



'You do have a choice.'

Voting on Pathways

In a joint letter, the PSC and the University Faculty Senate urge CUNY faculty to "vote your conscience" in decisions on course proposals tailored to comply with Pathways, CUNY's controversial overhaul of general education and transfer. "Pathways is not inevitable," they write. "Our vote on curriculum is our power." **PAGE 3**

GOVERNANCE

Faculty topple college prez

When Nassau Community College's new president turned his back on shared governance, the faculty successfully rallied to have him replaced.

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PUBLIC HEALTH

Legionella at LaGuardia

A case of the sometimes deadly disease was traced by the NYC Department of Health to the water system in LaGuardia's Building C.

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Issues in the Chicago strike

The Chicago Teachers' Union wants smaller classes and a social worker in every school. Corporate advocates for charter schools have a different idea.

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BARGAINING

Contract talks and the PSC

The PSC and other City unions are working under expired contracts. What does that mean for faculty and staff? What's the status of negotiations?

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Sweet taste of victory



Mahoma López, a Hot & Crusty worker at the Hot & Crusty restaurant on the Upper East side, speaks following the announcement that the owners of Hot & Crusty had agreed to rehire 23 terminated workers and begin collective bargaining. The announcement came on the heels of a week of escalating protests (see below).

NYC LABOR IN BRIEF

Car wash workers make history, vote to go union

Six months after the launch of a citywide campaign to organize car wash workers, employees at Astoria Car Wash & Hi-Tek 10 Minute Lube voted by a four-to-one margin to join the Retail, Wholesale and Department Store Union (RWDSU). The vote, announced September 9, was the first time any US car wash workers have unionized east of Los Angeles, where car wash workers have had some organizing victories.

Key to the organizing drive's success was the collaboration between the union and two community organizing groups. The WASH New York campaign, a joint effort between Make the Road New York and New York Communities for Change and supported by the RWDSU, was launched earlier this year to fight against widespread mistreatment in the car wash industry.

A recent WASH New York survey of 89 workers at 29 different car washes found that more than 71% of the workers put in at least 60 hours a week – and some worked 105 hours a week. Despite the long hours, 75% of the workers didn't get overtime pay for exceeding a 40-hour work week. Some 66% of the workers said they often received less than the state's minimum wage of \$7.25 an hour.

Workers win at Hot & Crusty

Workers at the Hot & Crusty Bakery located at 63rd Street and 2nd Avenue faced a bleak situation

on August 31. In May, they won a hotly contested union drive, but the store's owner, hedge fund manager Mark Samson, announced in August that the store would close – a move that the workers saw as direct retaliation.

But on September 8 the workers' union, the Hot & Crusty Workers Association, announced that they had won a sweeping victory. "After a workplace occupation, a week of targeted direct action, round-the-clock picketing and an outpouring of community support," the union said, it had won an agreement for immediate union recognition, the start of negotiations on a first contract, and a reopening of the shuttered bakery.

Perhaps even more impressive, the store's new owners, who had purchased it after the shutdown, have agreed to "the institution of a hiring hall through which all employees must be referred by the Hot & Crusty Workers Association."

Organizing with support from Occupy Wall Street and the volunteer-based Laundry Workers' Center, the Hot & Crusty employees had shown repeatedly that they were willing to act in defense of their rights.

The day the store closed, they occupied the site for several hours. Several supporters from Occupy Wall Street were arrested that evening when, at the workers' request, they refused to leave. Next the union organized a "Workers' Justice Cafe" outside the shuttered location, offering coffee and bagels for free in order to drum up publicity and support.

"This is Occupy Wall Street's support at its best: supporting a worker-led struggle to fight Wall Street where it attacks our communities the most," supporter Diego Ibañez told reporter Laura Gottesdiener.



LETTERS TO THE EDITOR

WRITE TO: CLARION/PSC, 61 BROADWAY, 15TH FLOOR, NEW YORK, NY 10006. E-MAIL: PHOGNESS@PSCMAIL.ORG. FAX: (212) 302-7815.

Freedom of speech for labor unions?

● Occupy Wall Street (OWS) marched with the PSC on September 8 in the unions' Labor Day Parade. We had had a more disturbing experience on September 3, at the West Indian Day Parade, where we had been invited to march with the Transit Workers Union (TWU) Local 100 – but the police tried to throw us out.

OWS marchers were standing in the street next to TWU when the police surrounded us, threatened us with arrest and began unwinding the orange netting they've used to arrest large numbers of demonstrators in the past.

After John Samuelson, the president of Local 100, confirmed to police that we had been invited to join them, the police commander allowed us to march – after we had been delayed and separated from the union. However, he would not let us carry any banners or signs that said Occupy Wall Street.

This was a serious violation of the rights to freedom of speech and freedom of association. Since when can the police decide who can be in the TWU's contingent, or what signs they can carry? Do political messages now have to be approved by the police?

Our problems that day were not unique: the police prevented an anti-stop-and-frisk group from marching in the West Indian Day Parade, despite their authorization to participate from the parade's organizing committee.

Jackie DiSalvo
Baruch (emerita)

Democrats & Republicans: clash of conventions

● While the Republicans' convention spent three days concealing their political philosophy, the Democrats' convention boldly affirmed their agenda.

Republicans fundamentally do not believe in entitlements, such as Social Security, food stamps, veterans' benefits, Medicare, Medicaid or public support for education. Neither do they believe in women's issues, including the right to abortion, support for day care, paid maternity leave, equal pay for equal work or the minimum wage (and most minimum-wage workers are women). The GOP wants to abolish the Environmental Protection Agency. Public investment in infrastructure is seen as "socialist." Their solution on immigration? Deportation.

At the Democratic convention, however, the Republican philosophy was exposed and demolished. Are we better off now than we were four years ago? Absolutely. We were in a recession, and now, thanks to President Barack Obama, we are not. The auto industry and banks were failing and now, not. Jobs are being created, not lost. The Dow has doubled. Osama Bin Laden was threatening us, and now, not. We are no longer at war in Iraq.

So why is the economy still sluggish? Because Tea Party Republicans have blocked every Obama initiative to make it better.

Mitt Romney's only hope now is to buy the election and suppress the vote. At the conventions, each party tried to present its most effective arguments – and the Republican agenda has been shredded.

K.J. Walters
Lehman College

Write to Clarion

Letters may be on any topic, but should be less than 200 words and are subject to editing. E-mail your letter to Clarion editor Peter Hogness (phogness@psccmail.org) or fax it to 212-302-7815.

Health care talks continue

By CLARION STAFF

The trustees of the PSC-CUNY Welfare Fund voted on August 20 to extend basic health insurance coverage for eligible adjuncts while the final stages of negotiations on a new health insurance plan for adjuncts are completed. As *Clarion* went to press, those talks had made progress but were still underway; check the PSC website (psc-cuny.org) for updates.

About 160 people attended a packed question-and-answer session for adjunct health insurance participants on August 22, at the PSC union hall. President Barbara Bowen, VP for Part-Time Personnel Marcia Newfield, Welfare Fund Director Larry Morgan and others fielded questions addressing issues such as how to enroll in the current benefit program, which the Welfare Fund's trustees voted to extend through September 30. The speakers reported that significant progress had been made in the negotiations, but that the complexity of the is-



David Seiple, an adjunct assistant professor of philosophy at BMCC and LaGuardia, asks a question during the August 22 meeting.

sue has required more time than anticipated.

The PSC and the University proposed the extension to allow completion of the talks on new adjunct health insurance coverage, which have continued on a daily basis.

In addition to checking the PSC website, you can also stay informed by signing up for the union's weekly e-newsletter "This Week in the PSC" (You can sign up at psc-cuny.org/form/sign-me-week-e-newsletter).

Decisions on Pathways

By PETER HOGNESS

“Vote your conscience.” That’s the message from the University Faculty Senate (UFS) and the PSC to CUNY faculty who are deciding on proposed new courses under CUNY’s Pathways initiative.

“Pathways is not inevitable,” UFS Chair Terrence Martell and PSC President Barbara Bowen wrote in an open letter to CUNY faculty. “We have the power to say yes or no to its implementation.”

The letter points out that “the courses developed for the Pathways core curriculum must be approved by the elected faculty governance bodies on each campus before they can be put in place.” Martell and Bowen emphasize that “as faculty, we have the right – in fact, the responsibility – to vote in the best interest of our students on matters of curriculum.”

“Whatever your judgment is, you have the right to vote your conscience,” Martell and Bowen write. “Voting according to the professional standards of your discipline is a matter of academic freedom.”

A CHOICE

The two leaders acknowledge that some faculty members have worked hard on the development of these new courses and have done their best. But they were not working within a structure of their own choosing, Bowen told *Clarion*. Many who served on these committees are not satisfied with the result. “The question they are asking is this,” she said: “This may be the best that is possible under Pathways – but is it good enough for CUNY students?”

In short, she said, “We want faculty to know that they *do* have a choice.”

Pathways, CUNY’s controversial overhaul of general education and transfer requirements, has engendered strong opposition from CUNY faculty since it was adopted by the Board of Trustees in 2011. It strictly limits the number of credits that CUNY colleges can require for general education, a change that the University’s central administration claims will help transferring students avoid delays as they work toward their degree. Faculty opponents of the Pathways plan say that it will dilute the quality of education at CUNY without solving most transfer problems. (For more, see psc-cuny.org/what-pathways.) A large majority of CUNY’s elected faculty bodies are opposed to Pathways.

With the start of the new semester, departments and college senates began to meet – and proposed new courses designed to fit the Pathways framework have been central items on their agendas.

When the English Department at Queensborough Community College met on September 12, its members voted against a Pathways-related course proposal by a more than two-to-one margin. The rejected course proposals included two composition courses

College senates, depts. vote



UFS Chair Terrence Martell & PSC President Barbara Bowen.

that would have been for three credits and three hours, abandoning QCC’s long-standing model of three credits and four hours for such classes. This has been a common structure in English departments across CUNY, one which many departments found was the best way to ensure that students could get the individual attention they need.

BEST PRACTICE

Last semester, CUNY’s English Discipline Council noted that the three-credit/four-hour format was “the dominant pattern” across CUNY. More important, in the Council’s opinion it constitutes a “best practice.” Four hours a week are needed “to prepare students adequately for the challenges of academic writing in their undergraduate careers,” the Council explained. “To reduce contact hours would be to deny students the benefits of individualized instruction, to diminish the amount of writing they do during the semester, and to undermine established pedagogic practices within CUNY.”

“We need that fourth hour,” a member of QCC’s English Department told *Clarion*. “It means more time with our students, more time on task. In some schools it’s called a ‘lab hour’; we call it a ‘recitation hour.’ It’s a pedagogical improvement that’s become pretty standard in composition courses around the country.

“We had some very senior people who stood up and said, ‘I can’t vote for this,’ and that kind of opened it up for others to vote their conscience,” the department member concluded.

“It is imperative that faculty members not be afraid to vote their conscience in departmental votes on Pathways courses,” Brooklyn College’s acting PSC chapter chair, Alex Vitale, wrote to fellow faculty members

‘We have the power to say yes or no to its implementation.’

in a September 10 e-mail. Toward that end, Vitale said, “we urge faculty: (1) to call for a secret ballot in departmental votes, so that junior faculty can exercise their professional judgment without fear of reprisal; and (2) to approve only those courses that you believe maintain the integrity of a Brooklyn College education.”

DECISIONS

Vitale recognized the conflicting pressures felt by many faculty who think Pathways is a bad idea but are tempted to go along with it. “We understand that many departments are concerned that, if they do not cooperate with the administration, they will put their department and their students at a disadvantage,” he wrote. “As a result, many of the faculty in these departments have hedged by voting against Pathways in principle while moving forward with implementation.” But this cooperation under protest, Vitale wrote, is “what the administration is hoping for,” since

it allows them to pursue a “classic divide-and-conquer strategy.”

By picking off departments one at a time and securing their consent, Vitale explained, the administration hopes to be able to muscle Pathways through to implementation – even if many faculty bodies offer political criticism along the way. Noting that the last Stated Meeting of Brooklyn College faculty had rejected Pathways by a vote of approximately 190 to 1, he urged faculty to “hold firm” and “reject any courses...that undermine quality education.”

Meanwhile the joint PSC-UFS lawsuit against Pathways continues to move through the courts. On August 23, the plaintiffs responded to CUNY’s motion for dismissal.

The union-Senate lawsuit charges that the adoption of Pathways was in violation of a 1997 settlement agreement between CUNY and the

heads of the PSC and UFS. In that settlement, CUNY agreed that the University Faculty Senate was responsible, subject to guidelines that might be established by the trustees, for the “formulation of policy relating to...curriculum, awarding of college credit, and the granting of degrees.”

CUNY’s motion to dismiss the lawsuit argues that since it is ultimately the trustees who decide University policy, the board had full authority to adopt its Pathways resolution in 2011. The union and UFS responded that they have always acknowledged the board’s policy-making role. But “while it is ultimately the CUNY Board which decides what policy to implement, it is the UFS which, in the first instance, formulates that policy,” the union and Senate contend.

“CUNY, by its own admission, implemented Pathways without any involvement of the Faculty Senate,” notes the PSC-UFS response. Thus, it concludes, the trustees’ vote to establish Pathways was a direct violation of the 1997 settlement. A ruling is expected sometime this fall.

Letter to CUNY faculty

In mid-September, UFS Chair Terrence Martell and PSC President Barbara Bowen sent the following letter to CUNY faculty.

We write as Chair of the University Faculty Senate and President of the Professional Staff Congress to bring you up to date on Pathways and respond to your questions about how faculty can intervene to defend the quality of a CUNY education.

Despite an unprecedented level of faculty opposition and mounting evidence that Pathways will hurt our students, Chancellor [Matthew] Goldstein’s administration has continued to move ahead with implementation. We believe that the CUNY Board of Trustees and Chancellor Goldstein’s administration are in violation of the law, and we have brought two lawsuits against the University related to Pathways. Eightieth Street’s clear strategy, however, is to create an artificial sense of urgency and reinforce the impression that Pathways is inevitable.

Pathways is not inevitable. As faculty with the right to vote on curriculum, we have the power to say yes or no to its implementation. Our vote on curriculum is our power. We do not have to wait for the outcome of the lawsuits to act if we believe that the Pathways curriculum does not meet professional standards in our disciplines or does not provide the education our students deserve.

The courses developed for the Pathways core curriculum must be approved by the elected faculty governance bodies on each campus before they can be put in place. New or revised courses must also be voted on by the appropriate academic department and then in college-wide curriculum committees and governance bodies. As faculty we have the right – in fact, the responsibility – to vote in the best interest

of our students on matters of curriculum. Faculty at CUNY fought for the right to faculty governance, and we have had to fight to keep it. We should use that right now, when it matters most.

You may decide that the proposed new courses – some the result of extensive faculty effort throughout the summer – meet the academic needs of our students. You may decide that the courses fail to meet those needs. You may feel that insufficient time has been allowed to deliberate on an entire new curriculum, and may want to demand more time.

Whatever your judgment is, you have the right to vote your conscience as a member of an academic department, a curriculum committee or a college senate. You also have the right to request a secret ballot. Voting according to the professional standards of your discipline is a matter of academic freedom. Under the union contract, the University explicitly subscribes to academic freedom, and pledges to maintain freedom of inquiry, teaching, research and publication.

NOT INEVITABLE

No curriculum is inevitable unless we allow it to be. The leadership of UFS and PSC are prepared to challenge any college that does not honor its faculty governance vote, as we challenged six CUNY college administrations in a lawsuit filed this summer under the Open Meetings Law.

Find out when the proposed new courses for the Pathways curriculum will be submitted for a vote in your department and your college senate. Make sure Pathways courses are submitted for a vote. Votes may be conducted very early in the semester. Whatever position you take, Pathways is too important to our students’ future and to the meaning of a CUNY education not to take a stand.

Questioning stop & frisk

By CARLA MURPHY

Several years ago, Harry Levine took to shoving bar graphs into people's faces. A friendly hello at a Christmas party or on the street: it was all the excuse he needed to rummage through his briefcase for his chart on marijuana arrests in New York City.

It wasn't his usual style. Levine was a professor of sociology at Queens College, nearly a quarter of a century into his career, and more accustomed to making his points through a journal article. He was co-editor of a well-regarded book on crack cocaine, which Columbia sociologist Herbert Gans said should be "required reading for the White House." But while the drug war was not a new subject for Levine, this data discovery felt different.

LOW-LEVEL

Arrests for low-level marijuana possession had exploded in New York City. From 1987 through 1996, there had been about 30,000 such arrests. The following decade, the figure climbed to 353,000 – more than a tenfold increase. Equally striking, he found, were the racial disparities: in the last ten years, 54% of those arrested for marijuana possession have been black, 33% Latino, and 11% have been white.

Put another way, the marijuana arrest rate is seven times higher for blacks, and four times higher for Latinos, than for whites. Yet federal surveys of adults 18 to 25 have consistently found that white respondents used marijuana at higher rates than other racial groups, and most of these New York City arrests were people under age 26 (see marijuana-arrests.com).

"I was a lunatic preacher," Levine said, chuckling at the memory of himself as a pest. But times have changed and Levine is no longer a pest, but an inspiration.

This June, thousands of New Yorkers marched in silence toward Mayor Michael Bloomberg's Fifth Avenue residence to call for an end to the New York Police Department's controversial stop-and-frisk policy. These street-corner dragnets unfairly target blacks and Latinos, protesters charged – a claim bolstered by Levine's research.

MEDIA SPOTLIGHT

As the debate over stop-and-frisk began heating up, Levine's findings gained increased attention. His work was featured in *The New York Times*, the Associated Press, the *Wall Street Journal*, *New York Magazine* and others. "Much of what we know about the racial discrepancy between marijuana use and marijuana arrests in New York comes largely from the research of one man: Queens College sociology professor Harry Levine," the *Village Voice* reported last year.

Today, says Donna Lieberman, executive director of the New York

CUNY profs sway public debate

Civil Liberties Union, "it's generally accepted that of the 50,000 annual marijuana arrests, a significant chunk arise from the unlawful stop-and-frisk policy." Levine's findings called into question "the claim that the NYPD's hyper-aggressive policing is about going where the crime is."

Levine's scholarship may stand out, but he's not alone: other CUNY faculty have also played important roles in the stop-and-frisk debate. The polarized atmosphere in the city has been such that aiming a critical eye at the NYPD – even as a scholar – can feel like stepping into the gladiator's ring. It's forced faculty to think deeply about the relationship between scholarship, policy analysis, advocacy and activism, and how they define the responsibilities of an intellectual.

"It's not our job to change policy, but it is our job to inform policy makers," said Eli Silverman, professor emeritus at John Jay College of Criminal Justice. His decade-long research into the NYPD's alleged manipulation of crime statistics sheds light on the abuse of tactics like stop-and-frisk. It has also provided academic support for the criticisms raised by a number of whistle-blowers who have stepped forward in recent years at great personal and professional risk.

With John Eterno, a professor of criminal justice at Molloy College, Silverman is co-author of *The Crime Numbers Game: Management by Manipulation*. In this book and other work, Silverman and Eterno argue that the NYPD has underreported more serious crimes while increasing street stops and summonses. On the one hand, this artificially lowers

the city's reported crime rate; on the other, high numbers of street stops are a way to claim credit for the apparent reduction.

"The NYPD seeks to keep the serious crime numbers low while showing lots of officer activity," the co-authors wrote in an op-ed this August. "The NYPD's 50,000 marijuana arrests, 600,000 summonses and nearly 700,000 stop-and-frisks do little or nothing to make the city safer." Police find a gun in only one-tenth of 1% of all stop-and-frisks, and 94% produce no arrest of any kind. In fact,

said Levine and Eterno, "this unnecessary activity alienates communities and hurts the NYPD's ability to fight serious and violent crimes."

Such claims, in the face of New York City's much touted 40-year drop in crime, have provoked an ire that Silverman didn't fully expect. "Anti-cop idiocy," read the headline of a *New York Post* editorial blasting his and Eterno's research. The *Post* did not see fit to mention that Eterno was himself a cop for 21 years, retiring from the NYPD as a captain in 2004.

TRUTH TO POWER

"When we first surveyed retired captains and higher, we had no idea the kind of results we'd get," Silverman told *Clarion*. "We were flabbergasted by the extent of the acknowledged manipulation."

As data flowed in, Silverman recalls having an early conversation with Eterno about the impact on the city and the police department of publishing findings that conflicted with the NYPD's public image. Particularly after 9/11 and under Commissioner Ray Kelly's leader-



Eli Silverman, professor emeritus at John Jay College.

ship, the force was seen by many as almost above criticism.

"Do we not convey our results?" Silverman said to *Clarion*. He frames it as a question, but it's rhetorical: while he and Eterno knew they might provoke a reaction, their choice was clear from the start. "If you don't speak truth to power," Silverman said, "if you don't supply people with the information that you've secured and the studies you've done, you might as well hang up your shingle."

Alex Vitale, associate professor of sociology at Brooklyn College, says criminal justice policy has largely been driven by broader ideological battles rather than by careful research or evidence-based analysis. Criminologists increasingly realize, he said, that if they want public policy to take scholarship into account, they can't shy away from the public debate. "If we want to be relevant," Vitale said, "we have to more directly engage in the politics of issues like stop-and-frisk."

Last spring, Vitale started working with the Urban Justice Center's Police Reform Organizing Project. As the group's policy advisor, he aims to do more to connect advocates with the fruits of criminal justice research. For example, gun buybacks are popular among some of the strongest critics of stop-and-frisk, but Vitale says that studies have proven them ineffective.

In addition to scholarship and advocacy, Jim Vrettos, of John Jay College, says that social scientists sometimes need to engage in direct action and public protest. Vrettos, an adjunct assistant professor of sociology, was arrested last October with activist academic Cornel West and 17 others at a police station in Harlem during the city's first act of civil disobedience against stop-and-frisk.

"There's no easy answer," Vrettos said, when reviewing his decision to participate in the protest. "But I do think public academics have to make a decision. Try to be as objective as you can – but sometimes you have to get out of the offices and li-

braries and take a stand."

Vrettos credits his students at John Jay with educating him over the years about the personal impact of stop-and-frisk – the disrespect and humiliation that they repeatedly experience.

In turn, Vrettos' arrest had a positive effect on the introductory sociology class he was teaching at the time, sparking a particularly lively and engaging discussion. Whether they agreed or disagreed with his decision, he said, students were eager to discuss both his arrest and how the broader issue should be understood.

"The goal of teaching is to encourage critical thinking," Vrettos told *Clarion* – and his arrest turned out to be a useful tool toward that end. "Getting arrested is pretty scary," Vrettos said, but "if I had to, I would certainly do it again."

In fact, Vrettos is planning to participate with West and others in, "Blow the Whistle on Stop-and-Frisk," the first of what's expected to be a fresh wave of citywide protest this fall. Vrettos' civil disobedience last October helped to keep stop-and-frisk in the headlines at a time when it was starting to draw wider public attention.

The experience of Vrettos's students is all too common in CUNY's student body. "Many of my students have been stopped and frisked," said Lenny Dick, an adjunct at Bronx Community College. "One very quiet young lady told me police said her backpack 'looked too big.'" At a recent forum held by BCC's Political Science Club, Dick said, many student recounted similar stories: "CUNY provides a place for students to talk about these issues, and, if they so choose, to organize to change them."

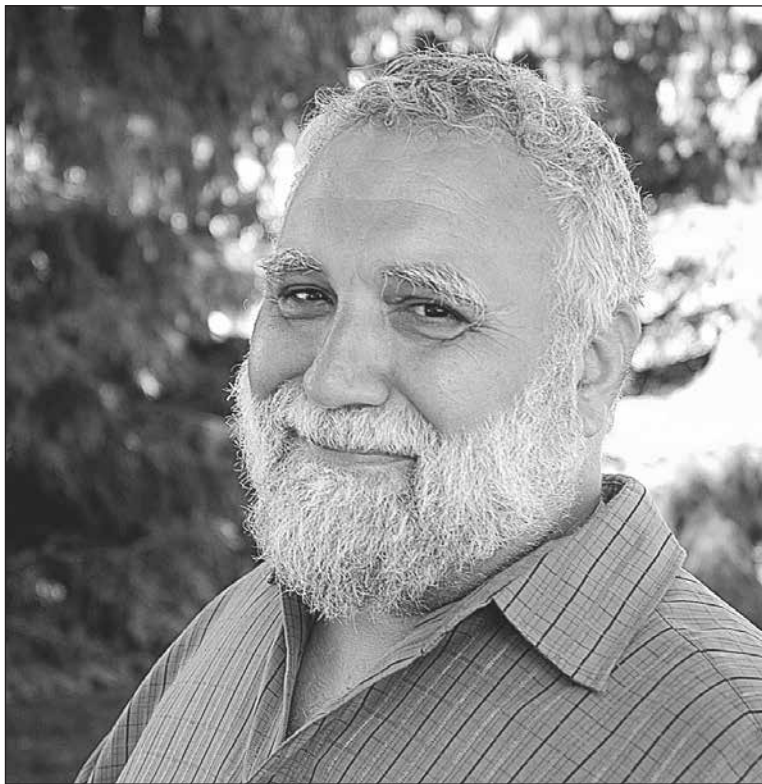
The past year has seen growing criticism of the tactic, and elected officials are starting to consider policy change. This past June, Governor Mario Cuomo called on the state legislature to downgrade the public possession of 25 grams or less of marijuana from a misdemeanor to a violation. The governor argued that with this change, stop-and-frisks should no longer result in so many – or such racially disproportionate – marijuana arrests.

DISCONCERTING

"I went to bed one night and woke up the next day to the governor, mayor, police commissioner and five district attorneys all agreeing with me," Levine said with his characteristic chuckle. "Talk about disconcerting!"

But while Levine is glad to no longer be a voice in the wilderness, he says that a real solution may not be so close at hand. While a violation is non-criminal, if a defendant misses their day in court, which is common, it results in a criminal charge. How often does this happen? Nobody knows, said Levine, because there is no public data on that question.

Levine warned journalist Natasha Lennard that "without legislative or policy reform to make marijuana possession summonses traceable,... [s]top-and-frisk practices [could] remain as discriminatory as ever, with even less data available to prove it." An engaged scholar's work, it seems, is never done.



Harry Levine, professor of sociology at Queens College, has spotlighted racial disparities in New York City's marijuana arrests.

Alice Brennan/The New York World

Frank Stearns

Legionella at LaGuardia

By JOHN TARLETON

Larry Rushing, a professor of psychology at LaGuardia Community College, was attending a symposium in Cooperstown, New York, on May 31, in which he suddenly found himself disoriented and unable to remember his own thoughts. Later that night, he suffered chills and shivering for an hour while resting in his motel room. The following day he had no appetite. Two days later, he fainted while walking his dog.

"I didn't know what was going on," Rushing said of his unexpected malady. "But that's when I knew this was something serious."

HOSPITALIZED

Rushing, 74, landed in the hospital for four days where he received a pneumonia diagnosis and was successfully treated with antibiotics. Two weeks after leaving the hospital, the New York City Department of Health (DOH) contacted Rushing and told him that his mystery illness had in fact been Legionnaires' disease, a severe form of pneumonia that can be lethal for people who are older or have compromised immune systems. About a month after he fell ill, the building where Rushing worked was identified as a possible source of his infection.

Legionnaires' disease is contracted by breathing water mist containing legionella bacteria. These bacteria are not uncommon in the environment, and most exposure to the bacteria does not result in illness. A majority of cases of the disease originate from man-made water systems such as hot water tanks, large plumbing systems, cooling towers and evaporative condensers of large air-conditioning systems, where warm (77-108° F), stagnant water provides optimal conditions for the growth of the bacteria in high concentrations. Legionnaires' disease, however, cannot be passed from one person to another.

The disease gained its name from a deadly outbreak that followed a 1976 American Legion convention in Philadelphia hosted in a hotel with a contaminated air conditioning system. Each year, 8,000 to 18,000 people are hospitalized annually in the US with the disease, though many infections each year remain undiagnosed and unreported. The Occupational Health and Safety Administration says that about 15% of cases are fatal.

SECOND CASE

DOH investigators determined that Rushing was the second LaGuardia employee in the campus's C Building to have contracted Legionnaires' disease in the past year and notified the college on June 26 of the possible contamination. Members of the college's PSC chapter told *Clarion* that the administration took prompt action in

Hot water system blamed

response to the information from the DOH, but was slow in informing the union.

LaGuardia's first move was to hire Olmstead Environmental Services to investigate. Olmstead took samples at the C Building on July 11. The results showed that domestic hot water collected from a fourth floor sink had "significant levels" of the legionella bacteria. The PSC has previously worked with the company's owner, Edward Olmstead, and Jean Grassman, co-chair of the PSC's Health & Safety Watchdogs, said she was pleased with the college's decision to hire his company.

"They brought in someone that everyone agrees is a trustworthy consultant," Grassman said "He's very good at getting to the bottom line – what you need to do to change conditions."

Olmstead's report was completed July 22. The college immediately shut off the hot water systems in the C Building and subsequently "super-heated" the domestic hot water system serving the C Building to temperatures above 160 degrees Fahrenheit for more than four hours. Each hot water outlet

was flushed with boiling water, an operation that had to be done when the building was closed.

Olmstead did a second round of testing of the hot water systems on August 2, this time in the B, E and M Buildings. Results showed elevated levels of legionella bacteria in the B and M Buildings that were anywhere from two to six times greater than what had been found in the C Building test samples. Though no contamination was found in the E building's hot water system, the college had all three buildings decontaminated.

The college did not notify the union about the possible risk of legionella at LaGuardia until July 23, the day after Olmstead submitted his report, when Vice President of Administration Richard Elliott sent an e-mail to PSC Chapter Chair Lorraine Cohen describing the situation.

IN THE DARK

Danny Lynch, vice chair of LaGuardia's PSC chapter, praised the administration for taking "reasonable" steps to address the crisis. Still, he added, "I don't understand the rationale for not informing the union until a month after the report from DOH."

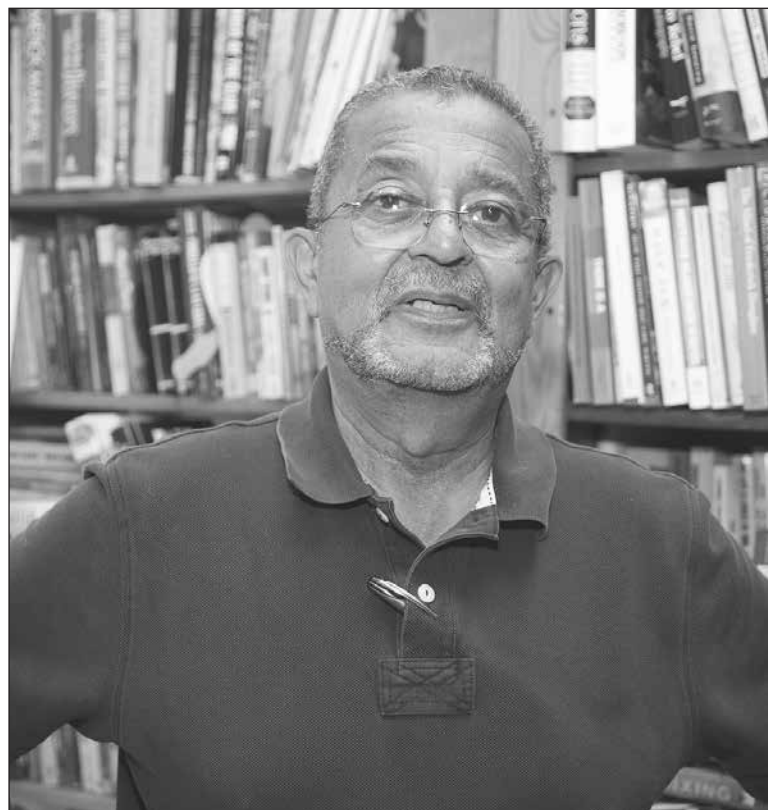
"There has to be a sense of transparency in the operations of the University, especially when it comes to health," Lynch told *Clarion*. "We're supposed to be partners in the workplace."

Rushing said he was also disappointed that the college was not more forthcoming about the DOH report: "It would have been advisable to notify people that two individuals had contracted Legionnaires' and that we're testing for it on the campus," he said. "Why not do it?"

"We couldn't tell the college community that these two individuals had Legionnaires' disease until it was confirmed that the disease had come from here," said LaGuardia



Danny Lynch, Vice Chair of the LaGuardia PSC Chapter



LaGuardia Professor of Psychology Larry Rushing was stricken with Legionnaires' disease at the end of May. He has since fully recovered.

spokesperson Susan Lyddon. "As soon as it was appropriate, we notified the entire college community."

Once apprised of the situation, the PSC chapter leadership stayed in close touch with Grassman and other members of the PSC Health & Safety Watchdogs. "The Health and Safety Watchdogs are a terrific resource," commented Lynch. "They caught us up so we could ask detailed, specific questions about what occurred and what was to be done as far as the remedial treatment of the water supply."

RECOMMENDATIONS

In addition to Olmstead's recommendations for how to deal with the immediate crisis, his report also recommended:

- Repeating the super-heating process on a monthly basis;
- conducting periodic sampling of the system to verify that regrowth of the legionella bacteria is not occurring;
- and in the longer term, install-

ing an ultraviolet disinfection and filtration system.

Lyddon told *Clarion* that the college now intends to super-heat the hot water systems in all four buildings twice a year and that it will test for Legionella in those same buildings on an annual basis. She also said that the college is currently trying to figure out the best place in the water lines to put the disinfection and filtration system recommended by Olmstead, though there is no timeline for completing the project.

Lynch said the union will be vigilant going forward: "We have to become our own watchdogs and make sure the University follows through on Mr. Olmstead's recommendations." Labor-management meetings, he said, can provide a venue for those discussions.

Grassman told *Clarion* that the outbreak at LaGuardia should serve as a wake-up call to the CUNY administration as the University has aging buildings on many campuses that could be susceptible to legionella outbreaks.

"They need to have a regular maintenance program for legionella, or this will happen again," Grassman said.

PSC website offers personal touch

By CLARION STAFF

Union activity takes place in many different venues – in chapters spread across five boroughs, on a multitude of working committees, at the PSC Delegate Assembly and Executive Council, in coalitions with students, labor and community groups, and at centers of political power in Albany and Washington and at City Hall. Now, it's also taking place with greater frequency online thanks to the PSC's website at psc-cuny.org.

Redesigned in 2011, the website aims to be a vibrant, collaborative space where local activists, chapters and union committees have a much higher profile. You can personalize the website by creating a "My PSC" account that allows you to see links to the news and events of interest to you. To do so, go to the bottom left of the home page, look under the red box that says "Join PSC/CUNY Now" and click on the link to sign up.

The site also has dedicated sections

for Benefits, Contract/Rights, Campaigns, Calendar of Events and more. Take a look, at psc-cuny.org.

SOCIAL MEDIA

The PSC also has a growing social media presence, with regular updates posted on Facebook and Twitter. As *Clarion* goes to press, the union has more than 500 Facebook friends and over 600 Twitter followers. To sign up, go to facebook.com/PSC.CUNY and twitter.com/PSC_CUNY.

New look for Welfare Fund website

The PSC-CUNY Welfare Fund will launch a spanking new website in the coming month. It will have a new look, and you'll find that it's easier to locate information about your Fund benefits, how to enroll, find a dentist and more. When you use the new site, let the Fund know what you think of the new design, at pscunyw.org.

CALENDAR

WEDNESDAY, SEPTEMBER 19 / 5:00 pm: PSC Academic Freedom Committee Meeting. PSC Justice Room, 61 Broadway, 15th floor. For more information, contact Steve Leberstein at sleberstein@gmail.com.

SEPTEMBER 18-20: Free University Week. Join organizers for more than 100 free classes, workshops, discussions, skills-share and performances in Madison Square Park on the one-year anniversary of Occupy Wall Street. For more info visit freeuniversitynyc.org.

FRIDAY, SEPTEMBER 21 / 6:00 pm: Labor Goes to the Movies presents *Amreeka* (USA/Canada, 2009) by director Cherien Dabis. In this debut film, a Palestinian mother and son have the opportunity, thanks to winning a US green card lottery, to leave the West Bank and make their home in rural Illinois, where her sister and physician brother-in-law have lived for years and raised their daughter. Unfortunately, their arrival coincides with the invasion of Iraq. What follows is a series of life-changing crises that they deal with in ways that surprise them all. PSC Union Hall, 61 Broadway, 16th floor. For more information contact (212) 354-1252.

MONDAY, SEPTEMBER 24 / 3:00 pm: Social Safety Net Working Group meeting. PSC Union Hall, 61 Broadway, 16th floor. For more information, contact Steve Leberstein at sleberstein@gmail.com.

MONDAY, OCTOBER 1 / 1:00 pm: PSC Retirees Chapter Meeting. Please join us for PSC President Barbara Bowen's "State of the Union" and for important information about upcoming elections from Ed Ott. PSC Union Hall, 61 Broadway, 16th floor.

TUESDAY, OCTOBER 9 / 6:00 pm: CLT Chapter Executive Committee meeting. PSC Union Hall, 61 Broadway, 16th floor.

FRIDAY, OCTOBER 12 / 9:00 am – 1:00 pm: "Pathways: We Do Have a Choice," a UFS-PSC conference (registration required). Over the summer, the UFS and the PSC assembled a group of faculty from across CUNY to begin work on developing an alternative transfer system. A first step was to systematically consider recent experience at CUNY and around the nation on transfer issues. The conference will hear about findings to date, and some preliminary ideas about what CUNY might do to solve real transfer problems without inflicting harm on the curriculum. This conference is for governance and union chapter leaders: for registration materials, e-mail Vernice Blanchard (Vernice.Blanchard@mail.cuny.edu). Others interested can contact Naomi Zauderder (nzauderer@pscmail.org) for more information.

'We do not accept that austerity is the only option'

[In September, Clarion interviewed PSC President Barbara about negotiations on a new PSC-CUNY contract.]

Q The PSC-CUNY contract expired in October 2010. What does that mean for union members?

A The provisions of the old contract remain in effect until the union and management reach a new agreement. That's a result of the Triborough Amendment, part of the law that sets rules for public-sector bargaining in New York State.

Faculty and staff in the PSC bargaining unit are still protected by the contract's due process guarantees, and we can still use the grievance procedure if a provision of the contract is violated. Benefits

Update on PSC contract

While inflation has been low to moderate over the last couple of years, it is now starting to pick up. All of our members are feeling the cumulative effect of rising prices in one of the most expensive cities in the country. The union bargaining team is determined to win a pay increase in this contract. New York is not broke and we are entitled to reasonable salaries.

Q How do contract talks by other municipal unions affect the PSC?

A New York City's long history of "pattern bargaining" means that in a given round of contract talks, the City's settlements with the first few unions set an overall pattern that is

The experience of other public-sector unions shows that timing can make a big difference to the outcome at the bargaining table. So the PSC bargaining team continually assesses whether it's strategic to demand that CUNY come to the table on a given issue.

Q Have there been any negotiations between the PSC and CUNY?

A Yes. The PSC is not just waiting – we have successfully negotiated in other areas, even in absence of an economic offer, and on some issues we've secured additional funding from CUNY.

We convinced management to put significantly more money

all, because it would help to keep the union's Welfare Fund on strong financial footing.

Q Today there's a lot of pressure on unions to accept concessions. What does that mean for the PSC?

A The demand for concessions is an attempt to impose economic austerity on working people. We do not accept that austerity is the only option.

The PSC has fought successfully against austerity conditions, for ourselves and for our students. We've done this in past contracts, and in pressing for increased funding for CUNY. With our coalition allies, we won a partial extension of the millionaires' tax – something many observers thought was impossible. Today we are challenging Pathways' prescription for austerity education and opposing curriculum changes that would sell our students short.

This record suggests how the PSC would respond if we receive an austerity contract offer. We have a history of challenging the premise that there is no alternative to austerity – and we are prepared to fight.

Q Given the political situation you describe, when can members expect a contract settlement?

A We could probably have a settlement very soon if we were willing to agree to a concessionary contract. But a contract that makes our working conditions at CUNY even tougher wouldn't be fair for us and would ultimately hurt the quality of education we can offer to our students. One of the union's priority demands for the next contract, for instance, is for teaching loads that allow us to spend more time with individual students. To make progress on that, we will need a substantial economic offer from CUNY and a powerful campaign on the campuses.

When we will go to the bargaining table will depend on the negotiating team's careful assessment of when we can press for the kind of economic offer we need. The union's demands are prepared and have been approved by the delegates. We are gathering momentum as we challenge the position that austerity conditions for unions or for teachers are inevitable.

That answers a question you haven't asked, but one I've heard from members: Why do we devote any union resources to supporting teachers in Chicago or transit workers or Verizon workers in New York? Because every time a union defeats an attempt to *normalize* austerity all working people benefit – and it becomes more possible for us to do the same.



PSC and CUNY negotiators on January 26, 2011, when they began talks on a new collective bargaining agreement.

and other provisions also continue according to the terms of the old agreement.

Q What about pay? Will there be any increases?

A For many faculty and staff on schedule to receive a salary step increase, annual income will go up on January 1, in a step increase.

The salary steps remain in place even though the contract has expired because the union held firm in the last round of bargaining and resisted CUNY's demand to eliminate them. The salary schedule as a whole, however, does not change – it remains as defined under the old contract. That means that those who have reached the top step will not receive a pay increase until a new contract raises the whole salary schedule.

followed by others. The "pattern" in the last round of contract talks included two annual 4% raises. The second of those two years corresponds to the first year of next PSC contract. So, like the United Federation of Teachers (see article on pg. 7), the PSC takes the position that we are entitled to a 4% raise for that year. The report of a fact-finding panel in the UFT's current contract talks could thus be important for the PSC (see article, on pg. 7).

Any economic offer from CUNY to the PSC has to be authorized by both the City and the State, and their offer is influenced in part by their negotiations with other unions. Our bargaining team remains in close touch with other unions, and we are monitoring the other negotiations in process now.

into the PSC-CUNY Research Awards as part of a refashioning of the award program. The size of the maximum grant has been increased while we were able to maintain the broad-based nature of the program.

Bargaining has made progress in some areas.

Another important advance is that paid parental leave has now been made a permanent part of the contract, rather than just a pilot program. So we've already been bargaining successfully in some areas, and have been able to bring those benefits to members right away.

If we are successful in negotiating a new basis for adjunct health insurance, we will have secured a major benefit for a core part of the teaching workforce. Stabilizing adjunct health insurance would benefit us

Pat Arrow

Stalled contract talks

By CLARION STAFF

Across New York City, public-sector workers are laboring under expired contracts. But municipal unions have concluded that seeking a quick agreement would result in a bad deal, and that patience will yield better results for their members.

Labor negotiations in New York City have moved slowly since the 2008 economic collapse, which sharply reduced tax revenues. While City Hall pushed aggressively to cut spending, unions have resisted succumbing to concession demands during a downturn, which they fear would hobble future bargaining in a time of economic recovery.

UFT CONTRACT

City unions are intent on avoiding the fate of the two largest state worker unions, the Civil Service Employees Association (CSEA) and the Public Employees Federation (PEF), whose latest contracts include three years with 0% wage increases. Municipal unions are holding out for better terms, though most of their contracts expired some time ago.

The United Federation of Teachers (UFT) contract expired in October of 2009, while the contract for District Council 37 of AFSCME (American Federation of State, County and Municipal Employees) ended in March 2010. Pacts for police officers and firefighters expired in July 2010, and the PSC's contract with CUNY expired on October 19, of the same year.

Under the Triborough Amendment, terms of the old contract remain in place until a new agreement is reached (see sidebar). This means that the grievance procedure and other union rights are still in force – but salary schedules are also unchanged, so most public workers get no raises until there is a new agreement.

When DC 37, the largest city union, held its first bargaining talks last November, the city reportedly offered three 0% annual raises, followed by two 2% raises in the final years of a five-year agreement. “Our members need a wage increase,” DC 37 Executive Director Lillian Roberts said at the time. “Our members are working harder than ever, and the cost of living is on the rise.”

DC 37

While city officials said that no money is available for an immediate raise, DC 37 says that different policies could easily provide the money needed for a fair contract settlement. Roberts said that the city “has allowed out-of-control spending on outside private contractors,” such as the scandal-plagued CityTime payroll modernization computer project, and has “increased tax giveaways to corporations by \$20 billion.” CityTime’s costs ballooned from \$63 million to \$780 million; DC 37 researchers say that overall city spending on private contractors increased by 71% between 2003 and 2011.

DC 37 said that austerity was the

City unions face hostile bargaining climate



Twenty thousand municipal workers rallied outside City Hall in June 2011 to protest layoffs and budget cuts.

wrong response to the long-running recession. Instead of “job-killing budget cuts,” said Roberts, the administration “should invest in the city’s workforce, which would [reduce] unemployment and jumpstart our economy.”

IMPASSE

After seeing little progress in early negotiations, the UFT said in January 2010 that talks had reached an impasse. It asked New York’s Public Employment Relations Board (PERB) to name a mediator, and a month later PERB did so. But mediator Philip Maier, head of PERB’s regional office in Brooklyn, was unable to bring the two sides together. After seven months, the UFT announced that “mediation [had] failed.”

The next step is “fact-finding,” a process in which each side prepares its best case and presents this information to a three-person panel appointed by PERB, which then issues a nonbinding report. “Those recommendations could serve as a framework for a final contract,” a UFT statement noted this summer. “Recommendations of fact-finding panels have helped the UFT and the Department of Education to reach agreements to replace expired contracts three times – in 1993, 2002 and 2007.”

Usually mediators or fact-finding teams take their lead from patterns established in other municipal labor agreements in the same time frame, and the UFT says that the first two years of the next UFT contract cover a period in which other city unions, like DC 37, received raises at a rate

of 4% a year. But, in a break with its longstanding adherence to pattern bargaining, the city has said that it is too broke to include those 4% hikes in any new agreement with the UFT. This spring, Mayor Michael Bloomberg added more fuel to the fire by saying there was “no conceivable way” that the city could include retro pay in any of its new labor contracts.

“To set the record straight, the issue of retroactive pay has been a feature in law and practice in New York City for decades,” responded UFT President Michael Mulgrew. “As recently as fiscal 2008 the city

paid more than \$200 million in retroactive pay to police officers, and even the UFT’s first two contracts with Mayor Bloomberg included retroactive pay.”

According to *The Chief*, Mulgrew has indicated the UFT may prefer to wait until after 2013 to conclude a new contract agreement when it expects a more union-friendly administration to be in place.

State unions have also had a tough time in bargaining, dealing with a governor who ran on a get-tough-on-unions campaign. Governor Andrew Cuomo also came to the table with a call for 0% raises, along with a threat of massive state layoffs if state unions would not agree to terms (see tinyurl.com/NY-State-Workers). In the summer of 2011, the CSEA signed an agreement: no raises in the first three years followed by 2% raises in each of the following two years. The PEF signed on to the same terms shortly thereafter. PEF members voted down the proposed agreement the first time

around, approving a modified version in response to some small improvements and a first wave of layoff notices. But members of both unions remained angry about the outcome, often saying that they’d been forced to negotiate with a gun held to their heads.

That discontent made itself felt in subsequent union elections. PEF President Ken Brynien lost his re-election bid in June to challenger Susan Kent, who said in her campaign that Brynien had been too quick to agree to a settlement. The three years of 0% increases were used against CSEA President Danny Donohue when he unsuccessfully ran for national president of AFSCME (with which CSEA is affiliated). At AFSCME’s June convention in Los Angeles, Donohue’s detractors made two zero signs with their hands when he addressed the floor.

SUNY & UUP

The contract for United University Professions (UUP) at SUNY expired in July 2011, and the union has held several bargaining sessions since. “Other state bargaining units have taken substantial hits in compensation and health benefits,” said UUP Chief Negotiator Jamie Dangler in February. “We’ve had our share of bruises along the way, but we will continue to stand and fight.”

In December UUP went to court to block a 2% increase in premiums for retiree health coverage. “The state’s action to unilaterally raise the level of contributions retirees pay for their health insurance is unconstitutional, arbitrary and capricious, and amounts to a breach of our contract,” said UUP President Phil Smith.

U.S. LABOR IN BRIEF

Collective bargaining in Mich.

A proposal to protect collective bargaining rights for Michigan workers should be on the ballot this fall, after the Michigan Court of Appeals broke a political deadlock between Democrats and Republicans on the four-member Board of State Canvassers to rule that the union-backed proposal must be placed on Michigan’s November 6 ballot.

The initiative, titled Protect Our Jobs, seeks to protect workers’ rights to “organize and bargain collectively through labor unions” via an amendment to the state constitution. It would invalidate any existing legislation that limits workers’ rights to join unions, collectively bargain, or work free of labor regulations that infringe on collective bargaining agreements, now or in the future.

Karla Swift, president of the Michigan State AFL-CIO issued a statement in support of the court’s ruling saying, “Corporate special interests pushed Lansing politicians to pressure the court leading up to the decision. The court confirmed there is no legal reason to deny people the opportunity to vote on the proposal.”

Unions will be working hard now through election day to get the word out about the initiative. “The right to collectively bargain is fundamental in our country,” said Communications Workers of America staff representative Mike Schulte. “We’ve had volunteers throughout the state, canvassing neighborhoods to educate voters on the amendment and encouraging voters to support working families by voting yes.”

Apparel groups urge port workers to resume talks

The looming threat of longshore strikes at major Gulf and East Coast trading ports has sparked three apparel groups to urge workers to return to the negotiating table before their current contracts expire on Sept 30.

In a September 4 letter to the United States Maritime Alliance (USMA) and the International Longshoremen’s Association (ILA), apparel groups wrote: “We at the American Apparel and Footwear Association (AAFA), the Travel Goods Association (TGA), Gemini Shippers Association, and the Fashion Accessories Shippers Association (FASA) urge both parties to swiftly return to negotiations to work out a suitable Master Contract for port employees and avoid work stoppages and slowdowns as we enter the busy holiday preseason.”

The Port of New York and New Jersey is the largest commercial port with workers affected by the expiring contract. ILA Local 1804-1, which represents about 1,200 members in the Port of New York and 3,500 in New Jersey, voted unanimously to authorize a strike if a new agreement was not reached by the end of the current contract.

Fiterman Hall opens

Eleven years after Borough of Manhattan Community College's (BMCC) Fiterman Hall was damaged beyond repair in the September 11 terrorist attacks, the college opened its replacement on August 27. The new building, also called Fiterman Hall, brings badly needed classroom and office space to one of CUNY's most overcrowded colleges.

Fiterman was irreparably damaged on 9/11 when debris tore open the building, filling it with asbestos and other toxic contaminants such as lead and dioxin. CUNY's insurer, FM Global, at first maintained that Fiterman could be repaired – a far less expensive proposition than replacing it. CUNY and the PSC insisted that the wreck could not be salvaged, pointing to extensive structural damage as well as the contamination. In 2004, FM Global agreed to a \$90 million settlement. Then came a protracted battle to secure sufficient State and City funding for demolition and construction to proceed. Total cost of the new building, now nearing completion, is put at \$325 million.

CROWDED CAMPUS

Built originally for 8,000 students, BMCC's enrollment had grown to 16,000 by 2001 and stands at 24,000 today. The gap caused by the loss of Fiterman was partly filled by use of rented space and temporary trailer classrooms, but overcrowding remained severe.

The new Fiterman Hall has 390,000 sq ft of usable floor space, compared to 375,000 sq ft for its predecessor. Located just north of the World Trade Center site, the 14-story red brick building has been praised for its open, airy feel. It is, however, still a work in progress.

On September 5, a PSC health and safety team conducted a walk-through of the new structure. Participants included Chapter Chair Joyce Moorman, Joan Greenbaum of the PSC Health & Safety Watchdogs and Dave Newman, an industrial hygienist with the New York Committee for Occupational Safety & Health (NYCOSH), accompanied by several BMCC officials.

Interior construction is still underway in many areas, and Newman described the sections currently in use as "rough around the edges." Management of ongoing construction appeared to be effectively quarantining active construction zones from areas now in use for work and study. But the PSC team noted a number of problems and potential issues with ergonomics, ventilation and access control. Moorman said the union will raise these at the labor-management meeting scheduled in October.

The PSC had been asking for access to conduct a walk-through since March, but had been repeatedly rebuffed. "It would have been better for all concerned if this walk-through could have taken place six months ago, allowing more time for proactive corrective action," Newman said.

— PH & JT

Governance showdown

By JOHN TARLETON

Dr. Donald Astrab resigned as president of Nassau Community College this summer following a faculty uprising that saw two votes of no-confidence in his leadership and monthly protests at meetings of the college's Board of Trustees. Astrab had repeatedly antagonized the faculty with his autocratic leadership style.

"It was apparent he had no experience of shared governance and no desire to learn about it," said Kimberley Reiser, chair of the Academic Senate.

MISSTEPS

Astrab took over in November 2009 amid high expectations after serving as vice president of academic affairs and chief learning officer at Brevard Community College in Florida. However, Nassau CC faculty quickly became concerned about the course he was charting. Located in Garden City, Long Island, Nassau CC has 24,000 students, making it the largest community college campus in the SUNY system.

Actions that alarmed the Nassau CC faculty included:

- The mass firing of 39 full-time faculty members;
- a refusal to fill full-time faculty lines left open by retirements and an increased reliance on lower-paid, less secure part-timers;
- increases in class size;
- reductions in students services including student advisement;
- the elimination of many programs and course offerings, including course sections that were fully enrolled;
- taking away the campus e-mail addresses of emeritus professors;
- repeatedly vetoing decisions by the school's Academic Senate, which is comprised of faculty, students and administrators;
- supporting pay raises of as much as 30% for senior Nassau CC administrators.

INTOLERABLE

Astrab's leadership style is perhaps a more extreme version of one that has become increasingly common in academia, in an era of widespread budget cuts to public higher education and stepped-up attacks on shared governance and faculty autonomy. To Nassau CC faculty, Astrab's actions were intolerable, leading them to mount a year-long campaign to have him replaced.

Astrab's dismissal of 39 full-time faculty at the end of the Spring 2011 semester galvanized faculty opposition to Astrab, said Reiser, who noted that there had already been "grave concern" about the president's leadership.

Nassau CC has had a promotional system in which temporary full-time faculty who teach four consecutive semesters can then be moved onto a probationary line starting with their

Academic senate and faculty union combine forces.

fifth semester at the school. The move to the probationary line is contingent on the faculty member receiving positive evaluations and approval by their department. Once on this probationary line at Nassau CC, a faculty member is on track to be considered for tenure after completing five years of teaching. This system is not spelled out in the collective bargaining agreement, says union head Debra DeSanto, president of the Nassau Community College Federation of Teachers (NCCFT), but it is a long-standing past practice that goes back decades.

"People moved here and left other jobs to be here and now the rules of the game have changed," said DeSanto who noted that the union has appealed the college's action to the New York State Public Employment Relations Board (PERB).

Astrab justified the 39 firings as a necessary cost-saving measure. But when the NCCFT said it was willing to make \$4 to \$5 million dollars in financial concessions in exchange for the reinstatement of the 39 dismissed faculty members and guarantees of faculty job security, Astrab spurned their offer.

"It spelled out that money really wasn't the issue," said DeSanto, who saw the number of full-time faculty at Nassau CC decline by 12%, from 758 to 668, during Astrab's tenure.

Faced with Astrab's intransigence, Nassau CC's faculty mobilized to have him ousted. The first step came when a caucus of all 30 department chairs on campus approved a resolution calling on the

Academic Senate to pass a resolution of no-confidence in Astrab.

"When 30 chairs come together and say this is a serious problem, the faculty responded to that," said Lynn Mazzola, chair of the Accounting and Business Administration Department and leader of the chairs' caucus.

Nassau CC's Academic Senate has a little over 100 members, with 70% chosen by faculty, 20% by students and 10% by the administration. The resolution of no-confidence passed overwhelmingly with only the administration's representatives voting against it. Astrab subsequently vetoed the Academic Senate's vote of no-confidence, a move that did not improve his relations with Nassau CC faculty.

"The President was basically vetoing our opinion of him," Reiser said.

A second vote of no-confidence came in September 2011 from the faculty as a whole: 500 took part in a mass meeting that approved a no-confidence motion with 89% support.

BOARD OF TRUSTEES

As faculty opinion consolidated in opposition to Astrab, faculty governance and union leaders turned their focus to the monthly meetings of the Board of Trustees. Each SUNY community college has its own autonomous Board of Trustees, whose members are chosen in equal number by the governor and the local county.

Like many Nassau CC faculty, Reiser and DeSanto have ties to the school that go back for decades. The two women stayed in close communication with their colleagues through-

out the developing conflict, using off-campus e-mail addresses and department-level liaisons who spread the word about how to get involved.

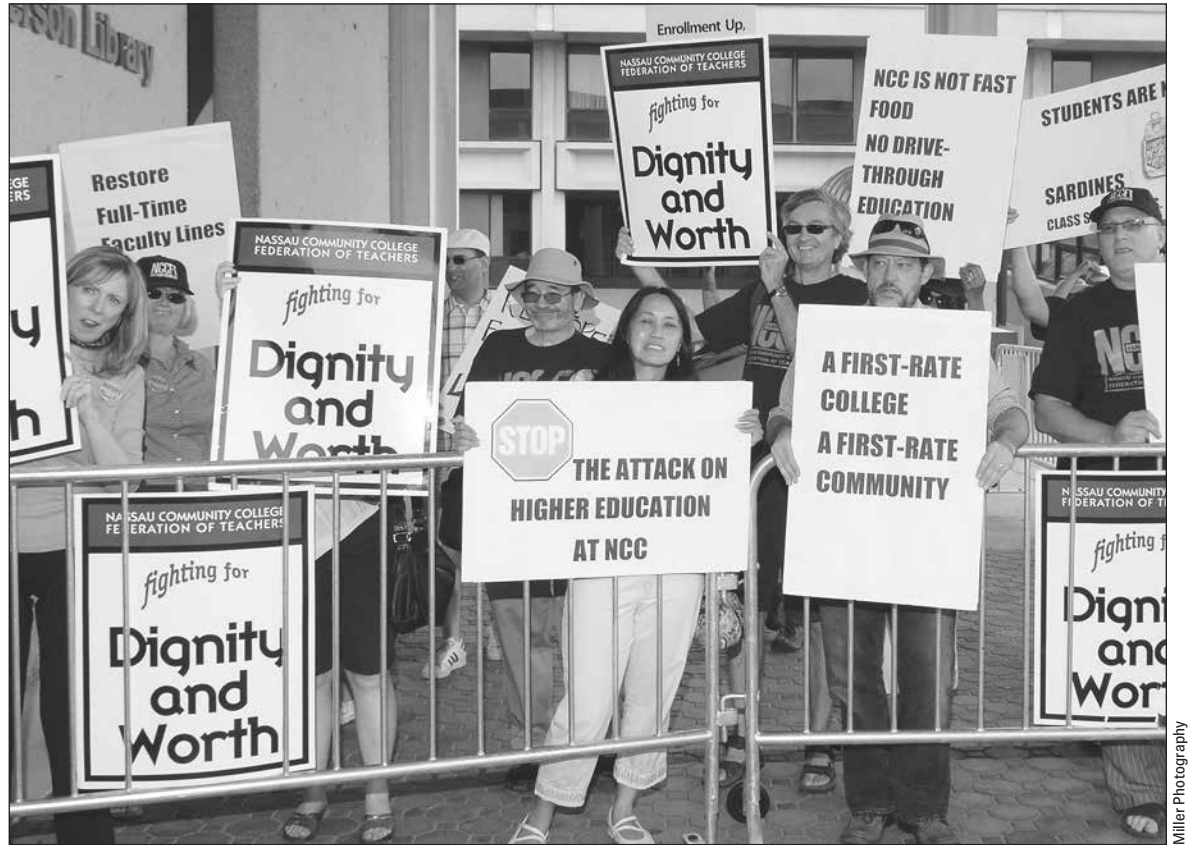
"When Kimberly and I started going to the board meetings, it was just the two of us," DeSanto told *Clarion*. "Then there were 30, then 50, then hundreds."

FINAL STRAW

The Nassau CC's Board of Trustees, dominated by politically connected businessmen and lawyers with minimal experience in higher education, initially expressed strong support for Astrab. But as both the protests and the controversies mounted, trustees' support for Astrab began to waver. The final straw, Reiser said, was Astrab's arbitrary decision to slash reassigned time for officers of the Academic Senate. Astrab apparently decided that the way to solve his problems with faculty was to hobble the work of their representatives – but the board did not agree. At its monthly meeting in June, the Board reversed Astrab's reassigned time policy. "That was like a vote of no-confidence," said Reiser.

On July 30, the Board announced Astrab's resignation, with the outgoing president to receive a \$337,000 severance package. Nassau CC Executive Vice President Kenneth Saunders was named acting lead officer, and a search for a new president is underway.

"Because governance and the union joined hands, we made this happen," Reiser said. "You can't get a more powerful combination than that."



Members of the Nassau Community College Federation of Teachers (NCCFT) hold an August 2011 protest against the school's president, Dr. Donald Astrab.

Miller Photography

What health care reform means at CUNY

By LARRY MORGAN

Executive Director, PSC-CUNY Welfare Fund

ACA offers hope, uncertainty

There is a wide range of opinions about the impact that the Patient Protection and Affordable Care Act (ACA) will have on health care – access, quality and cost. Many who firmly believe in the need for reform breathed a sigh of relief – if not amazement – when the Supreme Court decision validated the legislation. But the ACA's immediate and longer-term impacts are complex and they are yet to be fully financed.

Misinformation surrounds the new legislation. Very few people, from the left, the right or the middle, believe that this is the final answer to a flailing American health care system. The ACA legislation is the end product of good ideas that were compromised and of continuing decisions to persevere even after partial evisceration.

Because the law is so vast in its scope, this article will focus on the most likely effects for participants in the PSC-CUNY Welfare Fund. Will our basic health insurance or supplemental insurance change? Will more people be covered? Will Medicare and Medicaid be impacted? Will taxes increase?

A starting point

Most full-time CUNY employees have basic health insurance as a condition of employment. Most have supplemental benefits through the Welfare Fund. The former covers medical/surgical/diagnostic/hospital care, while drug/dental/vision/disability/extended medical coverage are part of the latter.

Part-time CUNY instructional staff may also be entitled to basic health insurance coverage (currently through the PSC-CUNY Welfare Fund), but only one out of five is eligible.

This conforms to the traditional American way – those who have private health insurance usually have it through their full-time jobs. Statistics confirm that those protected by collective bargaining have a higher probability of being covered and the coverage tends to be more comprehensive. The other side to this is that losing employment often means losing insurance.

The ACA's approach is to build on the current model, not replace it. The ACA moves to standardize employment-based coverage through some new national rules; these new rules mean some important improvements in coverage, but the ACA does not adequately address how they will be paid for. For those not insured through their jobs, the ACA will expand access to non-employment-based health insurance, providing coverage to many of those who are currently without it.

As implementation of the ACA goes forward, the question of

funding will move to center stage. The full cost of the ACA's reforms could be met by more public funding, more money from employers, or adjustments to existing benefits. As the ACA took shape, more cost-efficient alternatives – such as a “public option” or Medicare coverage for all – were rejected. Whether or not the ACA's unresolved funding issues will win them a second look remains to be seen.

Will the ACA change our basic or supplemental health insurance?

Benefits through CUNY are not likely to see major changes in the near term. One of the key reforms of the ACA, ending limits on coverage of pre-existing conditions, will have little impact for those entering or already in the CUNY program, since this is a moot concept with most employer-based group health coverage. But the change will mean better protection for those who leave CUNY employment and need health insurance in a different setting.

Under the ACA, insurance plans that had impediments to preventive care or services for women will have to make changes. But again, this will not mean major changes for those covered through CUNY employment.

Children can now remain on a parent's family coverage up to age 26; this was one of the first parts of the ACA to be fully implemented. As a result, 800 newly eligible dependents through age 26 were added to PSC-CUNY Welfare Fund coverage last year. The Fund was able to absorb this change without an increased employer contribution.

Expanded coverage, but some funding issues unresolved.

The ACA also requires that annual and lifetime caps on benefits be phased out by 2014. From a social point of view, this is a more rational way to organize health care. For the PSC-CUNY Welfare Fund, it will mean significant additional costs that cannot be absorbed with existing funding. In the Welfare Fund's current drug benefit, a \$10,000 annual cap has meant that the Fund's limited resources were used to provide broader coverage for most participants. Those who hit this limit sometimes faced severe problems, and removing the annual cap will provide relief. But the costs of this change are not small, and they will have to be met by additional funding, changes in other elements of coverage, or adjusting other cost parameters (e.g., co-payments).

Some of the ACA's reforms are designed to make sure that more health care dollars go directly to the costs of treatment, with new limits on profiteering and overhead

expenses. For example, regulations on “medical loss ratios” mean that insurers will have to show that at least 80% of their expenditures are used to “pay claims.” In the long run, this change should help slow inflation in health care costs and make health care financing more efficient. In the short run, it may lead to some disruptions.

For example, the voluntary (member-paid) catastrophic medical insurance program associ-

es. These policies may have options for subsidy based on income and family size.

In addition, more people with low incomes will now qualify for Medicaid. The Medicaid portion of ACA expands the covered population by including single or childless adults and by raising the maximum income level. Medicaid is jointly funded by state and federal sources (about 50/50, except in New York City), and some states are declaring their right not to participate – even though as much as 90% of the additional cost would be

pitals, which has been quietly factored into *everyone's* current insurance rates.

One facet of Medicare definitely improved under the ACA: Part D drug coverage. The Welfare Fund had not encouraged our members to sign up for the former incarnation: the old version of Part D had dozens of confusing insurance schemes, it had premiums and deductibles and co-pays and a donut hole (a “no-pay zone”) the size of a truck.

With the passage of ACA, that has changed. The donut hole is shrinking: costs in the donut hole are being 50% subsidized by pharmaceutical manufacturers and Medicare is incentivizing generic drugs. The Fund found a way to enroll all Medicare-eligible retirees as a group and pay the difference to provide virtually the same coverage as before. As a result, the Fund can take advantage of new and growing subsidies, while providing participants with a bridge to Part D's catastrophic coverage that begins after about \$8,000 in drug spending per year. Most importantly, the annual cap for this group is *gone*.

Who pays? Will taxes increase?

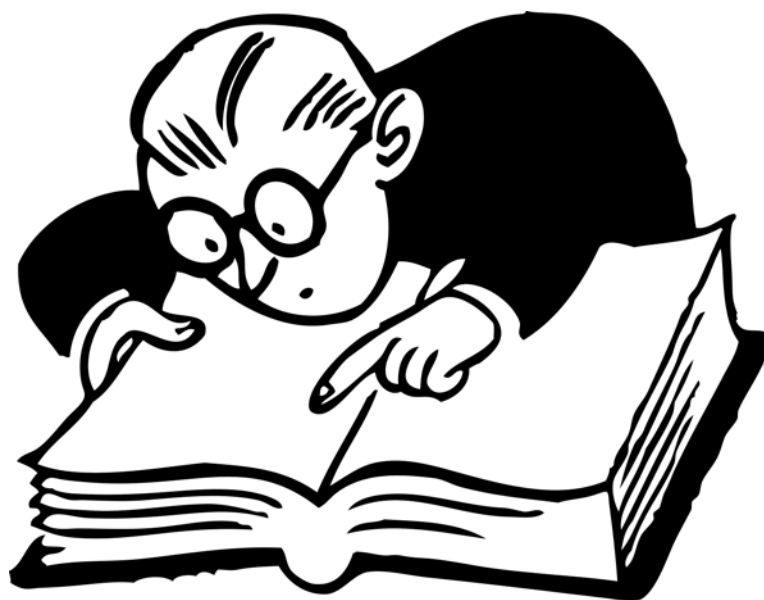
There will be a “Cadillac tax” on expensive insurance plans starting in 2014. Not surprisingly, the CUNY options of GHI/Blue Cross and HIP are safe from that surcharge. Whether it applies to other plans will depend on how they respond to the ACA's new rules.

Higher-income people will be paying 2.35% of their wages toward Medicare in 2013 (without a “FICA” cap), an increase of 0.9%. For someone earning \$200,000 per year, the tax will increase by \$1,800.

As ACA phases in, the real test will come as we approach 2014 when some of the most universal and most expensive changes take effect. As noted, the outcome is hard to predict.

When basic health insurance costs rise for CUNY and the City of New York, the employer pays. When costs rise for the more than 100 municipal welfare funds in New York City, the employer has not seen fit to increase payments since 2008, even in the face of ACA mandates. As in the past, negotiations between the city and the unions in the Municipal Labor Committee (including the PSC) will find one side looking for givebacks and the other seeking improvements. This was true before the ACA, and it remains true today.

The Affordable Care Act is being phased in over an extended period. Its funding will become a focus of discussion as implementation moves forward. The law is complicated and far-reaching. The Welfare Fund recognizes the need to gather and share information about the effects of the law as it becomes available – and the Fund will work to keep participants informed.



ated with the Welfare Fund has suspended new enrollment over concerns about how this and other rules, such as required coverage for all pre-existing conditions among new enrollees, will affect its business model. Alternative sources for such coverage are expected to develop as the rest of the ACA is implemented, especially as statewide “insurance exchanges” open for business. But as this example shows, there will be some friction in the transition.

Will the ACA help CUNY adjuncts?

While the ACA includes new incentives for employers to offer health insurance coverage, those provisions are focused on “full-time” employees and so is not likely to expand access for CUNY adjuncts. For those adjuncts who do qualify for health insurance via their CUNY employment, the effects of the ACA will be about the same as for others.

Loss of coverage related to loss of employment is a particular problem for contingent workers like adjunct faculty, and here the ACA may bring some improvement in the available options.

For those who lose coverage, the chance to continue coverage through COBRA will still exist and subsidies may become available. Those who use up their COBRA should find – at least by 2014 – that they have other viable insurance options through the state exchange-

federally financed. New York is not likely to turn down this expansion of coverage.

Will Medicare be impacted?

Much has been said recently about an alleged reduction of \$716 billion to Medicare caused by the ACA. In truth, no benefits will be cut to Medicare beneficiaries. The ACA's provisions are expected to save money by controlling the rate of increase of providers' fees, as well as reducing waste and abuse.

For example, subsidies for private insurers offering their own versions of Medicare coverage (Medicare Advantage) will be scaled back. Currently these private plans are paid 14% more than it would cost to provide the same benefits through Medicare itself. “In other words, the government is wasting money,” reported *Columbia Journalism Review* (see full article at tinyurl.com/716-CJR).

Ending such waste does not threaten seniors; in fact, it helps put Medicare on a sounder financial footing. Last April's Medicare Trustees Report projected that these cost-containment measures will extend the life of Medicare's Health Insurance Trust by eight years.

Controlling costs, reducing fraud and waste and providing more patients with coverage also reduces “bad debt” born by hos-

CAMPUS ORGANIZING

End course inequality at City Tech

By **BOB CERMELE, CAROLE HARRIS, COSTAS PANAYOTAKIS, and BENJAMIN SHEPARD** and others in the Workload Equity Committee.

Over the last year, faculty members have organized to challenge workplace inequity at City Tech. Our faculty members teach a 24-hour course load, which is higher than the 21-hour course load of all other senior colleges.

City Tech students compete with students at other senior colleges within CUNY, so they are put at a disadvantage when their teachers carry a heavier workload. Our students deserve the same opportunity for a quality education that students at the other senior colleges receive.

City Tech professors are held to the same research standards as professors at other CUNY campuses, so they are put at a disadvantage when they carry a higher teaching load. Professors who teach a 24-hour load have less time to devote to individual students and to scholarship.

RESEARCH MATTERS

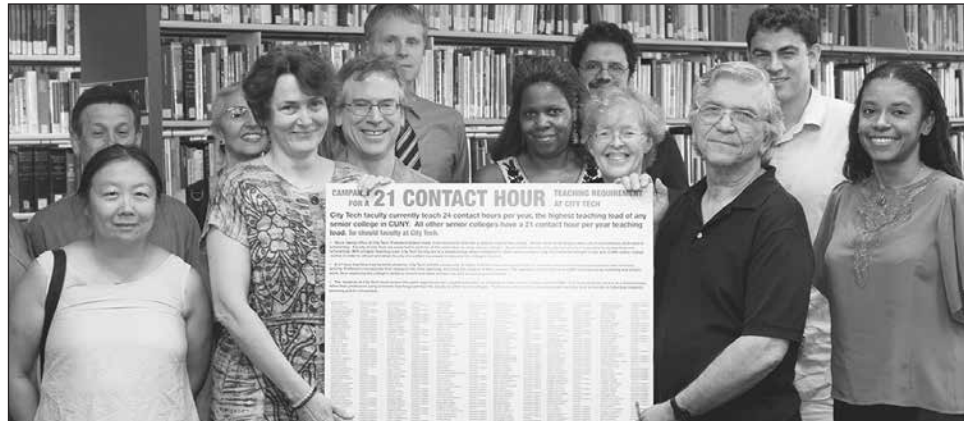
When City Tech was founded in 1947, it was established as a community college. It became a senior college in 1981, but its faculty members at first continued to teach the same 27-hour course load required at CUNY's community colleges. Since then City Tech's teaching load has been reduced twice, in response to union pressure – but it is still higher than at every other CUNY senior college.

Faculty at every CUNY college carry a

heavy teaching load, and the 27-hour course load at CUNY community colleges is not good for either faculty or students. But while system-wide reform is needed, there is no excuse for treating one senior college differently from all others in the CUNY system.

Allowing City Tech faculty adequate time to pursue research benefits students in countless ways, as well as the MetroTech community that surrounds City Tech in downtown Brooklyn. Professors with more time to pursue an active research agenda can incorporate more of their research into their coursework, enriching the content of courses with both the results and the methods of that scholarship. Greater development of faculty research also benefits community economic development, bringing research funds into the area and boosting employment. Today, MetroTech is viewed as an area on the rise, thanks to its concentration of businesses and educational institutions. City Tech should be at the forefront of this economic expansion – providing education, training, research and solutions for a global city and its restructured waterfront.

Since he took office at City Tech, President Russell Hotzler's stated mission has been to raise the academic level of the college. He has done so by hiring a new cohort of professors. For this he is to be congratulated. Yet these new faculty members are evaluated according to the standards of other senior colleges. The best way to help all City Tech faculty mem-



City Tech PSC members with their petition, signed by 325 of 400 full-time faculty.

bers succeed is to align their teaching load with that of other CUNY senior colleges. This is a matter of fairness and equity: City Tech must be brought in line with CUNY norms.

PETITION CAMPAIGN

For these reasons, faculty members engaged in a petition campaign involving hundreds of face-to-face conversations, in order to request that President Hotzler come forward publicly in support of course load equity on our campus. Members of the City Tech Professional Staff Congress brought these issues to a Labor Management meeting with the president on May 30. Covering over 80% of full-time faculty, the 325 plus signatures signal that course load equity is a priority for

faculty members and should thus also be a priority for Hotzler and his administration.

Faculty members were delighted in the May meeting to hear President Hotzler agree to request the funds needed to achieve our goal. However, the next few weeks in September are crucial to our campaign; campus budgets are written in early fall. The upcoming City Tech budget request needs to include these funds.

City Tech faculty members look forward to President Hotzler's leadership and will mobilize to support him as he moves to fulfill his promise. To this end, faculty expect to see sufficient money written into the fiscal year 2014 college budget to bring our teaching load to 21 hours per year. Ending the long-standing discrimination against City Tech faculty and students is an urgent matter: the time to address it is now.

A heavier course load harms students.

SOLIDARITY

Chicago teachers' struggle is our own

In one of the most important actions in defense of public education and public-sector unionism in recent years, the Chicago Teachers Union (CTU) went out on strike on September 10. The PSC Executive Council adopted a resolution in support of the CTU on September 7, and the excerpts below offer a clear description of what is at stake.

Coverage in the August Clarion explained the background to the walkout (see tinyurl.com/CTU-background). For the latest updates on the Chicago teachers' strike, check the CTU's website, ctu.org.

- The Chicago Teachers Union (AFT Local 1, the nation's first teachers' union) is locked in a protracted contract battle that has important consequences for educators everywhere.

- Chicago teachers have rallied, marched, won the support of parents, and mobilized for a contract that includes fair compensation, meaningful job security for qualified teachers, smaller class sizes and a rich curriculum that includes art, music, physical education and foreign language.

- A CTU report, *The Schools Chicago's Students Deserve*, eloquently argues in favor of proven reforms that would improve the education of the city's 400,000 students, including offering pre-kindergarten for all, guaranteeing vital support services (counselors, nurses, social workers and school psychologists), having a fully staffed library in every school, ensuring quality school



Tens of thousands of Chicago teachers, parents and students converged on the Board of Education on the first day of the teachers' strike.

facilities, ending school board practices that have increased racial segregation, and reducing class size (currently one of the highest in the state).

- A majority of CTU members, 92%, participated in a vote to authorize a strike, and 98% of those voting, voted yes.

- The CTU is facing opposition from an

array of "reform organizations" created and financed by wealthy hedge fund managers and businessmen in alliance with Mayor Rahm Emanuel. Together these constituencies are trying to impose a regimen of evaluating teachers based on students' standardized test scores, imposing a "merit" pay scheme for teachers while eliminating

traditional salary increases for seniority and additional education, and mandating a longer school year and school day without a proportional increase in salary.

- The opponents of the CTU have used the deep pockets of wealthy supporters to launch a torrent of ads attempting to discredit the union and promote charter schools.

- The CTU has established a "CTU Solidarity Fund" to raise money to respond to the negative ads of their opponents and circulate its own report, *The Schools Chicago's Students Deserve* (see tinyurl.com/CTU-solidarity-fund).

WHAT'S AT STAKE

- A victory for Chicago teachers would greatly encourage teachers everywhere who are resisting attempts to blame educators for low student achievement rather than point the finger at inadequate school funding and widespread poverty, and standing up to forces who would eviscerate hard-won tenure and seniority protections and salary levels, as well as weaken teacher unions.

- A victory for the Chicago Teachers Union would be a victory for public-sector employees nationally, as we struggle to resist the imposition of austerity conditions. [It would be] a victory for CUNY faculty and staff, as we face a regime of testing and standardization. [It would be] a victory for all who oppose the privatization of public resources and the plundering of public assets.

FAQ ON THE FILM 'WON'T BACK DOWN'

Targeting teachers

By LEONIE HAIMSON

Why is there controversy about the movie *Won't Back Down*?

Critics believe the film promotes the privatization of public education and inflames a political climate in which teachers are unjustly disparaged and blamed for the effects of poverty and educational inequity.

What is the movie about?

The movie tells the story of a group of parents and teachers who use a Parent Empowerment Law, better known as the Parent Trigger, to take over a school that is failing their children. Parent Trigger legislation, promoted by the right-wing American Legislative Exchange Council (ALEC), has been passed in several states, including California, Texas, Louisiana and Mississippi, and is being considered in New York and elsewhere. But while the movie depicts an inspiring story of parental revolt, actual efforts to use the Parent Trigger have been driven by billionaire-funded supporters of privatization, and have sparked acrimony and division. None of these efforts has actually improved a school (see tinyurl.com/Trigger-Facts).

Who is behind the movie?

The movie, due to open September 28, is produced by Walden Media, owned by Philip Anschutz, and by 20th Century Fox, owned by Rupert Murdoch. Anschutz is an oil and gas billionaire who co-produced the anti-teacher film, *Waiting for 'Superman.'* He is a financial backer of Americans for Prosperity, founded by the Koch brothers, which opposes union rights and has strongly supported the political career of Wisconsin Gov. Scott Walker. Anschutz also contributes to organizations that oppose gay rights and support teaching creationism in schools. While 20th Century Fox is mainly a money-making corporation, Murdoch's right-wing politics are well known.

Is the film effective?

Won't Back Down taps into the deep desire of many parents for change in their children's schools, and viewers say it is very moving. "The actors did a superb job of drawing you into the movie. I cried several times, despite knowing that this movie was funded by charter school privatizers seeking fistfuls of dwindling education dollars," wrote Rita Solnet, a Florida parent activist and a founding member of Parents Across America, in a report on the *Washington Post's* education blog.

To create sympathy for its story line, the film relies on a false picture of teachers and their unions. For example, the movie says that "union rules" ban teachers from working past 3:00 pm to help students. That's both untrue and deeply insulting to those who work in the public schools. "There is not a single contract or local union that would ever prevent a teacher from remaining after school to help a student or complete the other work necessary to be an effective teacher," notes American Federation of Teachers President Randi Weingarten.

The Parent Trigger law promoted by the film – what does it call for?

If 51% of parents at a school can be persuaded to sign a petition calling for any of a narrow set of options – either firing all the teaching staff, closing the school, or privatiz-

ing the school by turning it over to a charter operator – this must occur. None of these options has any track record of success.

How did the Parent Trigger law originate?

The Parent Trigger was first conceived by a Los Angeles-based organization called the Parent Revolution, founded by a charter school operator and funded by the Broad, Walton Family, and Bill & Melinda Gates foundations. The legislation was introduced in California by then-State Senator Gloria Romero, who now heads the California branch of the pro-privatization organization, Democrats for Education Reform.

Have Parent Trigger laws worked?

The first time the Parent Trigger was tried, Parent Revolution sent operatives into Compton, California, to ask parents to sign a petition saying that their local elementary school should be turned into a charter school. Some parents who signed the petition later said they had been misled. The effort was mired in lawsuits and ultimately fizzled (see tinyurl.com/Compton-trigger). More recently, operatives trained and paid by the Parent Revolution urged parents at the Desert Trails Elementary School in Adelanto, California, to sign two different petitions: one calling for smaller classes and other positive reforms, the other demanding that the school be turned over to a charter operator. After the organizers submitted only the charter petition to the authorities, nearly 100 parents asked to withdraw their signatures. Yet a judge ruled that parents could not rescind their signatures and that the conversion to a charter school should go forward. Even Gloria Romero, the author of the Parent Trigger law, has criticized the organization's tactics and said that presenting Adelanto parents with two different petitions to sign was "needlessly confusing."

What's wrong with the Parent Trigger?

The idea of "choice" has been manipulated by the corporate reformers and spread by groups like ALEC, which seek to use methods such as the Parent Trigger to turn public schools over to privately managed charters. The Heartland Institute, a strong supporter of Parent Trigger laws, calls them "the most powerful education reform policy since Milton Friedman advocated the school voucher." This is not real choice; nor is it parent empowerment. Most parents want to see their neighborhood public schools strengthened with small classes and less emphasis on standardized testing, rather than given over to private corporation where parents have even less of a voice. Even Ben Austin, head of the

Parent Revolution, has admitted that most parents are not interested in turning their school into a charter, but would rather focus on improving their existing public schools.

But how else can schools provide better choices for parents?

There are many ways that districts can provide more and better choices within the public school system: by creating magnet schools



Mario Anzuoni/Reuters

Hollywood star Maggie Gyllenhaal plays a plucky parent activist in the film 'Won't Back Down.'

and specialized schools that, unlike charters, do not drain resources from public schools, privatize public buildings or take decisions out of voters' hands. Why should a public school built with taxpayer funds be given to a private corporation just because 51% of current users signed a petition? If a local firehouse was ineffective in putting out fires, or a police station in fighting crime, would we choose to hand these public services over to a private company, or would we demand that our elected leaders improve them?

What about parent empowerment?

Charter schools are run by private corporations that are often more interested in generating profits than in empowering parents. Moreover, most charters do not get better academic results, and many impose harsh disciplinary procedures and push out students who need extra help. (See, for example, tinyurl.com/credo-study.)

Last spring, Florida parent groups banded together to fight Parent Trigger legislation

that had been introduced in their state legislature. By holding rallies and press conferences, calling their elected representatives, and speaking out about how the Parent Trigger is a ruse devised by corporate reformers to benefit charter operators rather than children, Florida parents prevented the legislation from being passed.

Where do unions fit into the alternative?

The continuing disinvestment in public schools, particularly those located in the poorest communities with the highest-need students, has led to repeated budget cuts and growing class sizes. Class sizes in some Detroit and other inner city schools have grown to 40-60 students. Across the nation, there appears to be a purposeful undermining of conditions in our public schools in the effort to persuade parents to choose charters and other privately run alternatives.

Education unions cannot allow themselves to be divorced from parent and student concerns, but must ally themselves with other stakeholders in the struggle for increased public investment, educational quality and equity. If not, the enemies of public education will define unions as the problem and present themselves as the solution. Together, they must focus on a positive agenda for change. If unions only respond to false attacks, they may have the better arguments, but they will still lose.

Teacher's unions increasingly understand this, and across the country they are working more closely with parent groups than ever before. The Chicago Teachers Union (CTU), for example, has made the need for smaller classes a key part of its campaign for real reform in the public schools (see page 10). The CTU has pointed out that just half of the amount that Chicago public schools currently spend on charters would be enough to lower class size substantially throughout the district.

The CTU is hampered by the fact that when mayoral control was instituted, the union was formally prohibited from grieving or negotiating on class size, leading to a situation where many classes have 40 students or more. Michelle Rhee, former chancellor of the DC public school district, and others in the corporate reform world have argued that teachers should only be allowed to negotiate on wages and benefits, rather than working conditions such as class size, thus ensuring that unions could be further criticized as solely being motivated by self-interest. But the CTU has made clear it will continue to fight for better schools (see tinyurl.com/CTU-Schools-Deserve).

Working together, unions and parent groups can stop the privatization and destruction of our public schools and move toward a better future where *all* students can get the education they deserve.

Leonie Haimson is executive director of Class Size Matters (classsizematters.org), a non-profit organization that advocates for class size reduction in New York City's public schools and the nation as a whole. A previous version of this article was published by the Huffington Post.

A dramatically anti-union agenda

Clarion SEPTEMBER 2012

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15-HOUR ACTIVIST

Time for election action

Normally we use this space for our "15-Minute Activist," but this month we're upping the ante. Can you spare a couple of hours a week? There are about seven weeks until the November election. So if you can volunteer an average of a couple of hours a week until then, plus an hour on Election Day, you'll make the grade.

The PSC will be actively supporting President Obama this fall, in NY and out of state. We will

also be sending volunteers to key Congressional races here in New York, where the outcomes could help decide who controls the House. In state legislative contests we are working to elect candidates who will oppose Albany's austerity agenda and support fair taxation of the wealthy and increased funding for CUNY.

Contact Amanda Magalhaes (amagalhaes@psccmail.org) in the PSC office to get involved.

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LIFE/WORK

Clarion | September 2012

Building with an eye toward nature

By JOHN TARLETON

Achva Benzinberg Stein
Professor of Landscape Architecture
and Urban Design, City College
BA in Landscape Architecture
(UC-Berkeley)
MA in Landscape Architecture
(MIT/Harvard)

Growing up in a small town outside of Tel Aviv during Israel's early years, Achva Benzinberg Stein watched a landscape of sand dunes transform to one of parks and gardens.

"I didn't know at the time it was called landscape architecture, but I knew it was a nice job to do," she told *Clarion*. Since coming to the United States in the mid-1960s as a college student, Stein has won widespread acclaim in her field as a scholar, an educator and a practicing architect. She came to City College in 2005 as the founding director of the School of Architecture's Graduate Program in Landscape Architecture.

Much of Stein's work has focused on Moroccan gardens and courtyards, which are a response to the climate and life in the Mediterranean. These walled compounds, common to many Moroccan homes and buildings, offer privacy from the outside world and a cool, refreshing space for tranquil reflection. In 2011, she designed and supervised the construction of a traditional 14th-century interior courtyard at the Metropolitan Museum of Art, painstakingly created by Moroccan artisans who worked on-site.

In all her work, Stein emphasizes building structures and communities that act in concert with the natural world instead of trying to dominate it, which she says has often left her "swimming against the current" in a field where a bigger is better mentality often holds sway.

"The world is on loan to us and we should return it in good condition," Stein insists. "It's not just for us. It's for everybody."

Arriving in Berkeley in spring 1965

I liked the ideas. It was a different face of America. I thought I would



Achva Benzinberg Stein relaxes in the Moroccan courtyard she designed for the Metropolitan Museum of Art.

find kindred spirits and I did – it was where I met my future husband, David Stein. At the time, he was coordinating legal defense for 800 members of the Free Speech Movement who faced criminal charges after engaging in civil disobedience on campus. Today he's an urban and regional planner. We are probably one of the few couples still together from that time.

People's architecture

While studying at UC-Berkeley, I was a part of a group of landscape architecture students who opened a small office near campus and helped members of the community design community gardens, parks and other amenities they wanted to bring to life. It was very idealistic. We helped the community do what it wanted to do.

Shop steward

After completing my undergraduate degree, I worked as a parks designer in the public works department in San Francisco. I was the shop steward for the union local that covered myself and about 25 other parks designers.

My favorite local project I've worked on in New York City

Library Lane outside the new Bronx Central Library that opened in 2005. The design, which I worked on with the City College Architecture Center, transformed a neglected alleyway that was a neighborhood eyesore into a public space with a plaza and gardens. I learned a lot about working with various non-profit organizations as well as the New York City Department of Transportation (DOT). And in the process, I gave my students a better model of working with communities. The plaza and the street realignment have been completed, and DOT is now continuing the second phase.

I first became interested in Moroccan gardens and courtyards when...

My grandmother showed me a postcard from Morocco when I was growing up. She commented to me that Tel Aviv would have looked very different if the architects had been trained in Morocco instead of

Germany. This thought caught my imagination and planted a seed that has continued to grow to this day. The uniqueness of the Moroccan tradition is that it has never died and the craftsmanship has been maintained despite colonization.

What I like about the Moroccan garden is...

It's a wonderful reflection of the culture and the ability of a culture to make use of limited resources, which we all need to learn how to do because now the whole world has limited resources. Clay, wood, stones and metals are used – very simple elements which are brought to the highest level of design by the efforts of people's work and craftsmanship.

On working with Moroccan artisans on the courtyard at the Met

The six of them were unbelievable. Few of them finished high school, but they were geniuses. They were working with soft

plaster and clay and the simplest tools you can imagine, just little knives. They were so meticulous, doing all their work by hand. They could do it without looking at the drawings. They could eyeball it and always get the right proportions. It was human skill working on simple material and turning it into gold.

My father was a bronze cutter. I grew up around people who worked with their hands, and they knew it as soon as I stepped down to look at their work. Working together, we had a good relationship. We are all the children of Abraham.

Why I teach at CUNY

I came here because it's public. The heart of landscape architecture is not about designing private gardens. It's about healing the environment and creating public spaces for people to come together and understand the world they live in.

On being awarded the 2011-2012 Teacher of the Year Award at CCNY

Everybody deserves to enjoy the world we were given. Students get it. They see this reflected in my class and that's why they think I'm a good teacher. Young people have an ability to hope.

Current research projects

I'm writing two books – one on sustainable water storage and distribution systems around the world, and one about my father-in-law, Joseph Allen Stein. He migrated from the United States to India in 1952 as a refugee from McCarthyism, and became one of that country's foremost modernist architects – as well as someone who inspired my overall outlook. [Editor's note: When Joseph Allen Stein died in 2001, The New York Times wrote "In the nearly half-century he spent in India, Mr. Stein won acclaim for marrying his structures to the natural landscape. He favored buildings that merged into the trees, lawns and ponds surrounding them."]

'The world is on loan to us.'