances," according to a September 24 memo from President Jeremy Travis.

Senior college presidents across CUNY describe the financial reality at their colleges in grim terms. "The news from the state is a sobering reminder of challenging financial realities," wrote Travis in his memo to faculty and staff. "As a result, we clearly have to tighten our belt, even more, to create a balanced budget."

Members take action, make plans

By SHOMIAL AHMAD

In the opening weeks of the academic year, more than 1,000 PSC members attended packed emergency meetings at their campuses. They were brought together by the urgency of winning a fair contract and justice for their students, as CUNY management continued not to respond to an economic proposal offered by the union in May. Faculty and staff have been working six years without a raise, and five years without a contract. With no economic offer yet from CUNY, members met to discuss how they could turn up the pressure on their campuses and out in public.

"We really need our students, their families and the community to be behind us on the contract campaign," Brooklyn College Chapter Chair James Davis said at a September 10 meeting. "It's as much about their learning conditions and their education as it is about our wallets."

PACKED MEETINGS

More than 75 people attended the emergency chapter meeting at Brooklyn College, where members offered ideas on how to escalate the contract campaign and many made a commitment to take part in future actions. Some had already made presentations at their departmental meetings about the plan for increasing pressure for a contract; others signed up for a chapter postcard campaign that would reach out to students and the community.

At Hostos Community College, the PSC met on September 16 in a room overflowing with nearly 100 people, and decorated with handmade flags bearing a slogan direct-

Semester starts with escalating campaign



PSC members at LaGuardia Community College stood in a picket line outside of their college. They talked to students and passersby about how six years without a raise affects their lives and their students' education.

ed at CUNY management, "No More Excuses!" There they talked with PSC President Barbara Bowen, who laid out a timeline for the union's escalating campaign. Enthusiasm ran high; members had already downloaded phone apps with novelty alarms for use in the October 1 wake-up-call action, which took place outside the luxury apartment building where Chancellor James B. Milliken lives at taxpayers' expense. (See page 6.) Attendees laughed as one participant sounded her rooster-crow app. Chapter Chair Lizette Colón and Iris DeLutro, vice president for cross-campus chapters, delivered rousing remarks.

New York City has broken the logjam of more than 150 public-sector unions that were without a contract

in 2014; more than 80 percent of city workers now have a contract. Only a few unions remain without agreements, and the PSC is one—in part because the unique structure of CUNY limits the City's sway in the matter.

"We stand out as a group targeted for no contract. At this point you have to ask yourself why, right?" PSC President Barbara Bowen told members at the Brooklyn College meeting. "We have to understand the failure to resolve our contract as an attack on us, an attack on CUNY and an attack on our students."

Members at John Jay College also took action to raise the public profile of the contract campaign. Faculty and staff handed out leaflets as students entered the main building. At Baruch, HEOs held one-on-one conversations about the contract campaign with their colleagues, and

urgency of a new contract. "Students! Our working conditions are your learning conditions! We need a raise!" read one sign.

In emergency meetings across the university, union officials discussed a trajectory for the escalating campaign, including the wake-up-call action, teach-ins and lessons about CUNY to take place later this month, a November 4 disruptive mass action and a mass meeting on November 19. (See calendar, page 7.) Throughout the meetings, members shared strategies on how they would increase involvement.

UNION POWER

At a late September meeting at Kingsborough Community College, PSC First Vice President Mike Fabricant addressed the progress of legislative efforts and contract bargaining. While some progress has been made, he said, it will be the strength of members' demands and the support of students and community members that will ultimately win the day.





"We do not win a contract because it's right, we will not win a contract because it's just," said Fabricant to the 50 PSC members who attended the meeting. "We'll win the contract because we build our power."



Gerald Markowitz, a distinguished professor of history at John Jay College, hands out fliers about the contract campaign to students.

Where Democratic candidates stand on education, labor and more

With the first debate taking place this month, the primary race for the 2016 Democratic presidential nominee is now underway. But the field may not yet have filled out; Vice President Joe Biden is still mulling a run, according to news reports. Here, in a chart compiled by the American Federation of Teachers (a version of which was first published in the federation's *HealthWire* magazine), the vice president's positions on issues important to PSC members are included, along with those of the other leading Democratic candidates. Former US Senators Jim Webb and Lincoln Chafee (who also served as governor of Rhode Island) are also running for the nomination, but are registering barely above zero in the polls, and are not included here.

	K-12 Education	Higher Education	Affordable Care Act	Labor/Jobs/Economy	Retirement Security	Immigration
<div></div> <div>JOE BIDEN</div>	<p>Longtime supporter of increased federal funding for critical pre-K-12 education programs.</p> <p>A firm opponent of private school vouchers.</p>	<p>Led the Obama administration's \$500 million initiative to create and expand innovative partnerships between community colleges and businesses to train workers with the skills employers need.</p>	<p>Strongly supported and advocated for the ACA: The ACA gives "the American people more freedom and control over their health care choices, improving the quality of the care that they receive and reducing cost, all by building on the best of our private insurance system."</p>	<p>Supports raising the minimum wage and is sharply critical of rising income inequality.</p>	<p>Opposes privatizing Social Security, cutting benefits and raising the retirement age.</p>	<p>Supports comprehensive immigration reform with a pathway to citizenship.</p> <p>Supports the DREAM Act.</p>
<div></div> <div>HILLARY CLINTON</div>	<p>Leader of "Too Small to Fail," an effort to improve the health and well-being of children from birth to age 5. Supports increased Title I funding for schools in need. Opposes private school vouchers.</p>	<p>Has fought to expand financial aid for low-income college students.</p>	<p>Is committed to preserving and improving the ACA.</p>	<p>Favors raising the minimum wage and is an avowed union supporter. "When I'm president, we're going to stand up for unions. We're going to make sure they can organize for fair wages and good working conditions."</p>	<p>Opposes cutting Social Security benefits, privatizing the program and raising the retirement age.</p>	<p>Supports comprehensive immigration reform with a pathway to citizenship.</p> <p>Supports the DREAM Act.</p>
<div></div> <div>MARTIN O'MALLEY</div>	<p>As governor, invested record amounts in Maryland's public schools. Under O'Malley, funding increased by 37 percent.</p> <p>Opposes private school vouchers.</p>	<p>Increased state funding to allow Maryland colleges and universities to freeze tuition from 2007-11.</p>	<p>Supports the ACA. Maryland was one of the first states to set up a health insurance exchange.</p>	<p>Supports increasing the minimum wage.</p> <p>Supports strengthening collective bargaining rights. In 2007, signed an executive order to grant collective bargaining rights to health care aides and child care workers.</p>	<p>Opposes privatizing Social Security and instead supports expanding the benefit.</p>	<p>Supports comprehensive immigration reform with a pathway to citizenship.</p> <p>Championed a version of the DREAM Act for Maryland's public colleges and universities.</p>
<div></div> <div>BERNIE SANDERS</div>	<p>Signed the Fix America's Schools Today (FAST) Act of 2011.</p> <p>Cosponsored an amendment to the Elementary and Secondary Education Act for increased funding.</p>	<p>Proposes making all public colleges tuition-free, to be funded through a "Robin Hood tax" on speculative Wall Street investments.</p> <p>Cosponsored the Student Loan Affordability Act, which extended the reduced interest rate for Stafford student loans.</p>	<p>Introduced the American Health Security Act, which would guarantee health care as a human right and provide every US citizen and permanent resident with health care coverage and services through a state-administered, single-payer program.</p>	<p>Supports raising the minimum wage. Is also a strong supporter of expanded collective bargaining rights for public employees.</p>	<p>Promotes strengthening the social safety net by expanding Social Security, Medicare, Medicaid and nutrition programs.</p>	<p>Supports comprehensive immigration reform with a pathway to citizenship.</p> <p>Supports the DREAM Act.</p>

Pushing back on 'merit pay'

By ADELE M. STAN

Following a four-year moratorium on discretionary salary increases, CUNY last spring lifted the ban, allowing administrators to offer raises they termed "merit pay" to individual faculty members of their choosing. At John Jay College, the resistance put forward by the PSC has been organized and steadfast, and when a similar plan was put forward by the administration at LaGuardia Community College, the

John Jay, LaGuardia chapters say, 'No thanks'

chapter there followed suit. "We object to management-administered merit pay initiatives because they're rarely about merit," PSC Secretary Nivedita Majumdar, a former John Jay chapter chair, told *Clarion*. "'Merit pay' is usually a thinly veiled mechanism for favoritism and for undermining solidarity among colleagues. If management is genuinely interested in

nurturing merit, it'd allocate all possible resources to creating working conditions where the meritorious can thrive." Last spring, Jane Bowers, John Jay's provost and senior vice president for academic affairs, issued a memo titled "Good News for Full Time Faculty," in which she announced the college's plan

to give "a limited number of one-step increases" to full-time faculty in the current fiscal year. The raises are slated to come directly out of the college's budget at a time when, system-wide, the senior colleges are facing budget cuts of 3 percent, and CUNY management has put no money on the table to resolve the

Discretionary raises violate contract

PSC's long-expired contract, even though no faculty or staff have received raises in the last six years. The discretionary salary increases, says Paul Narkunis, who was then acting chapter chair at John Jay, would have run afoul of any contract the PSC has negotiated in the past. Academic departments were asked to nominate potential awardees of the discretionary raises at the rate of one for every 15 department members, a ratio that was later trimmed to one for every 10. Narkunis notes that the process is anything but transparent: after the nominees are forwarded, the names of those granted the in-

Continued on page 10

Twitter campaign spurs repairs

By SHOMIAL AHMAD

On many CUNY campuses, you don't need to look hard to find evidence of disrepair and decay, some serious enough to endanger the health and safety of students and employees. In many cases administrators allow issues ranging from broken doors to heating and air conditioning problems to remain unaddressed long after complaints are filed.

At Brooklyn College, PSC members decided they had had enough. Taking to social media, chapter members crafted a campaign designed to reveal to the world the sorry state of the college's physical plant, using the hashtag #BrooklynCollege (pronounced Broke-lyn).

"We're hoping to stimulate some action where in the past we've heard excuses," PSC Health and Safety Watchdog Co-Chair Jean Grassman told *Clarion*.

#BROOKLYNCOLLEGE

Starting last month, PSC members at the college took to Twitter, posting pictures of things that need to be fixed: dysfunctional toilets covered in plastic wrap, an air conditioning unit leaking fluid, a desk with a protruding sharp steel arm, a water fountain with exposed pipes, and a ceiling with missing tiles draped with a tarp to catch debris and rain that drops from above.

"Our students deserve better," wrote PSC member Timothy Shortell in one tweet. A professor in the sociology department and one of the union members spearheading the campaign, Shortell says some of the items in need of repair highlighted by #BrooklynCollege have been broken for years.

"The purpose of this campaign isn't just to get that fountain fixed," Shortell said at a September 10 chapter meeting. "We are calling on the administration to develop a health and safety plan. There is none." Nearly everyone present at the meeting said they had also encountered infestations of mice on campus.

A MAINTENANCE PLAN

Chapter members say they want their college to develop a systematic approach to addressing problems in consultation with students, staff and faculty. Having a plan in place, chapter leaders say, would help ensure that small issues do not turn into major problems. At the September chapter meeting, Shortell encouraged faculty, staff and their students to post pictures of health and safety issues on social media using the #BrooklynCollege hashtag.

The tweets came in. John Anderson, the director of the college's broadcast journalism degree program, posted a 15-second video of his office's leaky air conditioning unit with the caption, "Legionnaires, anyone?" Sociology student Brandon P. Martinez posted a photo of a glaring, uncovered fluorescent tube light in an elevator, tweeting,

Brooklyn College members' hashtag activism



Faculty and students posted pictures of disrepair on social media, including this photo of a broken door to Boylan Hall.

"Exposed lighting in James Hall elevator. Can I call the landlord?"

Assistant Professor Mobina Hashmi tweeted a picture of the entrance to Boylan Hall, the main administrative building on campus,

with a handwritten note posted on its wooden door that demanded, "Fix this door already!!" The next day, the student publication *Brooklyn College Kingsman* posted a photo of the same door on its Insta-

gram feed, now featuring a number of written demands: "Fix exposed pipes in classrooms," "Fix Brooklyn College's pest problem" and, referring to the West End Building, "Fix WEB's trigger-happy fire alarm."

Since the campaign began, some progress has been made, says Jean Grassman, an associate professor of health and nutrition sciences and a member of the PSC Environmental Health and Safety Committee. The door to Boylan Hall was fixed, some water fountains have been repaired and a vendor has been secured for dealing with the college's rodent problem. The college at last hired a new director of Environmental Health and Safety, a position that went unfilled for more than a year. Earlier this month, PSC members met with college officials to address health and safety issues, and both parties say they plan to make such meetings a regular practice.

PROFESSIONAL WORKPLACE

Grassman says it's common to view advocacy for health and safety issues as a simple service. A thing breaks; the union presses management to fix it. But this campaign, Grassman says, aims for more. It takes on larger issues around governance, working conditions and curriculum.

"This campaign is about respect, respect for faculty and respect for students," Grassman told *Clarion*. "We're professionals, and we seek a professional environment in which to do our work."

Editor's note: What's broken on your campus? Tweet photographs to @Clarion_PSC with the hashtag #FixCUNY, or email them to us at clarion@pscmail.org.

Poll: Rising support for labor

By ADELE M. STAN

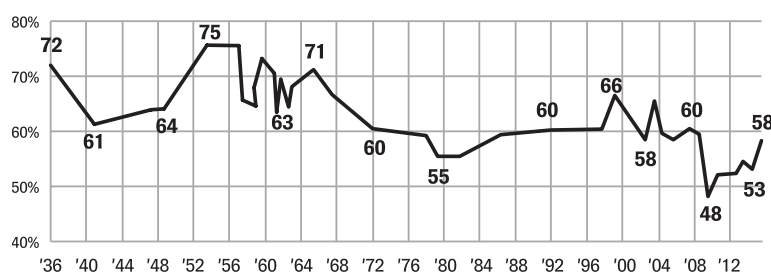
Recent polling from the Gallup organization shows support for labor unions on the rise. Around the time of the economic crash of 2007-08, public opinion about unions reached an all-time low, with just a 48 percent approval rate in 2009, perhaps fueled by persistent demonization of organized labor by right-wing politicians and the organizations that back them. But since then, Gallup reported in August 2015 that public approval of organized labor climbed by 10 points to 58 percent.

Predictably, the Gallup survey found support for unions strongest among Democrats, and weakest in the South. More novel is the breakdown along gender lines: Women approve of unions in much higher numbers than men, with 63 percent of women reporting their support, compared with 52 percent of men. Likewise, greater numbers of women reported wanting to see unions gain more influence in the political process, 41 percent, compared with the 33 percent of men who said they did.

A brief issued this month by the White House Council of Economic Advisers may offer a key to

Women, millennials pro-union

Do you approve of labor unions?



GALLUP

that finding. Union membership, the authors write, has "become more representative of the population, with the share of members who are female or college-educated rising quickly." The brief goes on to explain, "These demographic shifts have been driven in part by the rise of public-sector unions, since public-sector union members are more likely to be female and college-educated than their private-sector counterparts."

Union membership has become more diverse.

A strong majority of young people, Gallup found, view organized labor favorably, with 66 percent of those between the ages of 18 and 34 expressing support for unions, compared with 53 percent of those in the 35- to 54-year-old age group. Among those in the younger age group, a plurality wanted to see labor's influence grow in the political process.

In its brief, titled "Worker Voice

in a Time of Rising Inequality," the Council of Economic Advisers notes a positive spillover effect on the children of union members, or even those who grow up in geographic areas with higher union density, citing research that shows higher earnings by those who grow up in union households, or in union-dense areas. But that alone can't account for the impressive support for organized labor by millennials, which is likely also influenced by the growth of the so-called "gig economy," and unregulated work schedules, as well as the fact that wages, according to Amy Traub, senior policy analyst at Demos, "are frozen."

ALL WORKERS BENEFIT

In its brief, the Council of Economic Advisers notes that unions improve standards for all workers, a fact to which the public may be catching up as the gulf widens between the haves and have-nots. "Unions today represent a very different workforce – one less male, more concentrated in the Northeast, and more educated – than they did at their peak in the 1950s," write the authors of the White House brief. "For these workers, unions provide an important channel for worker voice and have historically afforded benefits for both union members and other workers."

Milliken gets a wake-up call

By SHOMIAL AHMAD and ADELE M. STAN

Chanting “CUNY needs a raise!” while hoisting ringing alarm clocks, a crowd of nearly 1,000, many wearing academic robes, flooded the street outside the Upper East Side luxury home of CUNY Chancellor James B. Milliken. The day of the protest, October 1, marked the date of a meeting of the CUNY Board of Trustees – the first of the 2015-2016 school year. Joining PSC-CUNY members at the union’s protest were unionists from a range of sectors and labor groups.

It has been six years since CUNY employees received a raise, and increases in housing and transportation costs effectively mean CUNY faculty and staff earn less income than at the time of their last salary increase. Although Milliken has cited a contract settlement with the PSC as one of his highest priorities, he has yet to put an offer on the table, or to respond meaningfully to the economic proposal the PSC presented CUNY management in May.

UPPER EAST SIDE RALLY

“More than 80 percent of New York City’s unionized public workers have contracts, but CUNY employees don’t even have an offer on the table,” said PSC-CUNY President Barbara Bowen.

In addition to the 27,000 faculty and staff members represented by PSC, some 10,000 CUNY workers are represented by DC 37, an affiliate of the American Federation of State, County and Municipal Employees (AFSCME).

On East 68th Street the cool, early morning air carried the sound of alarm bells from protesters’ old-fashioned metal clocks. Many marchers expressed rage at the \$19,500 per month paid by CUNY for the chancellor’s housing –

PSC demands fair contract



In a spirited, early morning demonstration, members made sure they were heard.

in addition to his salary and other benefits. The clouds overhead did not dampen spirits; instead, protesters lined up to have their pictures taken with a life-size, cardboard cutout of the chancellor’s image as they held signs featuring messages for the chancellor.

MESSAGE TO THE CHANCELLOR

“Dear Chancellor,” read the sign carried by Michele Doney, director of the Math and Science Research Center at John Jay, “Can I move in with you? I can’t afford my rent increase!”

Members spoke out about the economic toll being taken on their families and themselves due to the lack of a contract.

“My daughter has to eat and go to school, just like his children do,” said Shirley Daniels, a nursing teacher at Medgar Evers College, of Milliken.

“I’m not eating as healthfully,” said Rohan Kennedy, a College Lab Technician who works at the Bronx Educational Opportunity Center. “In terms of living, I haven’t bought clothes in a while – we’re talking about years now. You have to elimi-

nate a lot of things in order to make ends meet.”

For his part, Milliken reportedly told the CUNY trustees at their meeting that he had no hard feelings about the protest on his doorstep.

“I can assure you that when we say we are working on this every day to reach a successful resolution, I’m not exaggerating,” Milliken told CUNY trustees, according to *Politico*’s Conor Skelding. “And while I may not need a reminder or a wake-up call, I do not begrudge our faculty and staff for providing one.”

“I talk to members of the faculty and staff every day, and I understand what they’re facing,” he said. “And I may not have created the circumstances that now resulted in a contract six years out of date. But I certainly accept the responsibility for ending what is an unacceptable situation.”

INCREASING INEQUALITY

“I don’t know if anyone whose salary is as high as Milliken’s can genuinely understand what an adjunct is facing when she teaches four classes a semester at CUNY and lives on \$26,000 a year,” Bowen told *Clarion*. “This fight is about people’s real lives; CUNY management does not have the luxury of time to get a good offer on the table.”

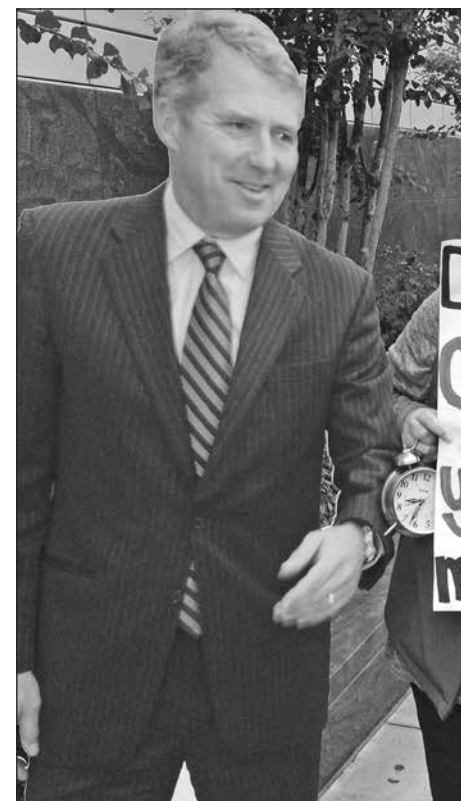
Tanya Agathocleous, an associate professor of English at Hunter College, sees the PSC’s long fight for a contract as part of the battle against the widening gap of inequality throughout society. “The only way to address it is by continuing to provide services like public education,” she said. “That’s why I’m here.”

“This struggle is about the defunding of public education and the way in which people are just letting that happen,” Agathocleous continued. In addition to the lack of a contract, she cited the failure of

the state to fund mandatory cost increases at CUNY colleges. (A bill that would require such funding starting in the 2016 fiscal year, and include collective bargaining costs, was passed by both chambers of the state legislature in June, but Governor Andrew Cuomo has yet to sign it.)

UNION SOLIDARITY

The spirited crowd included members of the NY Hotel Trades Council, the Laborers Construction & General Building International Union/Local 79, many locals of District Council 37 (DC 37/AFSCME), the Transport Workers Union (Local 100), the New York State Nurses Association, the Doctors Council,



Michele Doney delivers her message to a card

We give up far too easily

By MARGE PIERCY

Why do people get so discouraged about political action? You take vitamin pills and imagine they do something. You don’t say, I’ll never wash dishes again because they just get dirty.

We all mumble silly prayers into the air, Oh please don’t let me miss the plane, Oh please let him call me back. We never count times our wishes deflate as futile.

Inaction certainly will work fine for the overlords who own our work, control our lives, consider us collateral loss in their grand schemes. They only fear masses in motion.

A little at a time is the way forward an unending dance two steps forward and one and a half back. Sitting on your ass too long just makes you one. We’re only what we’ve tried.

Marge Piercy is the author of 18 poetry books, most recently *Made in Detroit: Poems* (Knopf, 2015). This poem was originally published in the *Monthly Review*. Subscribe here: monthlyreview.org/subscriptions/



the Council of School Supervisors and Administrators, Utility Workers Union, the Civil Service Employees Association and the National Writers Union. Other labor groups, such as Fight for \$15, also took part.

"The support from other labor unions was spectacular and moving," Bowen said. "There were transit and hotel workers who had just come off night shifts and still wanted to protest with us. Labor turned out in force because working New Yorkers know what is at stake in our contract fight. CUNY is a life-line for the working class and people of color; all working people are undermined when CUNY employees endure six years without a raise."

While the trombones, trumpet and clarinet of the Rude Mechanical Orchestra provided a musical soundscape for chants ("Education is a right – fight, fight, fight!") led by Bowen, Gustavo Mattza of the Hotel Trades Council explained why he joined the protest. An employee of

the Hotel Pennsylvania, Mattza told *Clarion* that he earned his bachelor's degree in economics at Baruch College. In addition, he said, "I have friends who are going to community colleges, and [who study at] Hunter College." The lack of a contract for CUNY faculty and staff, he said, affects the students, as well. But the fundamental reason he was there with his HTC colleagues, he said, was "because we fight for workers' rights."

Liz Wilson of TWU Local 100, a 1986 graduate of Lehman College, agreed: "I know for a fact that [CUNY] teachers work very hard, and they need a contract." One of her children graduated from City College, Wilson added.

"I'm old enough to have gone to a CUNY school when I paid no tuition," Neal Frumkin, an officer in DC 37's Retirees' Association, told *Clarion* as he marched behind his union's banner. "And that's when New York City offered the opportunity for folks like me, whose parents didn't go to college, to go to college." (CUNY first began charging tuition in 1976.)

COMMITTED TO CUNY

Amid the clamor of bells, chants and brass horns, Frederick Reese, a lecturer in the mathematics department at Borough of Manhattan Community College, carried a customized version of a union-issued sign that read "No More Excuses!" on which he had scribbled the symbol for the entity in calculus known as the indefinite integral. "We have been waiting for a new contract indefinitely," he explained, before he ran off to teach his morning calculus class.

Lori Younge, an adjunct in the City Tech math department, said the lack of a contract made her situation even more precarious. Throughout the CUNY system, adjuncts are teaching a growing percentage of course offerings and shouldering huge workloads for low pay without real job security.

"I'm here to support myself and my coworkers," Younge said. "You know, I was out sick last year with

Keep fighting for your contract!

With PSC's wake-up call to Chancellor Milliken earlier this month, we certainly got the attention of CUNY management. But attention alone will not do the job of winning a fair contract for CUNY employees, and a fair deal for CUNY students.

It's time to escalate. Don't leave it to others to fight on your behalf. Join the battle for justice. Below is a

list of chapter meetings at which the next steps will be discussed.

On November 4, PSC members and leaders are planning a disruptive action. If you'd like to take part, contact your chapter chair or the PSC Organizing Department. And come to the union-wide meeting on November 19, at the Cooper Union Great Hall.



MONDAY, OCTOBER 19 – FRIDAY, OCTOBER 30

Teach-In, Teach-Out, Teach CUNY on CUNY campuses. Two weeks of local actions and activist curriculum / Contact: dbrill@pscmail.org

TUESDAY, OCTOBER 20

Queens College Chapter Meeting | 12:15 - 1:30 pm / Contact: bbaum@bway.net

Graduate Center Chapter Meeting | 12:30 - 2 pm / Room 9204-06

WEDNESDAY, OCTOBER 21

Hunter College Chapter Meeting | 1 - 3 pm / Contact: fmimer@hotmail.com

BMCC Chapter Meeting | 2 - 4 pm / Contact: moorman@verizon.net

THURSDAY, OCTOBER 22

College of Staten Island Rally | 12 - 2 pm / Contact: gesanchez99@gmail.com

Guttman Chapter Meeting | 1:30 - 2:45 pm /

Contact: alia.tyner@gmail.com

THURSDAY, OCTOBER 29

Bronx Community College Chapter Meeting | 12 - 2 pm / Begrish Hall 228

Brooklyn College Chapter Meeting | 12:30 pm / Ingersoll



TUESDAY, NOVEMBER 3

York Chapter Meeting | 12 - 2 pm / Contact: tallscott5@yahoo.com

WEDNESDAY, NOVEMBER 4

Disruptive Mass Action / Contact: dbrill@pscmail.org

WEDNESDAY, NOVEMBER 11

Queens Chapter Meeting | 12:15 - 1:30 pm / Contact: bbaum@bway.net

THURSDAY, NOVEMBER 12

College of Staten Island Chapter Meeting | 2 - 4 pm / Contact: gesanchez99@gmail.com

TUESDAY, NOVEMBER 17

CLT Chapter Meeting | 6 - 8 pm / PSC Union Hall

WEDNESDAY, NOVEMBER 18

Hunter Chapter Meeting | 1 - 3 pm / Contact: fmimer@hotmail.com

BMCC Chapter Meeting | 2 - 4 pm / Contact: moorman@verizon.net

THURSDAY, NOVEMBER 19

Mass Meeting | 6:30 - 8:30 pm
The Cooper Union | The Great Hall
30 Cooper Square (near 7th St. and 3rd Ave.) / Contact: dbrill@pscmail.org



board cutout of Chancellor Milliken.



Dave Sanders

Nearly 1,000 people packed 68th Street, right outside the chancellor's luxury apartment.

"Because this is meaningful work for us, we want to stay with CUNY," Renek said, speaking for herself and her colleagues. "We don't want to leave CUNY, but if we have no way to live in the city [because, with no contract, pay is going down in real dollars], people will have to make choices. And we don't want to make those choices."

A CHANGING MOOD

"I know that it sounds [like a] cliché, but I don't think I would be who I am now without the CUNY faculty I worked with," said Amanda Ocasio, a graduate of Brooklyn College's class of 2013. Throughout the protest, Ocasio tweeted up a storm.

Larry Goldbetter of the National Writers Union spoke for many labor supporters when he said, "It's a big fight. This demonstration is changing the mood. This has been dragging five, six years. Now, it's in the street. If the teachers get the support of the students, you get the support of the whole city. This is a breath of fresh air: the crowd, the energy, being out in the streets, fighting back."

FUNDING FROM THE KOCH NETWORK

Who's behind anti-union SCOTUS case?

By ADELE M. STAN

As the current term of the US Supreme Court opens this month, looming on the docket is *Friedrichs v. California Teachers Association*, a case designed to decimate public-sector unions such as the PSC. While it may not come to that — even the most knowledgeable Court watchers are unsure how the justices will rule — the stakes are high. A decision is expected in June 2016, just before the current term closes.

The case tore through the legal system at high speed, thanks to the novel approach taken by the Center for Individual Rights (CIR), the right-wing pro-bono law group that is representing teacher Rebecca Friedrichs and her fellow plaintiffs: At each stage in the legal process CIR attorneys asked the courts to rule against their own clients, in the apparent interest of moving the case up to the Supreme Court as quickly as possible.

‘FALSE CONFLICT’

“It just seems really nefarious,” says Frank Deale, a professor at the CUNY School of Law. “In fact, it’s collusive, in a way. You’re setting up this false scenario, this false conflict, in order to get a Supreme Court ruling. The Center for Individual Rights didn’t even make an argument [in the lower-court filings]. They asked for the court to rule for the defendant, and then they got rewarded for it.”

In addition to Rebecca Friedrichs, the plaintiffs include nine other California school teachers, all of whom have opted out of union membership. They’re bringing suit against the California Teachers Association in a bid to relieve themselves of having to pay their fair share, via agency fees, for the services the union is required by law to provide to them, including contract negotiation and adjudication of grievances. But the Court’s ultimate decision could reach further than the issue of agency fees, in ways that could threaten the very existence of unions. On the other hand, a narrow ruling could have a lesser effect.

Also included among the plaintiffs is the Christian Educators Association International (CEAI), which seeks to provide to right-wing Christian teachers working in public schools some of the services teachers now receive through their unions. CEAI is virulently opposed to LGBT rights, and its website includes a statement accusing public schools and the National Education Association (NEA) of promoting “the homosexual agenda.”

RIGHT-WING SOCIAL AGENDA

Among the books sold as guides for teachers on the CEAI website are several by Carl Sommer, a former New York City high school teacher known for his opposition to school desegregation and sex education. (The biography on his website states that Sommer, in pursuit of his teacher’s certification, studied at both City College of New York and New York University.)

Should the Friedrichs plaintiffs succeed in all their claims before the high court, public sector unions in every state could find themselves in the same situation as those in Wisconsin or Michigan, where state legislatures have effectively seized power away from labor, all in the name of so-called “right to work” policies. At its most draconian potential outcome, the *Friedrichs* case



David H. Koch, major funder of anti-union efforts, shown here in New York City on September 9, 2014. The Center for Individual Rights, which represents the plaintiffs in *Friedrichs v. California Teachers Association*, receives funding from groups linked to Koch and his brother, Charles.

could cost public-sector unions significant drops in membership by demanding that all who would be part of the union opt in, making unions organize to retain the members they currently have.

RACE A MAIN FOCUS

When the Center for Individual Rights first came on the scene in 1989, Frank Deale was on the staff of the Center for Constitutional Rights, the organization that made its mark in the field of civil rights.

“When I first heard their name I said, ‘For goodness’ sake, they’re picking up *our* name,’” he told *Clarion*. “It sounded so similar.”

CIR’s nomenclature was likely no accident; it was founded by two lawyers from the Washington Legal Foundation, a right-wing public-interest law organization frequently in combat with the Center for Constitutional Rights during Deale’s tenure there.

Since its founding, the Center for Individual Rights has maintained a special focus on challenging civil rights measures, especially affirmative action. In 1995, it scored a significant, if fleeting, victory in *Hopwood v. Texas*, until the Supreme Court overturned the federal court decision in the case, which had struck down affirmative action admissions standards at the University of Texas Law School.

To step up its efforts, in 1999, CIR ran ads in campus newspapers seeking plaintiffs among white students looking to challenge their colleges’ affirmative action policies.

CIR also set its sights on the 1965 Voting Rights Act, representing plaintiffs in the recent case *Nix v. Holder*, which while unsuccessful, ran parallel to *Shelby v. Holder*, the 2013 case that gutted Section 5 of the VRA, effectively curtailing the enforcement provision of the law.

The list of foundations and donor-advised funds supporting the Center for Individual Rights reads like a who’s who of the right’s organized opposition to labor; a number of those funders, unsurprisingly, enjoy the support of Charles and David Koch, the

billionaire brothers who are principals in Koch Industries, the second-largest privately held corporation in the United States. (*Forbes* estimates the brothers’ personal wealth at \$42.3 billion for each of them.)

Longtime supporters of anti-labor efforts, the Koch brothers even founded their own organization, Americans for Prosperity, to create for the Republican right the sort of electoral get-out-the-vote ground teams that members of unions often form on behalf of pro-labor, usually Democratic, candidates.

UNIONS IN BULL’S-EYE

In January 2010, Americans for Prosperity President Tim Phillips explained to a room full of right-wing activists in Arlington, Virginia, why Republicans failed to gain a more permanent foothold in Congress in the 1990s: “They had the public employee unions,” Phillips said of the Democrats, “which have only gotten stronger, have only gotten better funded, have only gotten better organized in the period of time between the 1990s and today.”

Six weeks later, Scott Walker, the Koch-supported Wisconsin governor, introduced the anti-labor legislation that killed the unions’ ability to collect agency fees.

Unions also serve as an organized front in the fight against the growing gap between rich and poor that’s been fueled by unfettered capitalism. To that end, Koch-funded groups routinely oppose even a modest raise in the minimum wage.

Koch-linked groups known to have made grants to CIR, according to the Center for Media and Democracy, include Donors-Trust, the Donors Capital Fund, and the Claude R. Lambe Charitable Foundation. Other CIR funders belong to the Koch donor network. Among them are the Dick and Betsy DeVos Family Foundation, as well as the Lynde and Harry Bradley Foundation, which was instrumental in the legislative attack on labor in Wisconsin.

Think tanks and groups that receive either direct funding from Koch entities or are linked to the Koch brothers’ funding network also filed amicus briefs in favor of the plaintiffs, including the Cato Institute, the National Right to Work Legal Defense Fund, and the Mackinac Center, a major force behind the 2012 anti-union legislation enacted in Michigan (which was upheld by the Michigan Supreme Court in a ruling earlier this year).

According to journalist Laura Flanders, earlier in its history CIR also enjoyed the support of the Pioneer Fund, a white supremacist organization devoted to the promotion of eugenics. Flanders, writing in *The Nation* in 1999, found through an examination of the group’s tax records that the Pioneer Fund made three separate grants to CIR.

While the involvement of the Pioneer Fund in CIR may seem unrelated to the law group’s anti-union work, it is not uncommon for organizations opposed to the interests of labor to also have histories of antipathy to other forms of civil rights. For instance, Reed Larson, who led the National Right to Work Committee and its legal arm for three decades, was an early member of the John Birch Society (JBS), as was Fred Koch, father to Charles and David. (Charles Koch resigned from JBS in 1968; David Koch does not appear to have ever been a member.) The Birch Society opposed the civil rights movement, alleging it – and desegregation efforts in general – to be a communist plot.

MORE IN THE PIPELINE

The strategy of the right-wing one-percenters behind the siege being waged on labor appears to be one of leaving nothing to chance.

The last major case targeting union representation that came before the Supreme Court was last year’s *Harris v. Quinn*, which challenged the unionization of home-care aides employed jointly by the state of Illinois and the individuals who received their services. It would seem that the urgency felt by the Center for Individual Rights in moving *Friedrichs* through the legal system at record speed allowed for the possibility of a narrow ruling in *Harris* – one that would not achieve the result desired by right-wing leaders for a decision against public-sector unions that would apply nationwide. And that’s exactly what happened: The high court disenfranchised the union in Illinois in representing those particular home-care aides, but the decision applied only to such workers in that particular state. *Friedrichs* could yield a similarly limited outcome, so other anti-union cases are in the works.

Late last month, a federal district judge ruled against the plaintiff in the case *Bain v. California Teachers Association*, a suit challenging unions’ political activity brought by the ironically named anti-union group StudentsFirst, which is helmed by charter schools proponent Michelle Rhee.

One thing is virtually certain, however: If the Supreme Court doesn’t overturn its 1977 decision in *Abod v. Detroit Board of Education* – the settled law that guarantees public-sector unions their full rights – the Koch brothers and their allies will run yet another suit through the courts in their decades-long effort to destroy unions.

The next US president may get to appoint as many as three Supreme Court justices. The fate of labor may well rest with those choices.

A firm litigating to curtail civil rights

FINANCIAL BURDEN ON STUDENTS & FACULTY

Gov. Cuomo, help CUNY now

By JESSICA SIEGEL
New York Daily News

At the end of August, Governor Andrew Cuomo issued an exultant press release trumpeting the fact that four City University of New York colleges made it into the top five “Best Bang for the Buck” colleges in the Northeast as determined by *Washington Monthly*.

“New York has a long and proud tradition of providing a high-quality affordable education through our public colleges and universities,” he said. “I am proud of these CUNY campuses and this well-deserved recognition.”

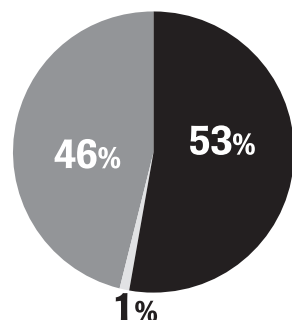
Those of us who teach at CUNY – and I can proudly say I teach at Brooklyn College – find that statement galling. Not only have faculty and support staff such as secretaries and janitors been working without a contract for six years, but the period defined by the past 25 years has seen a steady defunding of CUNY by the state.

DIVERSE STUDENT BODY

A *Daily News* headline a few weeks ago – “Kids Flock to CUNY Schools” – touted the fact that CUNY is educating 278,000 students, an all-time high, a jump of 42 percent from 2000. This group of young people is 75 percent black, Latino or Asian; more than half of their families make less than \$30,000 a year. And 42 percent of them are the first in their families to go to college.

As faculty, many of us get to know those students well. We understand the lives be-

New York pays a diminishing share of CUNY senior colleges' operating budgets.



2014-2015

- State aid (includes fringe benefits)
- City support
- Tuition and other revenue

hind the statistics that make the work they do in our classes – English, biology, education, philosophy or business – even more impressive. We get emails apologizing for an absence to go to a funeral or to ask if it is OK to bring a child to class because they have no child care.

One young man would arrive late to my morning journalism class after working until 11 pm the night before at Target. Other students run between a couple of jobs and school.

A woman who had been quiet in class told me, after much hesitation, how her family was being harassed by their new landlord to vacate their apartment. She ended up representing them in housing court.

But as a group, CUNY students don't complain. They are hesitant to put their problems in your lap or to ask for extras or sympathy. And that's why so many of us enjoy teaching here. The state doesn't seem to appreciate that.

Our contract issues are just part of the longtime desertion of CUNY by the state. In the 1990-91 school year, at senior colleges like Brooklyn, the state contributed 74 percent of the budget while tuition added 21 percent. In 2014-15, state aid had dropped to 53 percent and tuition support rose to 46 percent of CUNY's budget.

By 2014, the portion of the CUNY budget drawn from tuition had almost doubled to 42 percent.

STATE DISINVESTMENT

But there is more. In 1975, CUNY had 11,500 full-time faculty. As of fall 2014, there were 7,698. The rest of the teaching is done by some 12,000 adjuncts, sometimes rushing from one campus to another, cobbling together a poverty-level salary based on the roughly \$3,000 they earn for teaching each class. Many don't have time to meet with students after class.

What all this means is that our students – through tuitions that have gone up 58 percent since 2011-12 – are contributing a much larger portion of the money that keeps CUNY going, and getting less for it.

Yes, this is a national phenomenon. Sandy Baum, a senior fellow at the Urban Institute, cites figures from the College Board's “Trends in College Pricing” that show that in 2001-02, public colleges received 44 percent to 62 percent of their funding from state governments. By 2012, it had fallen to 27 percent to 51 percent.

But New York, in some cases, has an especially bad case of the funding flu. Cuomo recently said that the city should increase its spending on CUNY rather than have the state contribute more. In either case, our students' rising tuition fees are not being used to hire new professors or increase the number of sections of courses so that class size will be reduced.

Searches for new faculty are being canceled, courses are required to have larger class sizes and colleges are figuring out ways to cut.

The Assembly and Senate passed a bill in June designed to ensure that the state does more to meet its obligations to fund CUNY. It is up to Cuomo to sign it. If you want to brag about the outstanding public education that New York offers, it's only fair to put the money where your mouth is.

Siegel is an assistant professor of journalism, English and education at Brooklyn College. This article originally ran in the October 1, 2015, edition of the New York Daily News.

USING OUR POWER

Strike authorization vote to be held

The following is an excerpt from the letter sent to PSC-CUNY members on October 15 by President Barbara Bowen.

Dear PSC Members,

At the union's Delegate Assembly this evening, I announced on behalf of the Executive Council that the PSC plans to hold a strike authorization vote. A strike authorization vote – even though it is not a vote to strike – is a significant escalation of our campaign, and we want to ensure that you have ample time to prepare for it. There will be several months of preparation before the vote is taken. The union's mass meeting on November 19 will offer an opportunity to discuss and plan for the vote.

A strike authorization vote is not a vote to strike. It is a vote to authorize the union's Executive Council to call a strike if necessary. I want to be clear: The PSC leadership is not calling for a strike. We are doing everything we can to reach a fair contract settlement without the need to strike. But given CUNY management's continued failure to secure State funding and put an economic offer on the table, we can-

not rule out being prepared for a strike.

It is perfectly legal to take a strike authorization vote. While New York State's Taylor Law imposes severe financial and legal penalties on unions and individuals who participate in strikes or other job actions, it does not prohibit employees from engaging in a strike authorization vote or even from urging others to vote yes. As we prepare to take this serious step, however, it is critical that we use our power collectively. At this point, the union leadership has explicitly not authorized a strike or other job action, and no members should attempt such actions on their own. To maximize our effectiveness, we must act with discipline and avoid diluting our power by taking individual actions that could lead to penalties.

WORTHY OF OUR WORK

A strike authorization vote will give the union the power to use labor's strongest weapon if, after everything else is tried, we cannot achieve a fair solution any other way. Our goal is to achieve a contract worthy of our work and supportive of our students' education; it isn't our goal to strike. Throughout the coming weeks

and months, the PSC leadership will continue to work aggressively on every front to achieve a good contract. But six years without a raise, six years of erosion of competitiveness and conditions at CUNY, is intolerable – especially in one of the richest cities in the world. If Chancellor Milliken will not defend CUNY, we will.

The union has used every legal means at its disposal to achieve a fair contract – we have held scores of negotiating sessions, we have met privately with CUNY management, we have advocated in Albany and City Hall, we have testified at public hearings, and we have engaged in protest actions in the boardroom, on the campuses and the streets. Chancellor Milliken has still not delivered.

There is too much at stake to allow another academic year to go by without a fair contract, and another generation of CUNY students to be shortchanged by underinvestment in their faculty and staff. Failure to invest in our contract represents a political decision not to invest in the people we teach – as well as not to invest in us.

A strike authorization vote is not a step the union leadership takes lightly, even

though it is many steps away from actually calling a strike. The PSC has taken a strike authorization vote before, in 1973, to win the union's first contract. If there is any way we can reach an acceptable agreement now through political pressure and negotiations, we will. The PSC has negotiated solutions with CUNY to extremely challenging issues in the past – such as the landmark settlement on adjunct health insurance – and we will continue to negotiate as productively as possible. But negotiations cannot succeed without a single dollar on the table.

ONE STEP FURTHER

In Seattle, Chicago and a growing number of American cities, teachers have felt forced to strike to defend public education against attempts to degrade their jobs and strip resources from poor communities and communities of color. The crisis at CUNY may be less visible because it has unfolded slowly, but it is no less real. We are up against a planned, systematic effort to devalue our labor as academic workers and to make sure our students do not have a high-quality education. By announcing the plan to hold a strike authorization vote, we link our fight to the fights of teachers across the country who have stood up for their own dignity on the job and against racial and economic injustice.

I ask for your support as the union escalates one step further, carefully and strategically building the power needed to win a fair contract and force a change in the political decision not to invest in CUNY.

In solidarity,
Barbara Bowen
President, PSC

Is phased retirement for you?

By CLARION STAFF

Three years ago, the first participants signed up for CUNY's pilot program on phased retirement. Both the PSC and CUNY recognized that while a large number of instructional staff members had reached retirement age, many were not sure they wanted to stop working completely. Offered at a number of universities around the country, phased retirement, or a reduced workload for reduced pay, provides a way to move less abruptly to retirement.

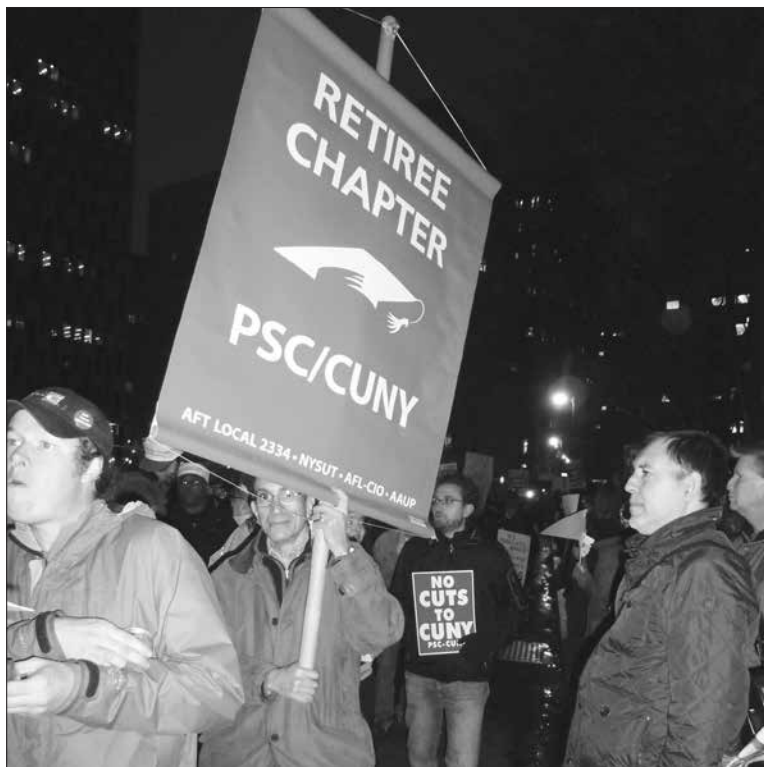
When the union and the university began to discuss how such a program could work at CUNY, a number of necessary constraints became obvious. First, it could only work for full-time employees who have a defined annual workload and clear expectation of employment over the phasing period. CUNY offered a program with 50 percent pay in return for a 50 percent workload over one, two or three years, with full health coverage and pension contributions based on the reduced pay, if the employee is at least 65 years old and makes an irrevocable commitment to retire at the end of the phasing period.

PROGRAM ELIGIBILITY

Members of the NYC Teachers Retirement System (TRS), a defined benefit program, are not eligible for phased retirement. Reducing pay for employees covered by TRS would reduce their long-term retirement benefit, which is based on salary during the final years of employment, an unacceptable effect. While the parties continue to explore whether there is enough flexibility in the pension law to permit TRS members to participate in phased retirement, the program has been limited to full-timers who are members of the Optional Retirement Program defined benefit plans, mostly TIAA-CREF.

The university initially proposed that the plan apply only to faculty but, in response to union pressure, ultimately agreed to include

A less abrupt way to transition



Not every instructional staff member at or over retirement age wants to stop working.

professional staff with a different phasing formula, a 20 percent work reduction (one day per week) for 80 percent pay, for a semester or a year.

The resulting agreement on the pilot program for phased retire-

ment covers a significant number of issues, because, as the parties reviewed the elements of faculty members' workloads, they realized that offering clarity from the beginning about what a reduced

workload means was important. For example, *workload* is not defined by teaching load alone, but also includes all departmental responsibilities. It was agreed that the 50 percent workload could be achieved in one semester of an academic year, not only across both semesters.

Of primary importance is an agreement between the faculty member and his or her chair about what constitutes the 50 percent workload and how it should be scheduled over the phasing period. Professional staff members work out a schedule with their director. Employees on phased retirement will continue to be eligible for their full Travia Leave, at full (100 percent) pay, at the end of the "phasing" period. This agreement is reflected in the phased retirement application that must be submitted to the college human resources office and subject to approval by the college president

COVERAGE DETAILS

The agreement also covers issues such as:

- "phasing" employees will accrue temporary disability (sick) leave on a pro-rata (50 percent or 80 percent) basis;
- "phasing" employees will continue to receive movements in salary schedule and any applicable contractual salary increases dur-

ing the phasing period;

- a faculty member cannot "phase" while serving as department chair;

- "phasing" faculty members retain full departmental voting rights, except while on Travia Leave.

A copy of the full agreement is available online: <http://tinyurl.com/phasedret>

During the pilot program, 15 to 20 instructional staff members per year, primarily faculty, have opted for phased retirement. While this is the final year of the pilot program, both union and management have expressed a commitment to working out a permanent plan. Those wishing to start phased retirement in Fall 2016 must propose and work out a "phasing" plan with their department chair and submit an application to their college human resources office by November 15, 2015.

If your department chair or the college president does not approve your proposed schedule for working 50 percent, you can either work out a different schedule or wait a year, when they must accept your proposal. You can "phase" for fewer years than your original plan calls for, as long as you notify your department chair and HR office, but you cannot extend your phasing period. Application forms are available from your college HR office.

Pushing back on 'merit pay'

Continued from page 4

creases would be kept confidential. Likewise, no specific criteria were offered for what constitutes the "merit" such raises were intended to reward. To union members, it looked like a scheme ripe for favoritism, and one designed to divide faculty members against one another.

OPTING OUT

A memo from the union circulated by Narkunis in response to Bowers's request notes that in contract negotiations with CUNY, management demands the removal of salary steps in favor of a lump-sum allocation to be given to college presidents "to dispense at their discretion for merit."

"By merely putting forward the names under the category of 'merit,'" the memo explains, faculty risk "authoriz[ing] the program and giv[ing] it legal status as precedent, thereby undermining faculty's and the union's position during a grievance or lawsuit."

The PSC chapter went to work, urging department chairs and department personnel and budget committees to decline to put names forward for the raises, and to encourage the administration to instead use the money set aside for these selective raises for overall workload mitigation. By the start of the next semester, some seven departments (of John Jay's 26) had opted out of the pro-

gram by declining to put names forward.

After the academic year closed in June, LaGuardia President Gail O. Mellow put forward an initiative similar to John Jay's discretionary raise scheme. Sigmund Shen, president of the PSC's LaGuardia chapter, rallied department chairs to resist the plan. Narkunis and others from the John Jay chapter shared with members of the LaGuardia chapter their organizing materials and experience resisting the Bowers plan, and the LaGuardia chapter passed a resolution calling for "a full, college-wide discussion" of the program advanced by Mellow.

A scheme ripe for favoritism

The time frame mandated by Mellow for academic chairs to forward nominations to the president for discretionary raises, the resolution states, "rules out the possibility for authentically democratic decisions by faculty within their own departments."

SHARING STRATEGY

When the September 18 deadline for the nominations passed, nearly all the department chairs at LaGuardia had declined to put forward nominations.

"The faculty's successful campaign to block LaGuardia's merit pay scheme was made possible by the sharing of experience and information from an earlier struggle at John Jay," said Shen. "This victory also demonstrated the importance of keeping department chairs in the union, elected and accountable to faculty."

Insurance waiver

If you have health insurance through a non-city group health plan, you can opt out of your city health insurance. Savings can amount to as much as \$3,000 a year, but you must act soon – before the end of the FSA 2016 open enrollment period, which closes on October 30, 2015.

The Buy-Out Waiver program has been amended to offer triple the amount that was available in prior years. Completed forms must be returned to your agency's human resources department or NYCAPS personnel. For more information, visit nyc.gov/fsa.

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GRASSROOTS ORGANIZING BY THE RANK AND FILE

How Chicago teachers fought and won

By NORINE GUTKANST

Labor Notes

As the PSC escalates its tactics in the fight for a fair contract, members have shown interest in contract battles waged by other education unions, understanding that laws and circumstances differ in each state. Here is an organizer's account of the Chicago Teachers Union strike.

The seven-day Chicago Teachers Union (CTU) strike in September 2012 didn't just beat back a mayor bent on imposing some very bad "education reforms." It also led to the development of a deep new layer of union member leaders and won broad public support. One poll showed 66 percent of parents sided with us.

Our win was possible because of several years of patient organizing, focused on getting members to step up.

The work began with the election of a new leadership team from a reform caucus in June 2010. Many in the caucus were waging battles going back to 2001 against the school closings that were targeting African American and Latino neighborhoods.

We knew we had to build up the union to be ready to strike, if necessary, to defend our contract and our students. But the vast majority of our members had not experienced any of the nine strikes that had taken place between 1967 and 1987. Leaders were committed to building a member-driven union to battle alongside parents and students, making our contract campaign one front in a bigger fight to save public education.

To get the members into fighting shape, our first step was to start an organizing department, mostly made up of teachers and paraprofessionals who came off the job to work for the union, with each organizer responsible for 100 schools in regional clusters.

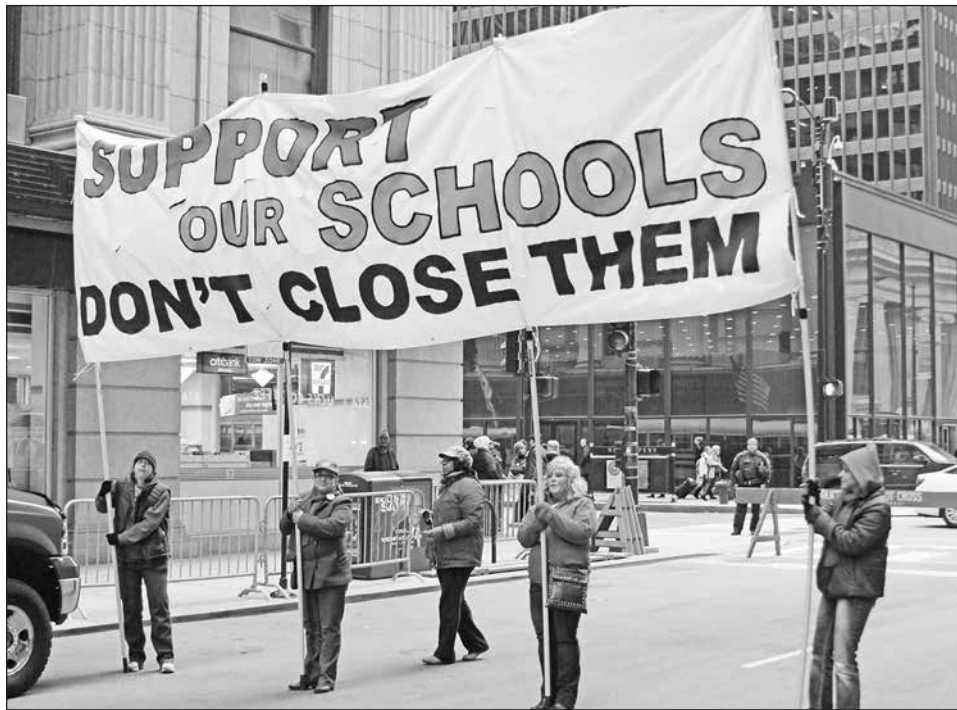
We held training sessions for delegates (the elected reps in each of more than 600 schools) and other activists, with workshops on contract enforcement, fighting school closings and charter proliferation, ways to fight for funding, how to use research and engaging parents. Dozens of rank-and-filers spent summers being trained and working in the community in an organizing internship program.

LEADERS IN EVERY SCHOOL

Staff organizers worked to develop leaders in every school. They came to know all their delegates: who had a lousy principal, who rarely ran union meetings, who had their building sold. Organizers ran school meetings to listen to members and activate them, not to "serve" them.

Members knew the threats were real: thousands of layoffs, funding cuts and anti-union teacher-bashing in the press had made that clear. Organizers' goals were to educate members about where these attacks were coming from and to convince them that winning was possible if large numbers of us were in motion in the schools, streets and communities.

Between October 2011 and February 2012, the Board of Education voted to close or "turn around" 17 schools, provoking huge fights that engaged many members and parents. Members showed up for regional union meetings, rallies, forums, calls and visits to aldermen and legislators, phone banks, Board of Education meetings



In September 2012, Chicago teachers went on strike after voting to overwhelmingly support the action.

and budget hearings. They boarded buses to the state capital, and testified at hearings on school closings.

The tactics of our coalition were confrontational, escalating throughout the effort. We disrupted and took over a board meeting, parents and community activists occupied a school and community organizations led a vigil outside the mayor's home. These actions built members' confidence in the types of tactics we would use during the strike, and provided visible examples of joint union-community action.

In every action, we stressed the big picture – that our fight was about a better school day and getting resources into neighborhood schools rather than seeing them siphoned off by charter schools. We made it clear that the union was not alone, but part of a broad coalition. We called the board's policies racist and pointed out that, in black and Latino communities, students, teachers and schools were set up to fail, paving the way for closings and privatized charters.

CONTRACT CAMPAIGN

Action Committees. A year before our contract expired, we created contract action committees in each building. Each committee member was responsible for communicating face-to-face with some 10 employees, including teachers and paraprofessionals, as well as engineers, security staff and lunchroom workers in other unions.

The message was always for members to build their own local activities and reach out to parents and the community, particularly through local school council meetings.

The committees circulated an open letter for parents and teachers to sign. The letter said that if we were going to have a longer school day, it must be a better school day, with a rich curriculum, more social workers and counselors, and high-quality facilities.

This letter helped committee members develop their organizing skills by talking to every CTU member in their building, and it built their confidence for engaging with parent leaders.

Regional Meetings. We held after-school

regional meetings, open to all, at multiple locations around the city. Whenever a big issue came up, such as the anti-union "Performance Counts" legislation in late 2011, we emailed members to come listen and say what they thought. We also held regional meetings specifically for the often-neglected paraprofessionals.

Phone-banking. At the start of the year, we set up phone-bank sessions to reach out to members who were new, those who were the lowest paid and the least protected. Members trained by the organizing department (sometimes volunteering and other times paid) described what the board was doing, heard members' thoughts and projected a vision of how we could win.

In these calls members were asked to do something – such as come out to our big rally, attend a training, get involved in their school's contract committee or fill buses to the state capital. We tracked how willing they were to vote for a strike.

Bargaining Team. We convened a big bargaining team – 30 members drawn from all sectors, seniority ranges, job categories and caucuses. This happened right after we took office because we had to bargain over the layoffs of 1,500 members. We brought in the best leaders from other caucuses, which worked well to create buy-in and cooperation.

Special Report. Our research department produced *The Schools Chicago's Children Deserve*, a 45-page report with graphs, charts, photos and data that projected a vision in which every child, regardless of her parents' income or ZIP code, would get a world-class education.

This report was pivotal in building support, both within our ranks and among parents. We circulated it everywhere, among parents and politicians, education experts and the press. It called the Chicago system "educational apartheid."

That crucial phrase, regularly used by union leaders, helped show that the union was on the side of black and Latino children and was willing to be direct about it. Jesse Jackson picked it up. The report made it clear to anyone what CTU was fighting for,

and backed it up with research showing what children need. We also distilled the report into a 10-point one-pager in English and Spanish and took it to every meeting.

STRIKE VOTE

In 2011 the Illinois legislature passed a law stating that the CTU would need the votes of 75 percent of all members (not just of those voting) to call a strike. To beat that threshold, we couldn't go into the vote cold.

Practice Vote. We wanted to vote before the school year was over, while the issues were hot and members were having daily conversations with one another. We took a dry run on May 10, 2012. Members at their schools took a four-question poll with questions that would elicit a yes ("Do the Board's bargaining proposals disrespect CTU members?").

This practice vote allowed us to test our machinery and signal to members that a strike vote was coming. Rank-and-file leaders had to drive turnout on a scale they had not experienced before.

Ninety-eight percent rejected the board's proposals, with 90 percent – 21,000 of 26,000 members – participating, showing that the contract campaign had worked.

Even before this, when organizers went out to schools for meetings, we would ask for a show of hands on "How many would vote for a strike?" And spontaneous "mock" strike votes were bubbling up from the membership, simply because they were so angry at the board. We would get calls from delegates: "My staff met yesterday and we voted 98 percent to strike."

Rally. On May 23, 2012, three weeks before school would end for the semester, after many phone calls, emails and school meetings, 7,000 members wearing their red CTU T-shirts swarmed downtown to a march and rally.

Our signs read, "Yes to Respect," "Yes to Smaller Classes" and "Yes to Student Needs." The huge turnout bolstered the rising mood of exhilaration and power.

Teachers sang along to Dolly Parton's "9 to 5" and Aretha Franklin's "Respect."

Two parents and a high school student gave stirring speeches.

When CTU President Karen Lewis, a veteran science teacher, spoke, a chant went up: "Strike! Strike! Strike!" – led by members, not the officers.

The march merged us with Stand Up Chicago, a union-sponsored group that stages militant actions against millionaires and bankers. Thousands of Stand Up protesters and the downtown public greeted CTU members with cheers and support, helping win over those who had been fearful of public reaction if we were to strike. "I've never been so proud of being in the union," people said afterwards.

Strike Vote. The tremendous energy of the rally propelled us to the strike authorization vote, with a delegate in charge at each school and a secret ballot. A worker center ally recruited clergy to observe the vote count in anticipation of Board of Ed accusations of fraud.

After two years of preparation, 90 percent of teachers – and 98 percent of those voting – voted to authorize a strike.

Norine Gutekanst is a former third-grade bilingual teacher who now heads CTU's Organizing Department. A version of this article appeared in the November 2012 issue (#404) of Labor Notes.

Believing that winning was possible



15-MINUTE ACTIVIST

Follow us with a few clicks

On Facebook news feeds and Twitter timelines, PSC's contract campaign is in full force. Photos, videos and tweets about the early morning wake-up call outside of Chancellor James Milliken's luxury apartment reached tens of thousands of users. Keep up with the union and join the conversation on building union power by

liking the PSC Facebook page (facebook.com/PSC.CUNY) and following the Twitter handle @PSC_CUNY. Even if you're not on social media (yet), search the hashtags #CUNYneedsaraise and #CUNYcontractnow – on Facebook and on Twitter – to see what your colleagues have posted.

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PSC PEOPLE

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WTC questions linger at BMCC

By SHOMIAL AHMAD

For years after the terrorist attacks of September 11, 2001, Rebecca Weiner, a full-time lecturer at Borough of Manhattan Community College (BMCC), experienced a host of mysterious symptoms for which doctors couldn't pinpoint a single diagnosis. But now, more than 14 years after the World Trade Center attacks, Weiner knows that her dizziness, hacking cough, shortness of breath and bronchospasms are the result of having breathed in the toxic dust that circulated in the Lower Manhattan air in the months following 9/11.

Some BMCC buildings sit just yards from the site where the towers fell following the inferno that claimed thousands of lives when the WTC buildings were struck by commandeered airplanes; others are further away, but near enough to have been compromised by the disaster.

In 2013, after two years of testing, a leading pulmonologist confirmed that Weiner suffers from sarcoidosis, an interstitial lung disease that also attacks the small fiber nerves in her peripheral nervous system. It affects her balance and her ability to feel her feet, among other neuropathic symptoms. Weiner's also been diagnosed with four other health conditions covered by the World Trade Center Health Program, which assists those suffering from the health effects of having worked or lived near or at the disaster site.

DRAMATIC LIFE CHANGES

"It's changed my life dramatically," Weiner told *Clarion* of her health post-9/11. On days that it's hard for her to climb subway stairs or walk in crowds, Weiner takes a car service from her Windsor Terrace apartment in Brooklyn to BMCC. She walks near walls, so she can steady herself if she suddenly gets dizzy. When she reads poetry out loud in class, sometimes she has a student take over if she gets short of breath. Recently, she lost her voice on two separate occasions while teaching class.

9/11's toll on a member's health



Rebecca Weiner stands outside BMCC's Fiterman Hall, which is blocks away from the 9/11 Memorial.

It's been a long journey to arrive at her diagnosis. As early as 2003, Weiner began to see a rheumatologist because of widespread joint pain and inflammation.

As her health has gotten progressively worse, it's affected her life outside of the classroom. A violinist and an Anglo-Catholic deacon, Weiner (who also goes by the name Rebecca Weiner Tompkins) tires easily when performing.

Weiner is among an untold number of people who suffer from 9/11-related health conditions. More than 72,000 people, including first responders as well as people who lived and worked in the affected area, have enrolled in the World Trade Center Health Program, according to the latest numbers from the Centers for Disease Control and Prevention. And the number of people enrolling is still growing. Funding for the program under the James Zadroga 9/11 Health and Compensation Act of 2010 is set to run out at the end of

the year; Mayor Bill de Blasio and US Senator Kirsten Gillibrand are calling for a long-term funding mechanism.

Although certified for the health program, Weiner is awaiting her official examination by program officials, scheduled to take place early next year.

For three weeks following the 9/11 tragedy, BMCC remained closed. The college's Fiterman Hall was destroyed when a building in the World Trade Center complex fell on the hall's south wall. But the college's main building on Chambers Street, where Weiner worked at the time, is about a half-mile north of where the towers fell and a mere few blocks away from where Building 7 in the WTC complex fell. The main campus did not suffer structural damage, so the campus reopened within weeks of the attacks. Yet just across the street sat a waste transfer site where debris from Ground Zero was loaded onto open barges.

"It was weird," Weiner said, recalling the feeling of working in the area in the months immediately after the attacks. "There was still a smoldering pile at Chambers Street of material from Building 7. The air smelled poisonous.... Every day you could hear and see the cranes [moving the debris]."

When Weiner returned to work in October 2001, after the college reopened, she found the windows of her office open. Her desk, she says, was covered with a quarter-inch of ash. In a 2007 interview with *Clarion*, David Newman, an industrial hygienist for the New York Committee for Occupational Safety and Health, described the waste transfer site directly across from BMCC as "poorly run."

"As the WTC debris was transferred from trucks to the barges, it was supposed to be wet[ted] down so that dust didn't become airborne," Newman told *Clarion*. "All too frequently, however, that did not happen."

The PSC pushed for independent testing of the college's interior and ventilation, and pressed for the barges to be removed. "Any information and support that we got was through the union," Weiner recalls. The union also urged BMCC members to register for 9/11-related health programs; Weiner registered for one of the programs before its deadline passed because of the union's advocacy.

CONTAMINATED WORKPLACE

The testing that finally took place at the PSC's insistence revealed the vents to be "heavily contaminated," according to Newman, though lead levels in classrooms and offices did not exceed EPA residential guidelines. The union pushed for the ventilation ducts to be cleaned, but that work wasn't completed until 2003.

In the meantime, the union joined with community organizations in calling for greater transparency on the progress on demolition of the old Fiterman Hall and the decontamination of the site, passing a resolution in 2006. A public meeting the union

helped organize led CUNY to set up a website detailing the process.

Weiner first spoke to *Clarion* in September 2011, for a 10th anniversary reflection on 9/11, detailing the health hazards that she and her students encountered. She now describes her own words that close the 2011 *Clarion* article as "creepy" and "prescient." "I feel like there are effects that will come up because we were down there every day," she had said.

SEEKING ASSISTANCE

For some 30 years, Weiner has taught at BMCC – a job she says she loves. But now she's unsure how long she can continue. In the spring of 2014, the state of her lungs led her to take a second leave of absence. (She was also out for a semester in 2008.) She just couldn't talk for the length of a class – a problem for a lecturer. She's almost run out of sick days. Reluctant to ask for any kind of "help," Weiner is uncomfortable with being labeled a "victim." (One program through which people like her have

'The air smelled poisonous.'

sought assistance is called the September 11th Victim Compensation Fund.) That's part of the reason why she initially hesitated to be a part of any federal program. But out of necessity, she's come around. She's now hired a lawyer to help her compile the daunting paperwork needed to file a claim. She's more open, talking to her colleagues about her health and how it's been affected by 9/11.

"9/11 has had so many repercussions, emotionally and physically, on countless people.... Here I am, so many years later, dealing with these health circumstances that have profoundly altered my body and my life," Weiner told *Clarion*. That's one reason she's decided to go public: to inform others in the BMCC community who may encounter problems like hers. "I don't want to be a poster child for 9/11-related health problems, but my story may be useful to those who have or will develop similar issues."

To inquire about eligibility to take part in the World Trade Center Health Program, contact the Centers for Disease Control at 888-982-4748, or visit www.cdc.gov/wtc.