

May 20, 2011

Dr. Matthew Goldstein
Chancellor, The City University of New York
535 East 80th Street
New York, NY 10075

Dr. Benno Schmidt
Chairperson, Board of Trustees
The City University of New York
535 East 80th Street
New York, NY 10075

Dear Chancellor Goldstein and Chairperson Schmidt:

I am writing on behalf of the entire instructional staff to urge you in the strongest terms not to hold the vote on the proposed CUNY Bylaw changes until there has been adequate time for University-wide discussion. The proposed changes are sweeping, unprecedented and profound. They are far more than minor revisions. Their effect would be to undermine faculty governance, eliminate almost every Bylaw provision the PSC has cited in defending our members' rights, and fundamentally alter the historical relationship between University management—including college presidents as well as the central administration—and the faculty and staff.

A number of the proposed changes are aimed directly at eliminating or reversing long-standing terms and conditions of employment of the faculty and staff. Yet there has been no negotiation with the PSC over the proposals. Despite the University's representation in the Board of Trustees calendar that the changes are simply updates or ministerial corrections, their breadth and depth suggests an anti-labor agenda.

To announce a revision of this scope late in the spring semester and then hold the vote in June is to give the appearance, at least, of attempting to limit participation in discussion and opportunity for dissent by CUNY's faculty, staff and students. A single opportunity to testify, during the summer annual leave period, is not sufficient. As Chancellor of the University and as Chair of the Board, you have both spoken repeatedly about the importance of free discussion and open debate at CUNY. In order to uphold such values, the University should delay the vote until mid-fall and should ensure that there is ample opportunity for public debate.

The PSC strenuously objects to many of the proposed changes because they have the potential to strip our members of their rights and damage shared governance. Among such changes are:

- a new provision that gives the college president the right to remove any member of a Department Personnel and Budget Committee (Article 9.1.e.);

- revision of the language expressing the rights and responsibilities of the faculty, including elimination of the requirement that the Board of Trustees issue guidelines as the means for exercising control over academic matters (Article 8.6);
- elimination of descriptions of positions and qualifications for *all* professional staff titles and several faculty titles (Article 11);
- addition of new positions without any job descriptions or qualifications (Articles 6 and 11);
- new language specifying that adjunct appointments do not require recommendation of the Chancellor and approval by the Board (Article 6.4.a.);
- elimination of requirements for notice of non-reappointment of adjuncts (Article 6.6)
- elimination of the provision that allows P & B Committees to make recommendations on special salary increments (Article 8.9);
- elimination of Academic Due Process provisions (Article 7);
- elimination of all Bylaw language on Retrenchment and of Bylaw rights to transfer in the event of Retrenchment for faculty with tenure or the Certificate of Continuous Employment (Article 6).

Other changes would affect governance, recruitment of faculty, job duties, tenure rights, job security, promotion, appointment and reappointment rights, salary, leave-time and non-discrimination protections.

In light of such far-reaching proposals, the Professional Staff Congress calls on you to postpone the announced vote and allow time for the widespread discussion such changes deserve. To do less is to deprive the University community you serve of an essential opportunity for discussion and to risk signaling that the CUNY Central Administration and the Board seek actively to limit comment by the faculty, staff and students on the essential issue of how the University is governed. We call on you to announce immediately that the vote will be delayed.

Yours sincerely,

Barbara Bowen
President, Professional Staff Congress

cc: The Board of Trustees, The City University of New York
Frederick Schaffer, General Counsel and Senior Vice Chancellor for Legal Affairs
Pamela Silverblatt, Vice Chancellor for Labor Relations
Dr. Sandi Cooper, Chair, University Faculty Senate
Delegates to the Professional Staff Congress Delegate Assembly