

UPDATE ON COLLECTIVE BARGAINING, APRIL 24, 2007

At the contract negotiations session on Friday, April 20, the PSC continued its detailed presentation of the union's demands, and received the demands from CUNY management. Among the union demands, we concentrated on what the bargaining team has called "basic human rights"—the right to a safe workplace, to paid parental leave, family medical care leave, support for faculty and staff childcare—and such other provisions as improved tuition waivers. Young faculty members who attended the session spoke eloquently about their urgent need for parental leave and childcare, emphasizing that CUNY's lack of these basic provisions makes the University uncompetitive.

The representatives of CUNY management listened to the union presentation and said that they would continue to discuss the demands with us. On every issue that involved money, however, they took the position that there will be a limited financial package and that all choices have to be made within that limited settlement.

The PSC vehemently rejects the position that CUNY's only option is to accept scarcity. We have urged management to work creatively with the City and State and to make a fair financial offer in this round of bargaining. It is an insult to CUNY faculty and staff—and to the community we serve—to expect us to continue to work for inadequate salaries and in inadequate conditions.

Management Demands

The PSC bargaining team will listen with an open mind to management's presentation of their demands and we will bargain in good faith. We will seek to identify common ground where it exists. But the list of demands delivered by management on Friday does not signal an interest in reaching a timely settlement. It includes no financial offer, and yet seeks major concessions. The list includes many demands rejected roundly in years past by the PSC membership. But it goes beyond merely recycling past demands. It includes new demands that, taken together with a series of demands rejected in the past, amount to an attempt to restructure the University. Rather than presenting a vision that moves CUNY forward—as the union's demands do—management's demands call for a weakening of some of the basic rights and professional conditions that make a university a university. They would restructure the University in the following ways:

1. **Weaken tenure:** With this set of demands, CUNY goes on record trying to further diminish the percentage of faculty who are protected by tenure and academic freedom. CUNY proposes to allow unlimited expansion of the Distinguished Lecturer position, which is currently capped in number and limited to an appointment of five years, so it potentially becomes a whole new tier of full-time faculty, serving at will. CUNY also proposes to increase the permitted teaching loads of part-timers, creating a position with a full-time teaching load at part-time wages and without the protection of tenure.
2. **Weaken job security for HEOs:** Professional staff in the higher education officer series are currently eligible to earn job security after eight years under Article 13.3.b. of the

contract. CUNY management is again trying to erode this provision and make it easier to fire long-time professional staff.

3. **Replace salary steps with discretionary pay and micro-managing of individual salaries by college president:** The management demands include no offer of an across-the-board salary increase. Instead, for almost all full-time titles, they propose eliminating regular salary increments and replacing them with a minimum/maximum salary range and a system of lump-sum awards. College presidents would decide individual salary increases, if any, within the range. Adjuncts and CLTs are not included in the system for lump-sum “performance” awards.
4. **Weaken academic freedom:** the expansion of contingent, part-time and non-tenure-track positions would mean that only a minority of CUNY courses would be taught by people who have the essential protection of academic freedom. Academic freedom at the University as a whole is undermined if most of the courses are taught without freedom from the fear of reprisals and dismissal based on academic content.
5. **Increase contingent and part-time positions:** While the best universities across the country are trying to *decrease* their reliance on under-paid part-time and contingent faculty, CUNY is seeking to *add* contingent positions. Management wants to create a new, “fractional” HEO position; to increase the limit on the number of courses taught by part-timers; to expand the untenured Distinguished Lecturer position; and to permit HEOs to teach courses “for no additional compensation.” These demands, if accepted, would mean a university with more contingent workers and fewer courses taught by instructors with tenure, academic freedom, and the expectation of research and scholarship.
6. **Weaken professional autonomy and faculty governance:** The first demand on CUNY’s list is to remove department chairs from the union. That would mean that department chairs, who have always at CUNY been colleagues, would become management—answerable to 80th Street, not to the faculty in their departments. This demand has been consistently rejected by the membership of the PSC.
7. **Weaken the union:** Management’s demands include a direct attack on the union: they attempt to diminish the membership and effectiveness of the PSC. The demands call for the removal not only of department chairs, but of certain other employees; for the loss of some union income; and for a sharp reduction in the number of hours of reassigned time the union can purchase from CUNY to fight for our members’ rights and implement the contract.
8. **Weaken due process:** CUNY calls for several changes in the grievance procedure that would restrict access to due process for faculty and staff.

The CUNY of these demands is a university where tenure and academic freedom are increasingly rare, where more and more teaching is performed by employees without tenure or job security, where the corps of research faculty is diminished, where professional staff have less

of the job protection they need to serve our students well, where due process rights are weakened, where faculty governance is undermined, where the exploitative system of part-time labor is expanded, and where the urgent need for a transformation in salaries eroded by years of deficit budgets is ignored. CUNY faculty and staff have made clear that this is not the CUNY we want.

The PSC negotiating team will meet with CUNY management on May 4, and will begin our response to their demands. The most important response, however, will come from you. Read the demands carefully, discuss them with colleagues, and let your own college president know how you feel.