

MARCH 2018



Joan Greenbaum, Editor
Academic Year 2017-8 No. 6

psc-cuny.org/retirees

CHAPTER MEETING, MON., MAR. 5, 1-3 PM

Leith Mullings on Racism, Resistance and Activist Scholarship in Dangerous Times

Leith Mullings, distinguished professor emerita at the Graduate Center and newly minted retiree, will explore the current context of racism and briefly review the main findings of a recently concluded collective research project. The research was carried out by a network of scholars and activists in seven countries who are committed to challenging racism against people of African descent and indigenous people. The focus of her talk will be the U.S., where there is significant intensification of the movement to normalize white supremacy and misogyny. After raising questions about the Left and "identity politics," she will examine the resistance, with emphasis on the Movement for Black Lives. We look forward, as always, to a lively discussion following her talk.

PSC Union Hall, 61 Broadway, 16th floor
Cheese, cookies, coffee and tea, as usual.

THE MONTH THAT WAS: GOOD AND WELFARE. *"Good and Welfare" was the theme of the February 5 chapter meeting. The day was divided into three parts: (1) guest speakers from **JASA**, a non-denominational, multicultural organization providing services to seniors; (2) a report from Donna Costa, executive director of the **PSC/CUNY Welfare Fund**; and (3) a presentation by the **Safety Net Working Group**. Reports on each follow.*

1. JASA: SENIOR SERVICES

-Joel Berger, retiree COSI

Most chapter members probably view themselves as vibrant, engaged, and self-sufficient. Yet reality reminds us that we experience aging in different ways and at different times. Whatever the individual member's situation, the presentation by JASA (Jewish Association Serving the Aged) discussed programs available for all needs on the aging spectrum.



Molly Krakowsky and Elaine Rockoff, the invited speakers from JASA, emphasized that their social service group engages seniors from the most active to the most frail. JASA, created in 1968, delivers a comprehensive continuum of care to all communities.

Molly Krakowsky, the director of legislative affairs, outlined how JASA is funded through contracts with NYC and appropriations from New York State. With this support, JASA operates 22 senior centers in four boroughs (none in Staten Island).

Elaine Rockoff, the director of community based programs, described the variety of programs and activities available. She

stressed the concept of active aging, as reflected in the centers.

Moving across the spectrum of aging, the speakers detailed the array of services vulnerable older people may obtain from JASA, a NY State Department of Health licensed agency. The services range from receiving meals in their homes to personal, compassionate in-home care. Here are ways to contact JASA for information:

Phone: 212-273-5272

Email: help@jasa.org

Web: www.jasa.org

2. WELFARE FUND UPDATE

-Dave Kotelchuck, retiree, Hunter

Welfare Fund Executive Director Donna Costa introduced the new associate director, Gregory Vagelatos, to PSC retirees at our chapter meeting on February 5. Vagelatos, who assumes the post Costa had before being promoted in 2016, was formerly fund administrator for the Painting Industry Insurance and Annuity Fund in New York City.

Donna Costa also reported that the Fund was currently conducting a search for a new staff position, a Retirement/Benefits Counselor. This is welcome news, since the union has not had a person responsible for the range of these important responsibilities since the departure of staff member Jared Herst last summer. According to its announcement of vacancy, the Fund is looking for a person who “responds to members’ inquiries regarding the health, pension and other benefits for which they are eligible as CUNY employees.”

In her talk to the chapter, Costa went on to discuss the array of benefits provided by the Fund—drug, dental, vision and hearing:

Drug benefits: Drug benefits represent the largest single expenditure of the Fund’s

funds, which are provided by CUNY based on contract negotiations with the union. She noted that the drug benefits for PSC retirees are richer than those provided to active members. Both PSC groups pay 20 percent of costs for drugs up to \$12,000 annually. The most prominent difference in their benefits: When drug costs for active members exceed \$12,000, the member must pay a higher percentage of their costs for the remainder of the year (50 percent or more); whereas when retirees exceed \$12,000, their percentage of costs goes *down* to only 5 percent for the remainder of that year. Why? Because Medicare, through the Affordable Care Act, provides the additional funds for the retirees. (Note: Medicare aid also helps keep the Funds’ financial books balanced—drug costs per person have historically been two to three times greater for retirees than active members. Before ACA these higher costs were paid entirely by the Fund and contributed to past Fund deficits.)



Dental benefits: The Welfare Fund Board of Directors allocated increased funds provided in the last contract to dental benefits. As a result, Ms. Costa said, more Fund beneficiaries are using these benefits.

Vision benefits: Costa reported strong member approval of the improved vision

benefits derived from the last contract. Members are pleased that they get better choices of lenses and frames with Davis, the new vision benefits provider.

Hearing benefits: With hearing benefits now set at \$750 per year, utilization has doubled.

3. SAFETY NET PRESENTATION

Three members of the Safety Net Working Group, a group established by retirees, presented at the February 5 chapter meeting on the topic of “Good and Welfare.”

Dave Kotelchuck, co-chair of the group, reviewed the 7-year history of the committee’s advocacy to defend and expand the safety net: the production of a widely distributed and acclaimed pamphlet, presentations at union and community meetings across CUNY and then across the state, visits (as well as email blitzes and phone calls) to elected representatives, and support for single payer health legislation in NY State (the New York Health Act).

Following that introduction, Bill Friedheim’s PowerPoint presentation focused on how the GOP tax bill dramatically changes the political landscape and possibilities for safety net advocacy, particularly regarding Social Security, Medicare and Medicaid.

He argued that the tax bill represents a massive redistribution of wealth from bottom to top, turbocharges inequality, threatens safety net programs, and promotes a Republican strategy of “starve the beast.” The “beast” is our government. It will be starved of funds by a ten-year \$1.5 trillion deficit that will be the result of the tax bill, as projected by the Congressional Budget Office.



A misguided 2010 law, pushed successfully by deficit hawks from both major parties, mandates automatic cuts in government programs every year to compensate for any legislation that results in deficits—unless the House and Senate vote a waiver for that particular year. The tax bill, predicted to generate \$150 billion deficits every year for ten years (totaling \$1.5 trillion), would have meant an automatic cut of \$25 billion to Medicare and similar reduction in Medicaid (which funds 61% of long-term care for U.S. seniors).

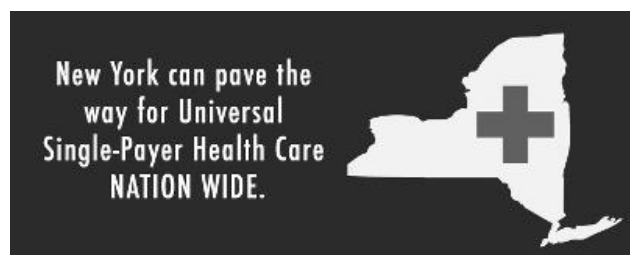
But in this election year, Congress passed a waiver and in the recent bi-partisan budget deal, actually increased funding for Medicare and reversed a \$492 million cut for administration of Social Security services (at a time when 10,000 new baby boomers qualify for Social Security claims every day).

But similar cuts face us next year when there is another \$1.5 billion deficit projected as a result of the tax bill—and no guarantee that there will be another waiver. In fact, the recently released budget proposed by the Trump administration (now seemingly academic after the Congressional budget deal) calls for cuts in Social Security,

Medicare and Medicaid—despite promises to preserve and expand these programs during the 2016 election campaign.

Bill's PowerPoint presentation also explained how the GOP tax bill promotes a “starve the beast” strategy in the states. You can read how this works in an article on the tax bill that Friedheim wrote for the recent *Clarion* at psc.cuny.org/clarion/february-2018/tax-bill-hurts-all-except-rich.

The presentation concluded with good news—most Americans oppose the tax bill and are seeking alternatives; looking not only to defend the safety net, but also to expand it. This is an organizing moment when there is popular support for aspirational plans in congress (e.g. Medicare for all, expansion of Social Security), but not the votes to pass the legislation. The 2018 and 2020 election years could change that.



One of the legislative initiatives that re-imagines the safety net in this organizing moment is the New York Health Act. Francine Brewer made a brief presentation on this single-payer healthcare legislation. In the December *Turning the Page*, Brewer wrote:

“The New York Health Act is a universal single payer health plan. It would provide guaranteed health care for all New Yorkers. Coverage would be universal and comprehensive. It establishes a State fund that would cover every resident. Financial barriers to receiving health care would no longer be commonplace. Insurance premiums would be eliminated. There would be no deductibles and no co-pays.”

Too good to be true?

In her February 5 chapter presentation, Francine noted that the NY Healthcare Act passed the State Assembly in 2015, 2016 and 2017. It has 30 co-sponsors in the State Senate, where it needs 32 votes to pass. Nonetheless, it is a long shot to pass the GOP-controlled Senate in this legislative season. But who knows what will happen as result of the November elections. That's why the Safety Net Working Group is working with labor, community and faith-based groups across the state to advocate for the New York Health Act. Stay tuned.

VISITING MEMBERS AT HOME

-Francine Brewer, retiree, LaGuardia CC

On a beautiful winter afternoon in January, a group of intrepid PSC members met for brunch at the home of Steve Leberstein on the Upper West Side. PSC Organizing Director Deidre Brill created teams of 2 or 3 people who would make home visits to PSC members and agency fee payers. Over brunch we discussed our mission: speak to members and agency fee payers about the forthcoming Supreme Court decision *Janus vs. AFSCME*. We wanted to help PSCers to understand the importance of this case, to get existing members to recommit to the union by signing a new and improved membership card, and to get agency fee payers to join the union in the same way.

The Janus case represents a grave threat to public-sector unions like the PSC. If the Court rules in favor of Janus, public-sector unions would not be able to collect agency fees. Public employee unions collect agency fees from workers who benefit from contracts negotiated by the union, but haven't joined the union.

[See article on Janus on page 7]

As we made home visits, we used a software program that showed each team where to go and who to visit. The results of our conversations were sent to the union using the same program. Among people we visited, my team spoke with someone who said, “Thank you for explaining what’s at stake for me and the union. I did not understand the implications of the Janus decision.”

VERY CURRENT NEWS:

RAVI RAGBIR AND THE WAR ON IMMIGRANTS CONTINUED

-Bill Friedheim, retiree, BMCC

Last month I reported that ICE (Immigration and Customs Enforcement) had, in defiance of a court order, moved Ravi Ragbir to a detention center in Miami and twice attempted to deport him to Trinidad and Tobago. Ragbir is the executive director of the New Sanctuary Coalition. As I wrote in the February *Turning the Page*, “Ravi has been a tireless advocate, counselor, strategist and activist for immigrants facing detention and deportation, including many undocumented CUNY students and their families.”

I also noted that “Ravi advocated with a target on his back, constantly living with the threat of his own detention and deportation. Yet he chose a highly visible role of leadership in the sanctuary movement.”

Ravi, and his wife Amy, a lawyer who is deputy director for the American Friends Service Committee in the Northeast, are dear, close friends. A roller coaster of events has framed their lives in the month since I last wrote about them.

The *New York Times* reached out to Amy to write an op-ed, which featured prominently in both the print and digital editions.

A judge ordered Ravi back to the NYC metropolitan area, where he was detained in an Orange County jail. Another judge

ordered him released. On January 29, Ravi was incarcerated; the next day he and his wife were sitting in the U.S. House gallery during the State of the Union as guests of two Democratic Congress members. Afterward, they networked with Democratic Party leaders and union officials.

ICE then ordered Ravi to report for deportation on Saturday, February 10. Meanwhile, a prominent “white shoe” Washington law firm, Arnold and Porter, joined his *pro bono* legal team (headed by professors from NYU Law), filing a suit in federal court accusing ICE of targeting immigrant rights leaders. The judge in the case stayed Ravi’s deportation to March 15. Another federal court, hearing a case to reverse a fifteen-year-old criminal conviction, could conceivably order a permanent stay—or maybe not. Ravi and his wife live with daily uncertainty.



As a result of activist organizing, there has been a media blitz of coverage over the last month. Hundreds of clergy, elected officials, ordinary New Yorkers, and even the judge who presided over his criminal conviction, have written letters on Ravi’s behalf. Mayor Bill de Blasio, in a letter to the NY field director of ICE, wrote: “In his more than 20 years as a lawful permanent resident in the United States, Ragbir has made significant contributions to the city’s civic life and has been widely recognized for his work as a speaker, educator, and organizer on issues related to immigrant rights.” De Blasio continued: “Forcing him to return to Trinidad would not only affect

his wife and child—who are U.S. citizens—but would adversely impact the larger immigrant community.”



Pending uncertain events between now and then, Ravi and Amy will join us as speakers on immigration and sanctuary at our Monday, April 2 chapter meeting.

CUNY FOOD SERVICE WORKERS FIGHT FOR FAIR JOBS

-Steve Leberstein, retiree, CCNY

Workers at cafeterias in CUNY’s colleges are engaged in a struggle to better their working conditions and to organize into a union. The PSC is standing with them in solidarity. The CUNY Cafeteria Workers Campaign began last year, organized by the Retail Action Project, an affiliate of RWDSU (Retail, Wholesale and Department Store Union). As the union sees it, “there is a “stark and deep contradiction” between the condition of the cafeteria workers and CUNY’s mission to provide opportunities to improve its students’ lives and those of their families.

According to Phil Andrews, RWDSU retail organizing director, when organizers began speaking to cafeteria workers, many of whom are CUNY students or graduates, “it

quickly became obvious that the workers were subject to the very same conditions—lacking job security and healthcare, and supporting their families on depressed wages—that keep workers trapped in a cycle of poverty with few opportunities to escape.”

Cafeteria workers testified before the Board of Trustees at a public hearing in November. They gave examples of wage theft and the failure of cafeteria vendors to adhere to city, state and federal laws and policies on minimum wage, paid sick leave, and overtime pay.

“Once brought to their attention,” Andrews said, “the CUNY administration acknowledged this contradiction between the University’s mission and the behavior of contracted food service vendors towards their employees.” RWDSU has asked the Board to adopt guidelines governing the college Auxiliary Enterprise Corporations that actually contract with vendors to run their cafeterias.

But one of the vendors, MBJ, with contracts for cafeterias at John Jay, Borough of Manhattan Community College, New York City Tech, and LaGuardia Community College, on Friday, January 26 threatened to retaliate against workers for speaking out.

The LaGuardia PSC chapter turned out a support demonstration. And RWDSU quickly filed Unfair Labor Practice charges, which the NLRB is investigating. The CUNY General Counsel’s office had earlier warned the vendors that their contracts require them to comply with federal, state and local laws, specifically on minimum wage, overtime pay, and paid sick leave. The warning went on to emphasize “that retaliation against employees who report conduct or suspected conduct that they believe violates the law (including harassment and discrimination), who request or use sick leave, or who lobby for

higher wages or other employee benefits, is illegal.”

Phil Andrews and lead organizer Garrett O’Connor are cautiously optimistic that the Board will adopt the guidelines that RWDSU proposed. They “anticipate that concrete commitments and action will be taken that will allow foodservice workers a stake in carving out a more secure future for themselves and their families.” Awareness of these issues “is critical to making change, and the solidarity we’ve gotten from the Professional Staff Congress is absolutely critical to the mission.”

A large turnout of PSC members and CUNY students in solidarity with RAP at the **Board’s public hearing on March 12** will raise awareness and encourage the Board of Trustees to do the right thing soon. The public hearing will be held at Brooklyn College beginning at 4:30 PM. Check the Trustees’ webpage for the exact location: <http://www2.cuny.edu/about/trustees/meetings-of-the-board/> If you would like to testify, please let Steve Leberstein (sleberstein@gmail.com) know in advance.

JANUS: THE SUPREME COURT CASE

On February 26, the day most retirees will receive this newsletter, the Supreme Court will hear oral arguments for *Janus v. AFSCME*.

Orchestrated and financed by right-to-work and conservative advocacy organizations, Janus has one overriding purpose: to decimate the political and economic power of public-sector unions like the PSC.

If the Court sides with the plaintiff—and every indication is that they will—Janus will overturn a unanimous 1977 Supreme Court decision in *Abood v. the Detroit Board of Education*.

In *Abood*, the court ruled that in public-sector workplaces, where a union had won

the right to represent the workforce, individuals could not be free riders; that they had to share the costs of “collective bargaining, contract administration, and grievance adjustment purposes.” In other words, an individual who receives collectively bargained salaries and benefits could choose not to join the union, but would have to pay an “agency fee” to cover a typical individual’s share of expenses for union representation (e.g. staff, rent, research, negotiating, legal and arbitration costs).



A similar case financed by most of the same anti-union advocacy groups made its way to the Supreme Court in 2015-16: *Friedrichs v. California Teachers Association*. But with the unexpected, sudden death of Justice Antonin Scalia, only eight members remained to render a decision in June 2016. The Court deadlocked along political and ideological lines, meaning that *Abood* remained the law of the land. With the appointment of Justice Neil Gorsuch to Scalia’s seat, the Court is expected to overturn *Abood*.

The PSC has confronted this new reality proactively, building its collective power by signing up hundreds of previous agency fee payers as members. Thousands of members have signed new membership cards, reaffirming and extending their

commitment to the PSC.

During the week of oral arguments before the Supreme Court, when *Janus* is a major media story, PSC activists will mount an intensive campaign to collect even more signed membership cards at every CUNY workplace. At our February 5 chapter meeting, many PSC retirees volunteered to return to their former campuses to participate in this membership blitz. We'll have a report in next month's *Turning the Page*.

STOCK MARKET RIDES

-Joan Greenbaum, retiree, LaGuardia CC

Those of us with TIAA retirement funds may have experienced some nail biting days in February. Even if you are one who keeps only a corner of an eye on the stock market you have probably seen the words "correction" and "volatility." These words paper over a good deal of madness going on with actual stock prices that some of our retirement funds may be tied to. Unlike the pundits out there, I won't offer you any prognostications. In 1959, during a recession in my senior year of high school, I thought it would be a good idea to study economics. I learned enough not to pretend to predict, and I certainly learned enough to know that I know very little!

When the market dove over 1,000 points in February, the word "correction" flashed through the headlines. The plunge (what may previously have been called a crash) started when the January Bureau of Labor Statistics numbers came out indicating that unemployment rates remained low and wage gains averaged .6 percent. One would think that this is good news, but in stock market terms, economists argue that this represents a tight labor market and may "signal" inflation. This is an old and overused argument that blames corporate stock price losses on labor. Even if the aggregate .6 percent increase were felt by individual workers, this is a modest gain,

and one, like other Bureau of Labor Statistics numbers, which the Bureau explains is hard to quantify, particularly now, as more and more workers are part-time or freelance employees. If mainstream economists and business writers were interested in what the slight wage increase meant, they might ask how it was distributed among workers and if it resulted in more or less inequality.



We have been told to expect more "volatility" in the market as these "corrections" take place, with the caveat that fluctuations are normal when we look at the market in the long term. Luckily for us, the long term, in the daily lifecycle of the stock market traders, is generally understood to be a year or more. Unfortunately though, some big share of the market gyrations are brought about by automatic selling by large investors such as pension funds and investment houses. The extent to which automatic selling takes place is not yet known, but it works by the invisible hand of algorithms, called bots, which tell the funds to sell if the market dips by a certain percentage in a fractional period of time and correspondingly buy shares if there is an upward pattern. Not only do we not know the extent to which these bots are employed, we also don't know what the algorithms are made up of. Set loose as these bots are in the stock market, we need to keep in mind that the market and the economy are two different things.

In the *Economic Scene* column in the February 13 *New York Times*, Eduardo

Porter writes “Wall Street’s titans might welcome the fact that equity prices [i.e. stocks] have grossly exceeded what a well-functioning, competitive economy should deliver. But for almost everybody else, it amounts to a disaster.” He goes on to argue that “rents” (short for “returns in excess of what investments would yield in a competitive economy”) are no longer functioning, as the economy is no longer competitive. Whether or not the rise of monster internet monopolies is putting a large damper on the economy as he believes, Porter argues that “...inequality will rise: The owners of the shares in the powerful corporations capturing the economy’s growing monopoly rents will peel further and further away from the average Jane and Joe, who own little but their labor.”

So while those of us with TIAA-related retirement funds may continue to keep an eye on the stock market, we also need to be looking at the basic economy and how income and wealth are spread. Inequality cannot be papered over by so-called market corrections or the state of the daily Dow Jones average. It is well worth keeping our eyes wide open on how people are doing under unpredictable economic circumstances.

CORRECTIONS: Dave Kotelchuck writes that in the February issue of *Turning the Page*, the citation was incorrect for the quote in the last line of his article “Rubbing Salt into our Wounds.” The title of the article was incorrectly stated as: H. Long, “Class warfare anyone?” Wash. Post, 12/15/17. “Class warfare” is not the headline of Long’s article. The line should read: “(H. Long, Wash. Post, 12/15/17) Class warfare anyone?”

ENVIRONMENTAL JUSTICE WORKING GROUP. *Retirees are particularly active on this PSC committee. What follows is a brief*

report from Eileen Moran, the group’s co-chair. This spring the PSC’s Environmental Justice Working Group will continue working within NYS and NYC Divest NY coalitions. In NYC we will be working with Climate Works 4 All (CW4A) for a mandated retrofitting of large NYC buildings to maximize energy efficiency. CW4A is a coalition of community and labor groups, including the PSC. Maximizing efficient fuel consumption in the largest buildings could reduce the air pollution associated with heating and cooling buildings between 80 and 90 percent. Stay tuned and help get this bill passed. We might all breathe easier if we do, especially those with asthma or other respiratory conditions.

The next Environmental Justice meeting is at the PSC at 6 PM on March 12. All are welcome!

**LETTER TO THE EDITOR:
More On The Fiscal Crisis**

- Michael Frank, retiree, LaGuardia CC

In his article [Feb. 2018 newsletter] on Kim Phillips-Fein’s presentation at the winter luncheon on the NYC fiscal crisis of 1974-76, Steve Leberstein poses the key question: “Was a general strike possible when sanitation workers, firefighters, the police, highway and hospital workers struck in the summer 1975 before teachers walked out in September?” From his account of this movement from below, the answer is yes. A general strike was indeed possible. Why then did the labor leadership not organize it?

To explain this, we need to understand that many labor leaders constitute a distinct social stratum having interests that are not identical to those of the rank and file. Unlike the members they represent, union officials are not subject to the controls that are built into the work process or to the authority that management exercises on the shop floor. And unlike the PSC, their

salaries are not determined by the contracts they negotiate. Moreover, they interact with business leaders, politicians, government officials and journalists in the course of carrying out their functions. In short, they have different lifestyles and move within a different social milieu than the workers they represent.

Labor leaders are faced with potential threats from two sides; from an active, militant membership that can bring new leaders to the fore and from capital and the state, which can take repressive measures against unions.

During the NYC fiscal crisis labor leaders feared having their contracts abrogated and collective bargaining rights curtailed. This would have undermined both their function and their legitimacy. To avoid the risks and uncertainties that a fightback would entail and to ward off the possibility of having such measures imposed upon them, the leadership, in order to achieve a measure of control over the situation, capitulated and accepted austerity to placate the banks. And while the banks were moving their capital elsewhere even as they advised the city on how to get its finances in order, the unions invested their pension funds to help keep the city afloat. By so doing they disarmed themselves and gave up the strike weapon. Leaders managed to safeguard the organizations on which they depend—at least for the time being—but at great cost to their memberships and the city's working-class communities. From this example we can see, from the perspective and interests of labor officialdom, the general logic and rationality of "concession bargaining."

The movement among the rank and file was strong enough to make a general strike *possible*, but not strong enough to *force* the leadership to organize it. That

would have required a layer of activists rooted and having influence in the unions that could have raised and popularized the idea of a general strike among the broader membership. Such a layer cannot arise spontaneously in the course of an upsurge but must be built beforehand in order to prepare for such moments. This is one answer to Steve Lieberstein's question on the lessons we can draw today from that period.

The labor movement has a legitimate interest in keeping its organizations intact, not to support a stratum of bureaucratic leaders but to preserve the unions as instruments of struggle. But this was not what happened in the 1970s. Many leaders have not abandoned their historical practice of eschewing militancy even in the face of continuing austerity and wage compression. The question now is whether workers and their unions can choose a different path.

