

Clarion

NEWSPAPER OF THE PROFESSIONAL STAFF CONGRESS / CITY UNIVERSITY OF NEW YORK



DECEMBER 2015



NEW!
Change of plan

WF prescription provider replaced
PAGE 8



Erik McGregor

PSC POWER GROWS

WE SHALL NOT BE MOVED

In its fight for a fair contract, PSC is ratcheting up the pressure with a series of escalating tactics. In the scene above, members engaged in a planned civil disobedience action on November 4, blocking the entrance to CUNY headquarters in Midtown, risking arrest. Fifty-three members were charged with

disorderly conduct. Plans for the action resulted in contract offer from CUNY management – one described as 'unacceptable' by PSC President Barbara Bowen. On November 19, members packed The Great Hall at the Cooper Union to begin preparations for a strike authorization vote. **PAGES 3 & 6**

FIGHT FOR \$15 CUNY's low-wage workers

The University employs 7,000 workers at less than the rate set by activists calling for a raise in the minimum wage. Read their stories.

PAGE 5

CHURCH & STATE Friedrichs plaintiffs

Pressing the anti-union Supreme Court case is a little-known group that seeks to bring religion into public schools, making missionaries of teachers.

PAGE 9

DETERMINATION Ready for action

At a union-wide meeting, 900 PSC members gathered to prepare for a strike authorization vote – the next big step in the union's campaign for a fair contract.

PAGE 3



POWER & ART Irony meets idealism

PSC member and MacArthur Fellow Ben Lerner talks to *Clarion* about the relationship between poetry and politics, and the beauty of imperfect collectivity. **PAGE 12**

IN BRIEF

Working Families Party backs Sanders for president

The union-backed national Working Families Party (WFP) overwhelmingly endorsed US Senator Bernie Sanders for president. It is the first time the party has endorsed in a presidential contest.

The PSC is affiliated with the WFP. In the past week, the New York State leadership group voted to bind its two delegates attending the WFP endorsement convention to the outcome of a national membership plebiscite on the three Democratic Party presidential candidates. The PSC voted with the majority of the NYS WFP leadership regarding a binding plebiscite but was not a part of the national convention that endorsed Bernie Sanders.

The online membership vote was open to all WFP members who affirmed support for WFP values, and was combined with a vote of WFP's national advisory board that included representatives from the party's state organizations. Sanders took 87.4 percent of the vote and former Secretary of State Hillary Clinton won 11.5 percent.

Clinton, however, has garnered the endorsements of major unions, including the American Federation of Teachers (of which PSC-CUNY is a local). (PSC President Barbara Bowen was among three AFT leaders who voted against the endorsement; see the September *Clarion*.) Earlier this month, Sanders supported PSC's contract campaign, tweeting, "We must invest in our public institutions! We stand with @PSC_CUNY in their fight for a fair contract."

Journal explores adjunct labor organizing

The most recent issue of the academic journal *WorkingUSA* (published by Wiley-Blackwell), examines contingent academic work with articles exploring organizing, tactics and collective bargaining.

This issue, "Contingent Academic Labor: The Way Forward," is edited by PSC bargaining team member Marcia Newfield; Polina Kroik, adjunct assistant professor at York College; and Joe Berry, one of the founders of The Coalition of Contingent Academic Labor, which convenes biennial conferences, the most recent one hosted by PSC-CUNY in 2014.

Newfield introduces the issue by tracing the evolution of adjunct organizing. Anthony Prato, an instructor with the CUNY Language Immersion Program (CLIP) at Queensborough Community College, addresses organizing efforts for CLIP and CUNY Start instructors, who are "misclassified as part-time [workers.]" PSC staff organizer Eric Paul outlines steps that activists can take to build collective power at the grassroots level.

This issue of *WorkingUSA* is available for \$12 and can be obtained by emailing Marcia Newfield at mnewfield@pscmail.org.

Shomial Ahmad



LETTERS TO THE EDITOR |

WRITE TO: CLARION/PSC, 61 BROADWAY, 15TH FLOOR, NEW YORK, NY 10006. EMAIL: ASTAN@PSCMAIL.ORG.

Exploitation at CUNY hurts all

● CUNY's reliance on an adjunct workforce easily replaced by newly minted graduates of the very system that exploits them represents a loss of civilization. This system employs the majority of the CUNY workforce; 75 percent of classes in the CUNY system are taught by adjuncts. Even more, the supportive staff (secretaries who fill out mountains of new hire paperwork, employees in the duplicating center, department chairs who organize colossal class schedules, tenured faculty who observe adjuncts) have not had an increase in pay for almost six years. That lack of support taxes the whole CUNY system and compromises its effectiveness as a vehicle for social betterment.

It has been documented by many news outlets that creatives and intellectuals are leaving New York City because of the high cost of living. When bonuses for Wall Street executives were threatened, the response was a fear of driving away the best, the most talented.

The shame I feel as an underpaid adjunct is palpable and often compounded by those who believe I should simply reject a system that relies so much on employee exploitation. The belittlement, by the lack of a fair labor contract, of our educational institutions and those who support them affects our community, our economy and our democracy. An environment that tolerates and encourages the employment of undervalued, underpaid workers only compounds opportunities for the exploitation of other workers.

A system that does not reward workers on the basis of merit, educational attainment or talent is damaging to all.

Elisabeth von Uhl
Adjunct Lecturer
Bronx Community College

Tuition is our business

● Having been to all of the last several demonstrations for a good contract, I am increasingly upset by one aspect of these demonstrations: Since several of our last contract improvements were partially financed by students' tuition increases, we must make central to our contractual demands that there be no student tuition increases for the duration of the contract. Considering how loudly and effectively the students support us – particularly wonderful are the students from Hostos – we can do no less for them. Management will tell us this is none of our business; we should tell them and our CUNY students that we just made it our business.

Gerald Sider
Professor of Anthropology, emeritus
The College of Staten Island and
the CUNY Graduate Center

Dignity at stake

● The PSC's Midtown demonstration demanding a contract brought our message where it belongs – into the heart of this great city. Let us embrace and cheer the 53 fellow union members, including our own Assistant Professor Felipe Pimentel, who endured arrest on our behalf and in defense of our union.

The PSC belongs to its members. We built it and nurtured it. The contempt for the PSC shown by the CUNY Board of Trustees parallels its contempt for faculty governance, which was clearly shown by the board's ignoring the 92 percent "No" vote against Pathways. I suggest that we begin collecting pledges from other faculty and staff willing to be arrested for this just cause. What's at stake is our dignity as workers in a democratic society and the right of our students to a quality higher education.

Gerald Meyer
Professor of History, emeritus
Hostos Community College

Solidarity with students and adjuncts

● A joint effort among CUNY students, faculty and staff is necessary to reverse continued attacks on public higher education. We encourage the PSC to adopt the following as central demands in its contract campaign. By doing so, the union will show that its commitment to the most exploited members of CUNY, students and adjuncts goes beyond lip service to become genuine solidarity.

● An immediate tuition freeze and rollback of the tuition hikes

from 2011 to 2016. If the PSC claims to struggle for racial and economic justice for the working class, then it should refuse to let CUNY fund faculty raises with student tuition increases.

● **True movement toward pay equity for adjunct faculty, i.e., \$7,000 per course.** Within the last few years, the Modern Language Association (MLA), Coalition of Contingent Academic Labor (COCAL) and CUNY Doctoral Students' Council (DSC) have advocated a \$7,000 starting salary for 3-credit courses. By refusing pay disparity between CUNY adjuncts and other faculty, the PSC can end the reliance on adjuncts as cheap exploitable labor, the practice of which harms our whole union.

● **Adjunct job security.** Create real and comprehensive job protection for all through a seniority system by date of hire that doesn't introduce additional evaluations into the process.

● **Workload flexibility.** Lift the cap on the number of courses that adjuncts can teach at any single CUNY campus.

The addition of these demands will strengthen the PSC's ability to negotiate, fight and win. Right now most students and adjuncts don't see any reason to take action – let alone strike – in support of a contract that doesn't yet express all our interests. This situation will change when we stand united.

Conor Tomás Reed
Graduate Writing Fellow
Kingsborough Community College

PSC President Barbara Bowen responds:

Thank you for your letter, Conor; I know it comes out of a long his-

tory of student organizing. The PSC leadership agrees completely that the only force strong enough to reverse the national attacks on public higher education is a coalition of faculty, staff, students – and the communities of which they are a part. We are actively building such a coalition for CUNY right now, working to deepen our bonds with student activists and organizations, showing how students have a stake in the PSC contract fight. That work could be among the most important we do.

On the issue probably most important to students – tuition increases – the PSC opposes the current proposal for another increase and has consistently opposed shifting the cost of a CUNY education onto the backs of our students. The shift of cost is a failed strategy.

The union is also working with activist organizations that advocate for the communities in which our students live. Many are eager to coalesce around a defense of quality education at CUNY.

Finally, on your suggestions for demands: there has been much discussion of the union's demands in our policy-making body, the Delegate Assembly. The DA voted not to include the demand you propose for "workload flexibility" because that demand is in the interest of management. Management always wants to multiply the number of courses taught for substandard pay; the union works to increase the pay and create meaningful job security. We have already accomplished a landmark benefit in this round of bargaining: fully funded health insurance for eligible adjuncts.

40,000 postcards to Gov. Cuomo



BMCC students Khadijah Warner (right) and Sekou Sacko are among the more than 40,000 CUNY and SUNY students who signed postcards urging Governor Andrew Cuomo to sign the "maintenance of effort" bill. On November 20, a coalition of groups, including the Professional Staff Congress, CUNY University Student Senate and the New York Public Interest Research Group delivered the postcards to the governor's office at the state capitol in Albany.

Organizing for strike authorization vote

By ADELE M. STAN

At a union-wide meeting at the Cooper Union's Great Hall on November 19, PSC President Barbara Bowen called on Governor Andrew Cuomo to fund the PSC contract, and laid out a five-point plan for winning the union's fight for a fair contract. In October, the union's Executive Council announced that the union would hold a vote among members for authorization to call a strike, if necessary, and the membership meeting kicked off the organizing process for the vote. The PSC's contract with CUNY expired in 2010.

Although public employees are barred from striking in New York under the Taylor Law, it is legal to conduct a strike authorization vote.

"We are holding Governor Cuomo accountable for his refusal to put money in this contract," Bowen told the lively crowd of 900 members who packed the hall. "Governor Cuomo, you cannot present yourself as a progressive if you are not progressive on CUNY. You cannot be a progressive and pursue austerity economics on the higher education system of this city and state. We will not let you do that."

CUNY Chancellor James B. Milliken – until now the focus of PSC pressure – has failed to secure adequate funding from the state, Bowen said, leaving the union no choice but to take its demands directly to the governor.

Under the Cuomo administration, the level of state investment in CUNY has continued to shrink, with the state not funding such mandatory cost increases as building leases, utility fees and raises for CUNY employees, who have not seen a salary increase since 2009. (As *Clarion* went to press, the governor had yet to take action on a bill passed by the state legislature this summer that would cover such costs going forward. The deadline for his decision on whether to sign the bill, known as a "maintenance of effort" measure, was December 11.)

PUBLIC DISINVESTMENT

"We fight to press the larger issue of disinvestment in this university, and austerity," First Vice President Mike Fabricant told the crowd. "We fight on the question of wages, and how that has consequences for the quality of education for our students. We fight for fair wages for part-time faculty and staff and full-time faculty so they can survive and stay at this university. And in the midst of all this, tuition is raised to fill in the hole left by disinvestment."

On November 4, as hundreds of PSC members rallied on the street outside CUNY headquarters on 42nd Street and some prepared to take part in a planned civil disobedience action, management put forward an offer for salary increases that totaled a mere 6 percent over six years between 2010 and October 2016, and while failing to offer retroactive raises for four of the six. Within days of receiving the offer,

Motivated members pack The Great Hall



(L-R) Executive Council members Glenn Kissack, retiree from Hunter Campus High School; Blanca Vásquez, adjunct lecturer at Hunter College, and David Hatchett, lecturer, Medgar Evers College stand in commitment to organize for the coming strike authorization vote.

the union countered with a proposal for a package of salary increases that would total 14 percent. Negotiations are still ongoing.

FIVE-POINT PLAN

The plan Bowen put forward at the union-wide meeting includes the following steps:

1. Taking the demand for funding a fair contract directly to the governor.
2. Enlarging the fight by building and strengthening alliances with students, community groups and other unions.
3. Amplifying the union's message through increasingly aggressive efforts in both traditional and social media.
4. Making a counteroffer to CUNY's 6-percent offer, which is below the rate of inflation for the period covered.
5. Organizing to win a strike authorization vote.

Buoyed by the successful rally and sit-in – which garnered coverage by television newscasts and *The New York Times*, and resulted in the arrest of 53 PSC members – the boisterous crowd in The Great Hall applauded frequently throughout speeches by PSC officers and representatives of the union's various constituencies, and an officer of CUNY's Student Senate. Members hoisted familiar signs (STOP THE WAR ON CUNY!) and several blew vuvuzela horns.

UNION SOLIDARITY

Videos bearing greetings from leaders of unions that either won or were engaged in similar battles were greeted with enthusiasm, especially the appearance on the screen of Karen Lewis, president of the Chicago Teachers Union, which waged a successful contract battle that included a strike against the city's school sys-

tem. Introducing the video messages, Secretary Nivedita Majumdar noted that Lewis is presently battling brain cancer, but nonetheless recorded a message to PSC. ("Tell the truth!" Lewis said in her message. "Just let us teach.") The video messages can be seen at tinyurl.com/PSCallies.

"Our colleagues, like us, are fighting not just for salary raises, but for a quality education accessible to all students," Majumdar said. "For management, the phrase 'student success' is usually nothing more than a rhetorical ploy to further their agenda of neoliberal education reforms."

Also expressing solidarity with the PSC via video were Phyllis Campano, president of the Seattle Education Association, Tim Killikelly, president of AFT Local 2121 (which represents faculty at the City College of San Francisco) and Jennifer Eagan, president of the California Faculty Association. The CFA, Eagan said, won its strike authorization vote by 94 percent. Each leader spoke of their unions' individual battles for fair contracts and respect for their students as part of a national fight, a point also made by Brooklyn College Chapter Chair James Davis in his speech from the podium.

A NATIONAL FIGHT

While budget cuts and attacks on collective bargaining are fought and felt locally, Davis explained, they are "fueled by national movements... that seek to delegitimize higher education as a public good, and rebrand it as a private investment."

"We have an opportunity to change that narrative, to reframe higher education not only as a public good, but a good for the particular public that we serve – working-class students, students of color, immigrants and their children."

Dexter Roberts, vice chair of the University's Student Senate, declared student solidarity with the PSC in the union's contract fight. "If there is no you, and there is no me, there is no CUNY," he said. Roberts also reminded the crowd of the Student Senate's resolution passed in September that called on CUNY to "prioritize the needs of the adjunct professors."

Those who attended the mass meeting were treated to a clip from an upcoming documentary by Rehad Desai about a successful struggle at South African universities in which students and faculty came together to stop the outsourcing of campus labor.

UNITING CONSTITUENCIES

Michael Batson, an adjunct lecturer in history at the College of Staten Island and Kingsborough Community College, acknowledged the risk adjuncts feel in considering the strike authorization, but prevailed upon his colleagues to get behind the effort. "Many adjuncts live on the edge of poverty," Batson said, "and all adjuncts face income insecurity from semester to semester. This contract must deal with those issues." The University's 13,000 adjuncts, he said, are "victims of CUNY's casualization of our profession."

Along with speakers Andrea Vásquez, Iris DeLutro, James Davis and the PSC officers on the stage, Batson was among the 53 PSC members arrested for participating in the November 4th sit-in.

CUNY staff represented by the union found colleagues at the podium in Vásquez, a higher education officer at the Graduate Center who also serves on the Executive Council, and DeLutro, who is also the union's cross-campus vice president. Both are on the union's bargaining team. "Why did I sit down in front of CUNY and risk arrest?" Vásquez asked,

rhetorically. "Because, as a member of the bargaining team, I've been sitting across from CUNY for a year and a half now. We've introduced CUNY to our real part-time and full-time faculty, to our real professional staff and librarians, college lab technicians, and CLIP (CUNY Language Immersion Program) and CUNY Start teachers, to our doctoral students.... After presenting issues of importance to all of us, despite some progress at the table, they still don't get it."

PSC Treasurer Sharon Persinger brought members to their feet by asking people who had participated in important actions, such as the sit-in at CUNY headquarters and the Wake-Up Call protest in front of Milliken's luxury apartment building, to raise their hands and stand up. Then she asked attendees to show their commitment to organizing activities by standing. "Stand up!" Persinger said. "Stand up and let us know that you're going to be part of the effort to organize our strike authorization vote to make sure that we get a vote that will be useful to us in our contract negotiations." The crowd stood, cheering, and before the night's end, filled baskets with signed pledge cards bearing members' promises to attend training sessions for conducting one-on-one conversations with colleagues in preparation for the vote, for which a date has not yet been set.

REAL CONCERNS

Yet, during the question-and-answer session that followed the program, a number of adjuncts expressed fear of management retaliation should they take part in a strike, while others indicated that they felt the PSC was not demanding enough on their behalf, in terms of job security and other issues, at the bargaining table.

Bowen responded to a question from Ruth Wanger, an adjunct at the College of Staten Island, by making the case for unity, and reminding attendees that the PSC won health insurance for adjuncts in 2012 because "full-timers stood up for part-timers."

CALL FOR UNITY

In the current negotiation, Bowen said, "the union's position in our bargaining demands that we took to the table initially was absolute parity in pay and benefits. We are working our way toward that, but I don't think we're going to solve that in a single contract.... We will have unity if we fight together. The more we get in this contract to work with, the more we get economically to work with, the more we will be able to do for everyone."

"The consequences of breaking the Taylor Law are severe – at least on paper," James Davis told the crowd earlier in the evening. "But the stakes of inaction are high. And I think there are real consequences if we decline to take the steps that are more militant and more public. It's important to recognize the power we have and the role we play in the national conversation about higher ed."

When the subject is the University

By SHOMIAL AHMAD

In Kathleen Offenholley's mathematics class at the Borough of Manhattan Community College (BMCC), students are getting a lesson in regression lines and equilibrium using a case study that hits close to home: the rate of decrease in state aid per full-time student compared with the increase in community college tuition over the years. "You can see that the two lines have met and that students are now paying more themselves than state aid is paying," she explains, showing the trends on a graph.

Since the 1990-91 school year, tuition and fees have more than doubled as a proportion of community college revenues, while state aid to CUNY community colleges fell from 36 to 25 percent.

CUNY IN THE CLASSROOM

"It kind of pissed me off in a way," BMCC student Alex Atkinson, who works full-time in a restaurant and pays her own tuition, told *Clarion*. "They're raising tuition and they're not offering more."

Offenholley's CUNY-focused lesson plan is part of "Teach CUNY," a PSC initiative to make the University itself a subject of investigation with students. Teach CUNY was introduced in 2001, during another period of budget cuts, and was relaunched this fall as part of escalating contract and budget campaigns. Faculty across the University held teach-ins and developed curricula around the topic appropriate to their courses.

Lessons in struggle for justice



Kathleen Offenholley demonstrates a math concept with a graph showing the rate of CUNY's tuition increases.

In political science classes, students learned about the legislative process by which the maintenance-of-effort bill (which was awaiting action by the governor as *Clarion* went to press) was passed by the State Assembly and Senate, and learned the language of legislation. Elsewhere, a group of first-year students were given a lesson on the history of CUNY by their counselor. Students in one English class wrote about the roles of faculty and students in seeking justice within the college community.

Teaching a sociology class at Baruch, Luke Elliott-Negri engaged students in a discussion of current political conversations about making higher education tuition-free. "When you link it to the fact that for generations working class immigrants in the city could get a bachelor's degree free [at CUNY] and now they and their parents are paying for it, I think that makes it much more real," said Elliott-Negri, who is a graduate employee and chairs the PSC Graduate Center chapter.

At Bronx Community College, Victor Rodriguez, acting coordinator of general counseling in the Division of Student Affairs, taught a freshman seminar on open admissions at CUNY, a policy now restricted to the community colleges but which once applied to senior colleges, as well.

"I'm a SEEK graduate myself," Rodriguez explained, referring to the Search for Education, Elevation, and Knowledge opportunity program that admits low-income students to the senior colleges who may not have received the standard level of academic preparation for acceptance.

A FADING OPPORTUNITY

Rodriguez teaches students how the fight for open admissions was won during the Civil Rights movement in 1970, only to be lost at the senior colleges in 1999, during the administration of Mayor Rudolph Giuliani. "I've been connecting recent struggles around tuition hikes and contract negotiations" to the loss of the university-wide open admissions policy, said Rodriguez, who graduated from City College in 1981.

"Some students have really emotional reactions. One recently told me that he felt like crying," Rodriguez said. "I guess it was going through the history, the struggle and having the realization that the opportunity is fading."

Chet Jordan teaches a research-based English composition course at Guttman Community College and

has students writing on the theme "The art of protest movements."

"We went over some primary source materials, like [PSC President] Barbara Bowen's letter on the strike authorization vote and the PSC-CUNY contract," Jordan said.

His students, he said, saw the connection between the workload problems over which PSC is negotiating with CUNY management and the quality of their education.

"They got it," he said. "My pay doesn't really impact them that much, but the workload [does]," he said, because they consequently receive less personalized attention, Jordan said.

Back at the BMCC math class, Offenholley uses graphs to give her students a bonus lesson on the economics, of inflation and the term "real dollars."

The case study is CUNY's tuition and how the cost of community college now compares to the cost decades ago once consumer price index is taken into account. "A lot of the students are going to be business majors, so they are interested in what real dollars and adjusting for inflation means," Offenholley told *Clarion*.

MAKING CONNECTIONS

Offenholley also shared with students her plans to participate in the PSC's civil disobedience action, which took place on November 4. (See pages 6-7, "Militant action highlights contract fight.")

"Why?" they ask. I tell them, "Your tuition money is not supposed to go to keeping the lights on," says Offenholley. "The state is supposed to be paying money so that I can have a decent salary and so that you guys can have an increased quality of education. That's not what's happening."

PSC and students resist tuition hikes

By SHOMIAL AHMAD

Another round of tuition hikes could take place next year now that the CUNY Board of Trustees overwhelmingly approved, at a November 23 meeting, a budget request that allows for a rise in tuition at CUNY's senior colleges. Any move to increase tuition would not be decided, CUNY officials said, until they are more certain of the level of state funding the University will receive in 2016.

The Professional Staff Congress has long opposed funding CUNY through tuition increases, which have been used since the early 1990s to offset declining public investment.

PUBLIC DISINVESTMENT

Just days before the Board of Trustees meeting, nearly 50 people lined up to speak at the board's public budget hearing – many of them to register their opposition to any proposed increase in tuition.

"CUNY senior college students already shoulder almost half the cost of the senior college operating budget," said PSC Secretary Nived-

CUNY budget request at issue

ita Majumdar, testifying at the November 19 budget hearing. "Raising tuition becomes an excuse for public disinvestment," she said.

In-state tuition for the current academic year at CUNY's senior colleges is \$6,330, more than four times the amount charged New York residents in the 1990-91 academic year.

In 2011, state lawmakers passed a measure called SUNY 2020, which allows CUNY and SUNY to increase tuition by \$300 per year, per student, over the course of five years. SUNY 2020, which expires in July, was pitched as a way to fund new initiatives; instead, the majority of revenue generated by increased tuition has been used to fund existing services and other expenses, including increased utility costs.

Yet any revenue generated by tuition increases comes at a price for CUNY because of the high percentage of students who receive subsidies through the Tuition Assistance Program (TAP). The SUNY 2020 law

required CUNY to cover the gap between the maximum TAP award and tuition costs for students enrolled through TAP. In this fiscal year, the cost to the University for covering that gap is estimated at \$49 million.

SUNY officials are also seeking permission to raise tuition at the state colleges. SUNY Chancellor Nancy Zimpher is lobbying to extend SUNY 2020, which would allow an additional round of tuition increases at SUNY, where the maximum number of increases allowed by the law has already been reached.

Earlier this summer, the state legislature almost unanimously passed "maintenance of effort" (MOE) legislation that would guarantee future funding for mandatory costs increases for utilities, rent, supplies and collective bargaining. As *Clarion* went to press, Governor Andrew Cuomo was reviewing the bill, and had until midnight on December 11 to either issue a veto or sign it into law.

Tuition has quadrupled in the past 25 years.

"The governor needs to make an investment in CUNY. That investment translates into a quality education for working-class and poor students across the city," PSC First Vice President Mike Fabricant told *Clarion*.

MORE TUITION INCREASES

The University should not "effectively be kept afloat" by tuition increases on students "who can least afford [them]," Fabricant said. "The state can afford a necessary investment to sustain and improve CUNY," he added.

At the November 23 Board of Trustees meeting, CUNY Chancellor James B. Milliken said the University needed to reach "a fair settlement" on outdated labor contracts. The PSC's contract with CUNY expired in 2010. Funding for those contracts, he explained, comes from three sources: state and city appropriations, reallocations in the existing budget and tuition.

"People can disagree about choices that should be made, but I don't believe they can dispute the possible sources and availability of funding," Milliken said.

Missing from CUNY's budget request, however, is an explicit line-item amount to fund a new PSC-CUNY contract; instead the projected costs for collective bargaining were labeled "TBD" (to be determined).

"CUNY chose to request an extension of the tuition hike instead of requesting greater state funding, [confirming] that the university is consenting to inadequate public funding," said Joseph Awadje, chair of CUNY's University Student Senate and a voting member of the board. "I know that I speak for the vast majority of students when I say that we are frustrated and disappointed at the budget request." The University Student Senate has voted twice this year to reject the plan known as "rational tuition," which has effectively regularized tuition increases via SUNY 2020.

STUDENT RESISTANCE

Awadje, along with trustee Charles Shorter, voted against the budget request.

CUNY's budget request will now be submitted to the executive offices of the state and city government for approval. In mid-January Governor Cuomo will release his executive budget; the state's fiscal budget – including its appropriation for CUNY – is expected to be finalized by April.

Focusing on climate change

By ADELE M. STAN

As leaders from around the world prepared to convene in Paris for the climate talks known as COP21, the PSC Retirees Chapter called its own climate-change summit of sorts at a lunchtime meeting at the Union Hall on November 1 that featured three experts to address the climate crisis.

Reginald Blake, director of the City Tech Center for Remote Sensing and Earth System Sciences of the CUNY CREST Institute, kicked things off with a series of sobering slides that showed the projected waves of accelerating temperatures engulfing broad swathes of the nation, and forecast maps showing parts of Manhattan and Brooklyn under water as rising global temperatures cause the sea levels to rise.

MORE WEATHER CATASTROPHES

According to a New York State report on climate change, “By 2100, scientists project sea levels 18 to 50 inches higher than today along New York’s coastlines and estuaries, though a rise as high as 75 inches could occur.”

Call for robust social movement



Lara Skinner speaks to PSC members.

Blake, an associate professor of physics and member of the Mayor’s Task Force on Resiliency, essentially told the audience to brace itself for more weather catastrophes on the order of Hurricane Sandy, which was described in media reports as a “100-year storm” – meaning that a storm of that magnitude generally occurs only once in a century. But with the elevation of Earth’s temperature and the encroaching sea, a storm like Sandy could occur 10 times in 100 years.

“I tell you it doesn’t matter how much we make the city resilient,” he said. “We have so many more people living near the coastlines that we’re still going to have a whole lot of adverse impacts.”

One big challenge on the mitigation and research front, he said, is the number of climate experts retiring from the National Oceanic and Atmospheric Administration (NOAA) and the National Aeronautics and Space Administration (NASA), and a dearth of replacements.

“There’s a great push by the National Science Foundation to put money into programs trying to get young people interested in the geosciences,” he said.

Lara Skinner, associate director of research at the Cornell University School of Industrial and Labor Relations’s Global Labor Institute, addressed the climate crisis from a regional policy perspective, including the institute’s advocacy for the retrofitting of all of the state’s public schools, and the installation of solar panels on the roofs of all school buildings.

Such a scheme could produce three gigawatts of power, she said – a significant amount of the state’s total usage – and produce tens of thousands of “good, union jobs.” She called for the work to be administered through the New York Power Authority, which has the authority to raise funds through the issuance of bonds, and would keep the project in the public sector as “a common good.”

OBSTACLES TO PROGRESS

In opposition to public projects at such a scale, she noted, was the American Legislative Exchange Council (ALEC), the anti-regulatory alliance of business interests that has enjoyed funding from such industrialists as Charles and David Koch, the political megadonors who are principals in Koch Industries.

The ALEC agenda, she said, was all of a piece, both in its anti-labor and anti-environmental character.

In addition to “undermining the minimum wage” and “weakening worker protections,” Skinner said, “they’re trying to deny that climate change even exists. They’re trying to

prevent any action on climate change; they’re attacking funding support for renewables like solar and wind at the same time that they’re trying to expand fossil-fuel infrastructure.”

Rounding out the program was Sean Sweeney, director of the International Program for Labor, Climate and the Environment at the CUNY Murphy Institute, who described the current state of global targets for the reduction of carbon emissions as too low, and cautioned against exuberance over any agreement reached at the Paris climate talks. “[The Paris agreement] will be hailed as a massive success in the media,” he said. “But I want everyone to understand that when the administration comes out, and the *New York Times*, hailing it as historic, historic, historic, that it’s nowhere near where it needs to be.”

(As *Clarion* went to press, world leaders had yet to release the outlines of a final agreement from the climate talks.)

Accelerating temperatures and rising sea levels

All of the speakers agreed that without the concerted efforts of activists to combat climate change – one built on alliances between all stakeholders – the actions of governments would likely fall short.

Forces such as ALEC, Skinner said, “have a lot of money on their side, so we’re going to need a very powerful social movement to stop them.”

Fight for \$15 comes to CUNY

By SHOMIAL AHMAD

Across the nation on November 10, workers at the lowest end of the pay scale launched a series of rallies that organizers of the Fight for \$15 movement say represented their biggest turnout yet. The union-backed campaign unites workers across industries – from home health care to fast food, transportation to child care – in an effort to increase the federal minimum wage to \$15 per hour. Counted among those at the New York City Foley Square rally were CUNY workers represented by DC 37, at least 7,000 of whom

‘Everybody in the CUNY family needs a raise.’

Many of the University’s college assistants and custodians earn less than \$15 an hour, on top of which, these DC 37 CUNY workers haven’t seen a raise for more than seven years. Members of the PSC, which represents some low-wage CUNY workers, have gone without a raise for six years.

A PHASED INCREASE

Adjunct faculty members often feel a kinship with the University’s low-wage workers. “The one thing that ties us together [is] that we’re all selling our labor,” said Michael Batson, an adjunct lecturer at the College of Staten Island, in an interview with *Clarion*. The yearly pay for a beginning adjunct with a

Low-wage workers speak out

full course load is around \$25,000, according to the CUNY Adjunct Project, an advocacy group.

Batson, a member of the PSC bargaining team, was a featured speaker at the Fight for \$15 rally, where he made the connection between adjunct compensation and the low wages of other workers, and spoke of the need to build solidarity across sectors.

“Our students depend on CUNY to provide a top-rate education,” he told the crowd. “CUNY can’t continue to provide that education without the best faculty and staff.”

On the day that Fight for \$15 rallies took place throughout the state, Governor Andrew Cuomo announced a phased increase in the minimum wage to \$15 per hour for public employees of the New York State government. The new rate will benefit roughly 1,000 workers in New York City. According to a press release issued by the governor’s office, it is scheduled to go into effect citywide by the end of 2018, and statewide by July of 2021. (A CUNY spokesperson did not specify whether CUNY employees would be affected, but the estimate given by the governor’s office appears to be too small to cover the thousands of CUNY employees who make less than \$15 an hour.)

A statement from New York State AFL-CIO President Mario Cilento, released the same day as the governor’s announcement, lauded Cuomo’s move, saying, “We thank the governor for his leadership and for making social and economic justice for all workers a top priority.”

But left out of the governor’s equation are many who work at CUNY, and DC 37 is pressing hard to see them included. Cuomo, at *Clarion*’s press time, had yet to sign a “maintenance of effort” bill, passed last summer by the state legislature

that would secure future funding for CUNY.

“Mr. Cuomo doesn’t feel like we need [a raise], evidently,” said Eric Miles, a custodial assistant at Queens College. He’s held the job for more than 30 years, he told *Clarion*, and earns around \$14 an hour. “The pay sucks,” said Miles, a member of the DC 37 Local 1597. “I mean the benefits are great, but you can’t pay for anything with benefits.” Morale in his department is low, he said, as the college tries to make do with fewer workers.

“I want a raise now...for all of us, not just my department,” Miles said. “Everybody in the CUNY family needs a raise.”

Meleny Perez, a program assistant at the Adult Learning Center at New York City College of Technology, is one of about 80 Research Foundation workers represented

by the PSC who earns less than \$15 an hour. She’s working full-time at CUNY, and makes around \$12.50 an hour. She is one of the many who are not covered under the governor’s \$15-per-hour plan.

“I am very underpaid for what I do,” Perez told *Clarion*. She says that a program assistant is generally expected to do clerical tasks, but she picks up additional responsibilities, such as managing the database, grading tests and helping with Spanish translation.

LOW PAY AT CUNY

Perez doesn’t intend to remain in this predicament; she is studying for a bachelor’s degree in computer information at City Tech, paying for her tuition and her living expenses with her paltry salary. Her rent recently doubled due to an error by her landlord, she says, but she’s stuck with the increase until she is granted a hearing by the NYC Housing Authority. Consequently, she makes ends meet, she says, by juggling three credit cards. If she can put together enough money to make her spring tuition payment, she should graduate this June.

“I’m trying to find a way, pretty much,” Perez said.

Batson, who is also a member of the PSC Executive Council, sees in the Fight for \$15 the same values embraced by the PSC and DC 37 as the unions fight for contracts that include raises that take into account the rate of inflation and other conditions lived by the workers of New York City.

“We all need to stick together [in order] to improve both wages and the conditions of our labor,” he told *Clarion*.



A contingent of DC 37 members turns out for a PSC rally outside of Chancellor James Milliken’s apartment building. Thousands of DC 37 CUNY workers make less than \$15 an hour.

Militant action highlights con

By SHOMIAL AHMAD and ADELE M. STAN

Participating in a civil disobedience action on November 4, more than 50 PSC members were arrested and loaded into police wagons as hundreds more members and allies cheered them on.

As night fell on East 42nd Street, protesters filled the sidewalk and spilled into the street in front of CUNY headquarters. The union's bargaining team caucused indoors, having just received an economic offer from university management that PSC President Barbara Bowen characterized as inadequate. First among the problems identified by the PSC bargaining team in the management proposal was its failure to include salary increases even close to the level of inflation. It also failed to provide retroactive pay increases for four of the years in which union members have been without a contract.

INADEQUATE OFFER

It took six months for management to respond to the economic proposal put forward by the union in May. Having gone five years without a contract and six years without a raise, the union finally received the offer only after announcing plans for a sit-in at the entryway to the CUNY headquarters building.

Both in the negotiating room and on the street, PSC members wore red ribbons tied around their arms indicating their willingness to risk arrest in order to shut down access to CUNY offices until either an adequate offer was received, or they were carted off to jail.

The New York Police Department turned out in force, with scores of officers at the ready, plastic handcuffs dangling from their belts, poised to walk sit-in participants

into one of the police wagons that lined the curb.

STUDENTS TURN OUT

On hand, as well, were a number of CUNY students ready to fight another proposed round of tuition increases as the state threatens to decline funds for mandatory cost increases in the operation of the university. (See "PSC and students resist tuition hikes," page 4.)

"I came down here with a bunch of students," said Jonathan Buchsbaum, professor of media studies at Queens College, where he chairs the PSC chapter. "Everyone is concerned about the institution; they feel it's being disserved by politicians who don't believe in supporting public institutions with public money." Around his right arm, Buchsbaum wore a red ribbon.

"I'm ready to sit down in front of this building until I have to move," said Ken Estey, associate professor of political science at Brooklyn College. In the present dynamic with CUNY management, he added, "it's only with blocking the way that you open up the possibilities."

George Emilio Sanchez, chair of the PSC chapter at the College of Staten Island (CSI), sported an orange marshal's vest as he walked the barricades set up by police to contain the crowd. He was there to help maintain an orderly process as people took part in the civil disobedience action, he explained, and to help keep the rally going strong as people were arrested. "I do see the membership galvanizing," said Sanchez, a professor of performing and creative arts who chairs his department at CSI. "I see them coming together, I see more actions taking place. And that's really important because I think that's what's gonna tip it." An acceptable offer, he said, will "come from our demanding it."

53 members arrested at Midtown protest outside



(from left) Brooklyn College adjunct lecturer Heidi Diehl, Queensborough Community College CUNY Start program instructor Warren Orange across PSC constituencies to block the entrance of the CUNY Central Office on 42nd Street. They were among the 53 protesters arrested.

As the bargaining session wrapped up inside the building, First Vice President Mike Fabricant, wearing a red armband, rallied demonstrators outside.

"No contract! No peace!" he chanted, speaking through a public address system. "Education is a right!"

'GESTURE OF CONTEMPT'

Inside the CUNY headquarters, the bargaining team and PSC observers – who together numbered around 35 – emerged from the elevator led by Bowen, and marched through the lobby chanting, "What do we want? Contract! When do we want it? Now!" All wore the black T-shirts that have come to symbolize the PSC's contract campaign, inscribed in block letters with the words FIVE YEARS WITHOUT A UNION CONTRACT HURTS CUNY STUDENTS.

As Bowen exited the building to take the microphone, she and many others who attended the session took their places along the barricade where those willing to risk arrest had lined up. "We're lined up to be civilly disobedient," said Robert Farrell, an associate professor in the Library Department at Lehman College, with a hint of irony.

"It has taken the threat of a sit-in and arrests to get them to put one penny on the table," Bowen told the

crowd. CUNY management's paltry offer, she said, represents "a gesture of contempt to our students and to us," because the failure of management to offer a raise structure that keeps up with the rate of inflation means that CUNY will not be able to support its current workforce decently, and that it will fail to attract the faculty and staff its students deserve.

The children of working-class New Yorkers, Bowen continued, "shouldn't have a crappy education, shouldn't have a merely adequate education, shouldn't have a third-rate education – they should have the best education. And that's what we are fighting for – the right of our students to have the resources they need to have the education they deserve."

The crowd in the street responded with cheers.

RAISING CONSCIOUSNESS

Warren Orange, an academic adviser at the Center for Worker Education at City College, was among those cheering. "CUNY is such an important institution in the city," he said. "For the majority of people, it's our opportunity to better our lives. For



As night fell, hundreds of PSC members rallied and marched, calling for real movement in contract talks.

Dave Sanders

Contract fight

at CUNY headquarters



Illy Rosenthal and City Tech associate professor Ben Shepard join with colleagues from arrested November 4, and charged with disorderly conduct.

some of us, it's the only opportunity." He turned out for the rally, he said, because "I want to raise consciousness." Too few New Yorkers know that CUNY faculty and staff have gone so long without a raise, he added.

Police floodlights shone on the building entrance as darkness fell. Chanting "Tax the rich, not the poor; stop the war on CUNY!" groups of PSC members began to sit in front of the doorway, locking arms in tight rows. Soon the entryway was filled with PSC members, including the union's officers. Overhead, helicopters from local television news outlets hovered, while on the street, members and allies chanted in support, hoisting signs that read CUNY NEEDS A RAISE and NO MORE EXCUSES, CHANCELLOR MILLIKEN! Some beat a plastic water-cooler jug with a drumstick, while others raised a ruckus with percussion instruments.

Using their own public address system, police triggered an ominous-sounding male voice: "This is the New York City Police Department. You are unlawfully obstruct-

ing the entrance to this building... If you refuse to disperse, you will be placed under arrest and charged with disorderly conduct."

"This is my first civil disobedience," said adjunct and graduate student Haneen Adi, who teaches

English at Brooklyn College. She described what she called "an attack on CUNY" as targeting the poor, the working class and people of color. "I'm Palestinian," Adi explained. "[This] goes pretty deep politically, and social justice is just a part of my identity."

TRAINED AND READY

All of those who took part in the civil disobedience action received training from the union. Even though Farrell had never been part of an arrest-risking action, he wasn't nervous. "I think we're all very well trained," he said. "We are all nerdy enough to know what to do and what not to do."

"We're at a point now where you really have to put your money where your mouth is and put yourself on the line," Farrell added. "Part of being in a union is about demon-

strating solidarity, participating in collective actions."

IN THIS TOGETHER

Dave Kotelchuck, a retired member of the Hunter faculty, explained why he came out for the rally despite the fact that the contract fight doesn't affect him directly.

"Solidarity means to me the same thing that Social Security means for the country as a whole, that the folks in the older generation have to support the folks in the younger generation as the younger generation supports us when we get our Social Security payments," he said.

When the numbers of protesters sitting cross-legged, chanting, in front of the building overflowed onto the sidewalk, officers moved in, cuffing several union members and, walking them to the police wagons parked in a line along 42nd Street.

Andrea Vásquez, a higher education officer at the Graduate Center and member of the PSC Executive Council, stood in handcuffs on the sidewalk, watching as her colleague, Chapter Chair Luke Elliott-Negri, a doctoral student in sociology, was led away as several of his students tried to get his attention, yelling, "Professor! Professor!"

"Thank you for coming," Vásquez told the students as Elliott-Negri was led into the back of a police wagon. "It's really important that you know our fight is your fight."

DEMANDING RESPECT

Vásquez, managing director of the Graduate Center's New Media Lab, is on the PSC bargaining team, and was at the negotiating table when CUNY Vice Chancellor Pamela Silverblatt described management's offer.

The way Vásquez sees it, management hasn't been willing to go to the mat for the university. "CUNY [management] needs to go to Albany and demand funding for this university," Vásquez said, as she waited to be taken by police for booking. "[They need to]



Bargaining team members chant for a fair contract in the corridors of CUNY headquarters. (Front row, from left: Andrea Vásquez, Marcia Newfield and PSC President Barbara Bowen.)

show some respect for their university because *we* are CUNY, it's not just the 'stars' whom we see on the [CUNY recruitment] posters in the subway. It's not just the students who earn big awards and get grants. We have half a million students at CUNY. Half a million students deserve a good education, and the thousands of faculty and staff who work at CUNY deserve good salaries and good raises, decent raises."

MASS ARRESTS

The chants of protesters, punctuated with rhythmic blasts from

a lone vuvuzela horn and the pounding of drums, provided the soundtrack to the stream of sit-in participants being loaded into police vans. The chants continued as 53 PSC members were carted away to One Police Plaza for booking.

There, they were placed in holding cells, men separated from women, until they were released at around midnight. They were charged with disorderly conduct.

Read and view media coverage of the PSC's civil disobedience action and rally at tinyurl.com/PSCmedia.



More than 50 PSC members who engaged in civil disobedience were escorted to one of several police vans lining 42nd Street in busy Midtown Manhattan. Arrestees were taken to One Police Plaza.

Dave Sanders

Ida Cheng

Dave Sanders

Constructing a retirement timeline

By JARED HERST

If you are approaching retirement with a mix of anticipation and confusion, you are not alone. You may be thinking: What will I do once I retire? Have I saved enough to retire? How does my retiree health insurance work? When should I start taking my Social Security and Medicare benefits? Creating a retirement timeline can help resolve these questions and relieve anxiety.

WHAT'S RIGHT FOR YOU?

Start by envisioning a retirement date. Full-time CUNY instructional staff members can retire with full benefits at age 62, if they have met the years-of-service requirements. At age 62, you are eligible to receive Social Security benefits – but at a lower monthly benefit amount than if you wait until the age the government has set for full retirement (65, 66 or 67, depending on your birth date).

Planning will smooth the way

Once you have determined your retirement date, put together a personal timetable for planning. The union conducts retirement planning forums twice yearly, and has helpful planning materials on the PSC website at tinyurl.com/PSCbenefits.

Consulting a personal financial planner is always useful, starting, if possible, five years out from your prospective retirement date. One to two years before your expected retirement date, plan to meet with the PSC benefits counselor concerning how to access Travia Leave and the form to be filed with your HR Office. While staff can schedule Travia Leave starting any time, faculty need to work with their departments and college HR offices at least a semester in advance.



You should also develop an understanding of your projected retirement benefits. Full-time instructional staff members who belong to an Optional Retirement Program (ORP) plan (TIAA-CREF, MetLife or Halliday) should have a retirement planning meeting with a representative of the appropriate plan. Members enrolled in the Teachers Retirement System (TRS) should review TRS pre-retirement calculations with the PSC benefits counselor.

Three months before you are scheduled to retire, you should complete CUNY pre-retirement paperwork and your TRS retirement or TIAA-CREF "Lifetime Income Annuity" paperwork (whichever is

applicable). If you are 65 or older and have not already applied for Medicare, you should do so.

In the month before your retirement date, remind Medicare of your pending retirement and do the paperwork to secure a Medicare Part B reimbursement.

Visit the PSC-CUNY Welfare Fund website for any steps needed to continue optional benefits at tinyurl.com/PSCretirees.

HEALTH & WELFARE FUND COVERAGE

Retired members eligible for New York City retiree health insurance coverage typically fall into one of two categories: those who are eligible for Medicare, and those who are not. If you opt to retire at 62, you will not be eligible for Medicare until your 65th birthday. Those who stay with the same primary health insurance plan they had as active employees will not see much change in their coverage. Your NYC health benefits plan will serve as your primary insurance,

supplemented by your PSC-CUNY Welfare Fund benefits, which cover optical, audiological, dental, prescription drugs and extended medical benefits. (Only GHI-CBP plan participants are eligible.)

At 65, if you have already retired, Medicare will become your primary insurance (Part A covers hospital stays, and Part B, doctors' visits), and your New York City health plan becomes your secondary insurance, functioning in a way similar to what's known as "Medigap" insurance, covering the 20 percent of office-visit fees not paid by Medicare Part B when you go to the doctor. (You should always consult your health provider to see if there are potential additional expenses beyond what Medicare and your NYC health plan will pay for any treatment you seek.)

At whatever age you retire, be sure to ask your campus human resources benefits manager how your dependents' basic health and benefits coverage will be affected by your change of employment status.

Jared Herst is the PSC's coordinator of pension and health benefits.

WF gets new pharmacy provider

By LARRY MORGAN

On January 1, 2016, a new pharmacy benefit manager (PBM) will be administering the drug benefit for the PSC-CUNY Welfare Fund (WF). Express Scripts is being replaced by CVS/caremark.

Active members and retirees have already begun receiving mailings from the WF and the new PBM, introducing them to the CVS/caremark system. Retired members currently participating in the Express Scripts Medicare Part D drug program are being notified of their transfer to the CVS/caremark Medicare D program called SilverScript. Everyone should read the CVS/caremark and SilverScript mailings with careful attention.

New cards and welcome kits to both groups will be in the mail by the end of December. Information on the new program is online at the Welfare Fund website (pscunywf.org), the CVS/caremark website (caremark.com) and the SilverScript website (pscunywf.silverscript.com). The SilverScript Medicare D customer care phone line (866-881-8573) went live on October 27, and the CVS/caremark line (866-209-6177) went live earlier this month.

SAME LEVEL OF CARE

The WF Board of Trustees voted unanimously to change pharmacy benefit managers in August after assessing a deteriorating relationship with Express Scripts, marked by increasing member complaints and rising costs. A detailed request for a proposal was given to four competitive pharmacy benefit managers through a special consulting firm hired by the board. All returned bids were reviewed carefully by trustees and WF professionals, who considered a number of factors.

New plan: CVS/caremark

Changing the administration of the drug benefit for more than 17,500 active members and 6,500 retirees is complicated. It would not have been undertaken by the WF Board without distinct benefit to fund members, as well as state-of-the-art cost control improvements that continue this benefit into the future. The transition will involve no changes to benefit parameters, such as copayment levels. There will be a very small number of members notified of "formularly" changes – when the drug currently being used must be replaced by an equally effective medication that costs less. Targeted notifications will be mailed in mid-December and will give people a chance to discuss any changes with their doctors.

Although the new benefit manager is part of CVS, members who get their prescriptions at brick-and-mortar pharmacies will *not* be limited to CVS and may continue to use their current pharmacies, whether they are small businesses or part of a big chain. However, the relationship with the CVS chain of retail pharmacies is viewed as a positive aspect of the new program. One significant advantage offered by CVS pharmacies

will be "mail order at retail" – the ability to fill a 90-day prescription for maintenance medication right at a local CVS store. And CVS will offer further inducements by issuing a 20 percent discount card and promoting its in-store mini clinics.

MAIL-ORDER SERVICE

Information on current mail-order refills will be transferred from Express Scripts to CVS/caremark. For the protection of our members, payment information will not be transferred to CVS/caremark. Members who have enjoyed the convenience of receiving drugs automatically and having charges posted to a credit card will need to provide payment information to CVS/caremark. All information regarding this is provided in the mailings, on the websites or via the CVS/caremark customer care phone lines.

If anyone currently participating in the Express Scripts system has not received notification from CVS/caremark or SilverScript, it is possible that an incorrect address is on file. In this case, please immediately email the Welfare Fund at communications@pscunywf.org.

Larry Morgan is executive director of the PSC-CUNY Welfare Fund.

CLTs and HEOs: Don't miss out!

By CLARION STAFF

Are you receiving a salary differential for your advanced degree?

If you are a college laboratory technician (CLT) or an assistant to higher education officer (aHEO), the answer should be "yes," thanks to an agreement reached in the negotiations for the PSC-CUNY 2007-10 contract. The contract contains special provisions in Article 24.8 for an annual salary differential for full-time CLTs and aHEOs who have earned graduate degrees related to their work.

GRADUATE DEGREES

Effective March 19, 2010, all full-time CLTs, senior CLTs, chief CLTs and aHEOs who hold a master's degree from an accredited university in a field related to their job duties are to receive a \$1,000 annual salary differential. An employee with any of these titles who holds a doctoral degree from an accredited university in a field related to his or her job duties is due a \$2,500 annual salary differential. The differential becomes a permanent part of the employee's base salary as long as he or she remains in a position covered by the agreement, and should be paid over and above each salary step increase.

The union pressed hard for this differential in the last round of bargaining. CUNY's human resources offices should be doing more to ensure that new employees who may be eligible and incumbent employees who may become eligible for the differential know about the process for obtaining this important benefit. Specifically, your college should have informed you about the salary differential and the process for obtaining it at the time of your initial appointment, especially when a graduate degree is listed on a CV or employment application. Supervisors, guided by HR departments, should inform incumbent employees of this benefit, especially those who are pursuing a graduate degree.

A salary bump could be yours.

The PSC provides information about the annual salary differential on its website (tinyurl.com/Article24) in chapter newsletters and at union meetings. The union will help if you are having difficulty getting information about the process for obtaining the differential from your college HR office. If you have questions or concerns, please contact Albert Muñoz, PSC contract administration coordinator, at 212-354-1252 or amuñoz@pscmail.org.

Clarion DECEMBER 2015

Newspaper of the Professional Staff Congress/City University of New York, collective bargaining representative of the CUNY instructional staff. Vol. 44, No. 7. PSC/CUNY is affiliated with the American Association of University Professors, National Education Association, the American Federation of Teachers (Local 2334), AFL-CIO, the New York City Central Labor Council and New York State United Teachers. Published by PSC/CUNY, 61 Broadway, 15th floor, New York, NY 10006. Telephone: (212) 354-1252. Website: www.psc-cuny.org. Email: astan@pscmail.org. All opinions expressed in these pages are not necessarily those of the PSC.

PSC OFFICERS: Barbara Bowen, President; Michael Fabricant, First Vice President; Nivedita Majumdar, Secretary; Sharon Persinger, Treasurer; Steve London, Paul Washington, Alan Feigenberg, David Hatchett, Alia Tyner-Mullings, University-Wide Officers; Alex Vitale, Vice President, Senior Colleges; Penny Lewis, Clarence Taylor, George Sanchez, Senior College Officers; Lorraine Cohen, Vice President Community Colleges; Lizette Colón, Michael Spear, Anthony Gronowicz, Community College Officers; Iris DeLuro, Vice President, Cross-Campus Units; Andrea Vásquez, Alan Pearlman, Jacqueline Elliot, Cross-Campus Officers; Susan DiRaimo, Vice President, Part-Time Personnel; Blanca Vázquez, Lenny Dick, Michael Batson, Part-Time Personnel Officers; Steve Leberstein, Glenn Kissack, Retiree Officers; Irwin H. Polishook, President Emeritus; Peter I. Hoberman, Vice President Emeritus, Cross-Campus Units.

STAFF: Deborah Bell, Executive Director; Naomi Zauderer, Associate Executive Director; Faye H. Alladin, Coordinator, Financial Services; Debra L. Bergen, Director, Contract Administration & University-Wide Grievance Officer; Deirdre Brill, Director, Organizing; Francis Clark, Coordinator, Communications; Barbara Gabriel, Coordinator, Office Services and Human Resources; Jared Herst, Coordinator, Pension & Health Benefits; Kate Pfordresher, Director, Research & Public Policy; Diana Rosato, Coordinator, Membership Department; Peter Zwiebach, Director of Legal Affairs.

Editor: Adele M. Stan / Associate Editor: Shomial Ahmad / Designer: Margarita Aguilar / Copy Editors: Teri Duerr, Matthew Schlecht
© 2015 Professional Staff Congress/CUNY

PLAINTIFFS WANT GOD IN PUBLIC SCHOOLS

Religion behind anti-union SCOTUS case

By SARAH POSNER

Here Clarion presents the third article in our series examining the forces behind and implications of *Friedrichs v. California Teachers Association*, the free speech case with potentially serious ramifications for unions currently before the Supreme Court of the United States. At issue is the underpinning of public-sector unionism – that public employees who opt out of union membership can still be obligated to pay for their individual share of the services and collective bargaining they receive from the union. This has been considered settled law since the 1977 Supreme Court decision in *Abood v. Detroit Board of Education*, but the present conservative majority on the Court could decide to overturn *Abood*, either wholly or in part, depending on its decision in *Friedrichs*. For public-sector unions such as the PSC, the consequences could be profound.

Tucked away in *Friedrichs v. California Teachers Association*, a lawsuit purportedly about unions and free speech, lies another, real First Amendment concern: the separation of church and state. The lead plaintiff in the case is Rebecca Friedrichs, a teacher in the Savanna School District; she is joined in the suit by nine additional individuals, and one organization: the Christian Educators Association International (CEAI), which bills itself as an alternative to the “secular” teachers’ unions, and maintains that the Constitution does not bar teachers from imparting their Christian faith in their classrooms.

“Many public school educators believe that they must make their schools God-less under the banner of ‘separation of church and state,’” CEAI’s executive director, Finn Laursen, has written, “to the extent that an environment is created that is hostile to religion.”

The teachers’ unions, Laursen maintains, “have such control that student needs become secondary” to those of the union. In that “hostile” public-school environment, according to Laursen, “the sin nature [sic] of mankind is accepted and even promoted.” There are “forces at work,” he writes, that aim to “control the minds of our children by systematically promoting such things as sexual orientation being genetically driven and same sex marriage being acceptable under the banner of tolerance.”

MISSIONARIES IN PUBLIC SCHOOLS

The CEAI considers the public schools to be a setting ripe for proselytizing, and its members the foot soldiers in a battle for the students’ minds – and souls. “There are over 50 million students in our public schools, 70 million parents, three and half million teachers,” Laursen said in a 2007 video, “Christian Teacher Core Values.” That represents nearly 124 million people, he added, “many of them spiritually and morally bankrupt. We know the truth, and we need to send our missionaries into that area.”

In CEAI’s brief in support of its petition for Supreme Court review of the *Friedrichs* case, which the Court granted in June, there is no mention of the organization’s positions on church-state separation, secularism, or its conservative Christian beliefs. But in materials disseminated through its website, in media interviews, and at its events, CEAI makes clear that it aims to help teach-



A protester carries a cross in front of the US Supreme Court on October 7, 2009 in Washington, DC.

ers skirt the Constitution by claiming that their right to free religious expression is thwarted by the separation of church and state. Under the First Amendment’s Establishment Clause, the government, including public schools, cannot endorse or appear to endorse a particular religion. CEAI officials have claimed that this principle is not in the Constitution; in fact, one has called the assertion of constitutional church-state separation “a lie.”

Laursen declined to be interviewed for this article.

ANTI-LABOR CHRISTIAN GROUPS

Founded in 1953 in California as the Fellowship of Christian Educators, CEAI now presents itself as an alternative to the National Education Association (NEA), which it claims promotes secular, liberal political positions that conflict with Christian values. The association currently has chapters in 20 states; its website says its mission is “to encourage, equip, and empower educators according to biblical principles.”

The history of evangelical involvement in anti-union activity dates back at least to the 1930s, said Baruch College history professor Clarence Taylor, in an interview with *Clarion*. At the time, many conservative evangelicals viewed unions as part of a supposed communist threat, and business-allied leaders, such as James Fifiel and Abraham Vereide, organized events to evangelize against the New Deal. (Vereide convened prayer breakfasts for business elites and Fifiel founded the Spiritual Mobilization movement.) The fear of unions intensified in evangelical circles during the Cold War and amid the backlash against movements for racial equality and women’s rights. In 1979, the Moral Majority was founded, and played a significant role in electing Ronald Reagan to the presidency.

“When looking at that long history, clearly by the 1970s, the Christian right decided to get involved in politics,” said Taylor, “they particularly targeted unions because they saw them as strong opposition to their agenda,” which includes officially sanctioned prayer in public schools.

Ken Estey, associate professor of political science at Brooklyn College, cautions that not all evangelicals hew to an anti-union line. While it’s true that “for a lot of people in the further-right, labor unions are just a step away from communism,” many evangelicals not only support but belong to labor unions, he said. A monolithic view of their position on unions, said Estey, “doesn’t capture the complexity in American evangelicalism, especially on the social justice side.”

COLLECTIVE BARGAINING TARGETED

The legal claims in *Friedrichs* rest on the assertion that paying agency fees (also described by unions as “fair share” fees) to the California Teachers Association violates the plaintiffs’ free speech rights because of their disagreements with CTA’s political positions. But agency-fee payers – teachers who have opted out of union membership, and are consequently mandated only to pay for their share of services the union provides on their behalf, such as collective bargaining – are not required to pay for the union’s political activities.

CEAI, however, argues in *Friedrichs* that it and its members – 600, it says, in California, including six of the individual plaintiffs in *Friedrichs* – are “fundamentally opposed to many of the positions taken by teachers’ unions, both within the collective bargaining process and outside of that process,” and frames the collective bargaining process as an expression of politics in and of itself, and therefore a violation of the freedom of association guaranteed under the First Amendment.

In a section of its website devoted to warning prospective members of the National Education Association’s “liberal political stance,” CEAI notes, “You may also be surprised at what you find as you compare your Christian beliefs with the agendas of the NEA and realize your membership dollars makes [sic] the NEA’s agenda possible.”

Furthermore, CEAI maintains, California’s agency shop laws have the “effect of creating a drain on CEAI’s resources.” According to Laursen’s affidavit filed in the case, the “scheme operated by” the teachers’ union causes CEAI to spend money coun-

seling its members on how they can opt out of union fees based on religious objections, rather than spending money on other services for its members.

Those services include providing backing to CEAI’s member teachers when their school districts censure them for crossing that church-state separation line.

The CEAI, Laursen has said, is “here to encourage, equip, and empower Christian educators in our public schools...to become transformational agents.” The organization will, according to its website, offer members “prayer support,” “guidance on establishing prayer groups in your building,” and connections with “ministries that equip you to be an effective witness for Jesus our Lord in your school or district.”

CASE OF THE CREATIONIST SCIENCE TEACHER

CEAI often takes positions that are in conflict with prevailing law on the major church-state separation issues in the public schools. In 2006, after a federal judge in Pennsylvania ruled the teaching of intelligent design unconstitutional in *Kitzmiller v. Dover Area School District*, Laursen insisted that teachers be permitted to teach “the controversy,” terminology creationists use to portray the teaching of creationism as simply another viewpoint. (One of the benefits of CEAI membership is discounted tickets to the Creation Museum in Petersburg, Kentucky.)

But while CEAI has pressed this agenda to its members, its efforts to test them in the legal system have largely met with failure. CEAI’s forays into the legal system, apart from the *Friedrichs* case, have involved what it has framed as the defense of teachers expressing their faith in the classroom. Their attempts have been routinely rejected by the courts as violations of the Establishment Clause.

In 2010, Laursen served as an expert witness in hearings reviewing the termination of John Freshwater, a middle school science teacher in Mount Vernon, Ohio, who was fired in 2008 for refusing to follow school district directives to remove displays of religious texts and the Ten Commandments from his classroom. Freshwater’s troubles began in 2007 when a student sued the school district, alleging that the veteran teacher had burned a cross into the student’s arm with a Tesla coil. The school district settled the case with the student out of court.

In CEAI’s *Teachers of Vision Magazine*, Laursen recounted his testimony at Freshwater’s administrative proceedings challenging the teacher’s dismissal. “I invested over two hours clarifying the religious freedoms teachers have in our public schools that were relevant in Mr. Freshwater’s case,” Laursen wrote. “All the pieces of the testimony lined up with the key issues of the case and the peace of the Lord could be felt during the process.”

‘A HERO OF THE FAITH’

When Freshwater filed a separate federal case against the school district, claiming that its actions violated his First Amendment right to his free exercise of religion, Laursen said in a statement that he was “happy to serve someone of such high moral character as John Freshwater as a member of CEAI. John is proving to be a hero of the faith.”

Although Freshwater ended up dropping his First Amendment case against the district, his appeal of his termination went

Continued on page 10

First Amendment issues at stake

York lecturer wins poetry prize

Tomás Modesto Galán, an adjunct lecturer at York College, was awarded the Poet of the Year prize by the Americas Poetry Festival of New York, co-sponsored by CUNY's Division of Interdisciplinary

Studies, in October. Below is a poem from his 2008 book, *Subway: Vida subterránea y otras confesiones*, accompanied by an English translation by poet Dan Vera.

Insistiendo en el ocho de Marzo

Tomás Modesto Galán

La vida subterránea sirve al placer de una conjugación, al malestar de cazar verbos, segregar adjetivos, deshollinar rieles, desatar una vez más la insensatez de esta pregunta, o la incompreensión que me hace cerrar los ojos y abrazar libros, paraguas nuestros desconectar las puertas del purgatorio para descubrir un aliento, el gesto vanidoso del cuerpo escondido en las ventanas, predispuesto para un cuadro, una fase equívoca, esqueletos bañados por los diseñadores o por los músicos del despertar. A esta altura la hipnosis nos lleva hacia una esquina impredecible.

Persisting on March 8th

by Tomás Modesto Galán

Translation by Dan Vera

Subway living serves at the pleasure of conjugation, the unease of chasing verbs, separating adjectives, sweeping the lines, unlacing once again the pointlessness of this question, or the unfathomable that makes me close my eyes and embrace books, our umbrellas open the gates of this purgatory to find some relief, the vain gesture of the body hidden in the windows, posed for a picture, an uncertain moment, skeletons bathed by designers or by morning's musicians. At this point the dream takes us to an unknowable corner.

Tomás Modesto Galán is a Dominican writer and cultural activist who has lived in New York since 1986. His most recent book is Los cuentos de Mount Hope (Editora Universitaria, 2014). Dan Vera is a US poet based in Washington, DC. His most recent book is Speaking Wiri Wiri (Red Hen Press, 2013).

Religion behind SCOTUS case

Continued from page 9

all the way to the Ohio Supreme Court, which ruled in his employer's favor in 2013. Chief Justice Maureen O'Connor wrote in the majority opinion that Freshwater "not only ignored the school district's directive, he defied it." He did not have a Free Exercise right to display those items in his classroom, she added, "because they were not a part of his exercise of his religion. Freshwater's willful disobedience of these direct orders demonstrates blatant insubordination." The US Supreme Court denied review of the case in 2014.

CEAI also sought to intervene in a case in the Santa Rosa School District in Florida, where, in 2009, the school district had settled a lawsuit brought by the American Civil Liberties Union, charging numerous violations of the Establishment Clause. The school district's conduct was "over the top," said Daniel Mach, director of the ACLU Program on Freedom of Religion and Belief, citing, for example, the high school teacher handbook, which required school personnel to "embrace every opportunity to inculcate, by precept and example, the practice of every Christian virtue." Mach said that teachers and coaches regularly led students in prayer, and some teachers "were effectively teaching Sunday school lessons in public school classes" and "proselytizing students, sometimes with a bullhorn."

KIM DAVIS'S ATTORNEYS

The school district admitted liability and agreed to a comprehensive settlement, after which CEAI, represented by Liberty Counsel – the same religious-right law firm that represented the

Kentucky clerk Kim Davis in her quest to deny marriage licenses to same-sex couples – sought to intervene in an effort to vacate the consent decree. "They invented these fanciful readings of the consent decree," said Mach, including concerns that it would prevent teachers from saying, "God bless you" if someone sneezed, or in the case of one CEAI member, from praying quietly in the stands if her grandson, who attended school in the district, was injured in a wrestling match.

The court ruled their fears "objectively unreasonable," a "strained interpretation of the decree," and denied CEAI's motion to intervene. The CEAI later brought its own lawsuit, which resulted, in 2011, in only minor clarifications of the consent decree, such as spelling out that saying "God bless you" does not violate the Establishment Clause.

Although it is not apparent from reading CEAI's Supreme Court brief, if the *Friedrichs* plaintiffs are successful, the ripple effect of their efforts could do more than undermine unions: It could open another chapter in the war over religion in public schools, emboldening groups such as CEAI to intensify efforts to allow public school teachers to endorse and promote religion with their students once their best-organized opponents – the teachers' unions – are weakened.

Sarah Posner is a senior correspondent for Religion Dispatches and an investigative journalist whose work has appeared in The Washington Post, The Daily Beast, The American Prospect, The Nation and many other publications.

PROFESSIONAL STAFF CONGRESS/CUNY NOTICE OF NOMINATIONS AND ELECTIONS – SPRING 2016

Chapter Officers, Delegates and Alternates to the PSC Delegate Assembly and PSC-CUNY Welfare Fund Advisory Council

Term of Office: 3 Years

ELECTION SCHEDULE

1. Deadline for filling the Candidate Declaration form will be January 6, 2016.
2. Pre-printed Nominating petitions will be available upon request from the PSC office on February 1, 2016.
3. Properly completed nominating petitions must be received at the PSC office, 61 Broadway – Ste. 1500, New York, NY 10006, by 5:00 pm, March 2, 2016.
4. Ballots will be mailed to members's home addresses on April 1, 2016.
5. Ballots in uncontested elections must be received at the PSC office by 5:00 pm on April 28, 2016.

Ballots in contested elections must be received at the office of the designated ballot-counting organization by 5:00 pm on April 28, 2016. Ballots will be counted at 10:00 am on April 29, 2016.

OFFICERS TO BE ELECTED

In each of the Chapters listed below, voters will elect the Chapter Chairperson, Vice Chairperson, Secretary, four Officers-at-Large, Delegates to the Delegate Assembly (in addition to the Chapter Chairperson, who shall automatically be the initial delegate to the Delegate Assembly) and Alternates to the Delegate Assembly according to the following listing:

Chapter	Members	Delegates	Alternates	Petition Signatures Required
Bronx EOC	14	Chair	1	4
Brooklyn EOC	36	Chair	1	9
College of SI	745	Chair + 6	5	25
Hunter Campus Schools	97	Chair	1	24
HEOs	3233	Chair + 31	8	25
Kingsborough	728	Chair + 6	5	25
Lehman College	542	Chair + 4	4	25
Manhattan CC	1088	Chair + 10	6	25
Manhattan EOC	44	Chair	1	11
Medgar Evers	331	Chair + 2	3	25

NYC Tech	1008	Chair + 9	6	25
Queens EOC	8	Chair	1	2
Queensborough CC	839	Chair + 7	5	25
Registrars	3	Chair	1	1
Research Foundation	91	Chair	1	23
RF Field Units	176	Chair +1	2	25
Retirees	2764	Chair + 6	5	25

Relevant portions of the ELECTION RULES are summarized below. The complete rules may be obtained from Barbara Gabriel at the PSC office, or viewed on the PSC website: psc-cuny.org.

Declaration of Candidacy

Candidates must submit a signed declaration of candidacy no later than January 6, 2016 to Barbara Gabriel at the PSC office. The declaration must specify the office(s) being sought, the candidate's name, college and department and, if the candidate intends to run as part of a slate or caucus, the name of the slate or caucus. Slate or caucus declarations should be submitted through the slate or caucus designee. A sample declaration form is available on the PSC website: psc-cuny.org/declarationofcandidacy or from Barbara Gabriel at the PSC office.

Eligibility for Holding Office: Members shall be permitted to hold chapter-level office who have been members in good standing of the appropriate chapter for at least one (1) year prior to the close of nominations, March 2, 2016.

Voting Eligibility: Members shall be permitted to participate in the nomination process and to vote who have been members in good standing of the appropriate chapter for at least four (4) months prior to the mailing of the ballots on April 1, 2016 (i.e., they must have been a member as of December 1, 2015).

Nominating Procedures: Nominations of an individual or of a slate must be by official nominating petition signed by no fewer than twenty-five (25) members of the chapter in good standing, or by no fewer than twenty-five percent (25%) of the members of the chapter in good standing, whichever is less. For all candidates, petitions shall include: (a) the

printed name, signature, department and college of each petitioner; and (b) the printed name, signature, department and college of the nominee, as well as the office being sought by the nominee. For chapter elections, members may only sign nominating petitions of the chapter to which they belong. A candidate's signature on a Declaration of Candidacy shall constitute that candidate's acceptance of the slate designation.

Slate Regulations:

A slate of candidates will be recognized if it consists of candidates for twenty-five percent (25%) or more of the officers to be elected, and if it submits, prior to the close of nominations: (1) a listing of caucus officers, all of whom must be members in good standing, including the person designated to authorize nominees for that caucus's slate; and (2) a nominating petition including the printed name, signature, department and college of each petitioner, and the signature for each candidate running on the slate. The candidate's signature on the slate petition shall constitute that candidate's acceptance of the slate designation.

Balloting: All voting must be on the official PSC ballot. Write-in votes are permitted. A write-in vote shall be valid if the intent of the voter is clear; written, printed and typed names are acceptable. A write-in candidate must meet the same eligibility requirements as a regular candidate. In chapter elections, any nominated or write-in candidate must receive at least ten (10) votes or ten percent (10%) of the votes cast for that office, whichever is less, in order to be elected. Write-in candidates who are elected must submit written acceptance of office to the Elections Committee within ten (10) calendar days of notification that their election has been certified.

Campaigning: Declared candidates may mail literature at their own expense, either directly or through the PSC mailing house (Century Direct, 30-00 47th Avenue, Long Island City, NY 11101). At the request of the candidate and at cost, the PSC will provide Century Direct with home-addressed electronic download of the membership, or will provide candidates with college-addressed list, labels and/or electronic download of the membership. Candidates must notify the PSC five (5) business days in advance of the mailing to allow sufficient time for the ordering

of labels. Please see Barbara Gabriel at the PSC for further information, and to file the required forms.

Election Tally: Each candidate, or a representative of the candidate, is entitled to be present at the counting of the ballots.

PSC-CUNY WELFARE FUND ADVISORY COUNCIL

At each of the colleges listed below, voters will elect the designated number of members of the PSC-CUNY Welfare Fund Advisory Council, in accordance with the above schedule and rules and the by-laws of the PSC/CUNY Welfare Fund:

College	Council Members	College	Council Members
Bronx EOC	1	Medgar Evers	2
Brooklyn EOC	1	NYC Tech	2
College of SI	2	Queens EOC	1
Hunter Campus Schools	1	Queensborough	2
Kingsborough	2	Research Foundation	1
Lehman College	2	RF Field Units	1
Manhattan CC	2	Retirees	1
Manhattan EOC	1		

Voting Eligibility: All members in good standing of the PSC at the above colleges, who have been members in good standing for at least four (4) months, including Higher Education Officers, Registrars and College Laboratory Technicians, as well as faculty, will elect the PSC-CUNY Welfare Fund Advisory Council members running at their respective colleges.

Eligibility for Holding Office: PSC-CUNY Welfare Fund Advisory Council members must be CUNY instructional staff members who have been members in good standing of the PSC for **two (2) years** prior to the close of nominations, March 2, 2016.

Nominations: Advisory Council members shall be nominated by written petition signed by no fewer than twenty-five (25) or twenty-five percent (25%) whichever is less of the CUNY instructional staff members at each unit who are also PSC members. Slate nominations will be permitted.

QUEENS COLLEGE ALUMNUS DIED SAVING 9/11 VICTIMS

Trump insults my son's memory

By **TALAT HAMDANI**
New York Daily News

On September 11, 2001, I lost my 23-year-old son, Mohammad Salman Hamdani, at the Twin Towers. A graduate of Queens College, he was also a first responder and an NYPD cadet who rushed down to rescue his fellow Americans – and gave the ultimate sacrifice.

He didn't discriminate. He followed his heart, his humanity and his training to do his best to save those whose lives were in danger.

By contrast, across America today, we are witnessing the spectacle of politicians crassly exploiting the tragedies of Paris, Beirut and Russia for selfish political gains. Capitalizing on fear and the considerable ignorance about the Muslim faith among many of our citizens, they are in a rush to the bottom, driving a stampede of prejudicial proposals.

PROVOKING ISLAMOPHOBIA

Quite the opposite of supporting their fellow Americans in a moment of crisis as my son did, many apparently see political gain to be had in selectively denying American Muslims their rights. If that weren't ugly enough, many are equally ready to turn their backs on the finest American tradition of welcoming refugees fleeing violence, persecution and war.

Perhaps the worst of all is Donald Trump's call to block all Muslims from entering the US, along with his suggestion



Talat Hamdani lost her son, Salman, on 9/11.

that it might be necessary to shut down mosques and force all who share my faith to carry a special ID card and be registered in a government database. This is not some fringe candidate; it is the Republican Party's undisputed front-runner.

When others pushed back against these proposals for their obvious parallels to prewar Nazi Germany, Trump did not back down. Instead, he further claimed that "thousands" of New Jersey Muslims

cheered as the Twin Towers fell. He used this blatant lie to suggest the NYPD renew its spying program on local New York and New Jersey Muslims.

Let's be clear here: by making such horrendous suggestions, Trump is generating fear and advocating hatred and violence against Muslims.

GOING AGAINST THE CONSTITUTION

Sadly, he is not alone. Presidential aspirant Ben Carson has often echoed Trump, while Senator Marco Rubio has suggested that all Muslim gatherings are suspect and should be monitored. Senator Ted Cruz and Governor Jeb Bush, meanwhile, have suggested that Christian refugees should be given priority in entering the United States.

The president of the United States, like every member of Congress and every member of the armed forces, takes an oath to defend and uphold the Constitution. Freedom of religion, freedom of speech, the right of assembly and the right to be free from unlawful search are at the heart of our national identity.

To see politicians demonstrate contempt for our Constitution and advocate for policies with ugly precedents should outrage any citizen who has ever sworn that oath to the Constitution – as I did, when I became a citizen – and any American with a genuine respect for our most important values as a nation.

Perhaps more importantly, it should make clear that these politicians are unqualified

All citizens should be outraged**SOCIAL JUSTICE UNIONISM BENEFITS ALL****PSC activism crucial to public education**

By **PETER KOLOZI and BRANDI RIMA**

Efforts to destroy public-sector unionism, especially in the teaching profession, have reached a fever pitch. Nationally, the US Supreme Court is due to decide *Friedrichs v. California Teachers Association*. If the Court's conservative majority prevails, this case could decimate public sector unions' ability to bargain collectively by stripping away vital funds currently collected from all employees represented by the union to cover the cost of the union's work. (See page 9, "Religion behind anti-union SCOTUS case.") Conservative governors in several Midwestern states have already enacted similar measures, starving unions of funds and weakening the bargaining power of workers.

ANTI-UNION ENVIRONMENT

Most disturbingly, however, anti-unionism is not only the purview of conservatives in faraway places like Wisconsin, but is making significant inroads in the purportedly union-friendly state of New York. Opponents of teachers' unions, backed by organizations bankrolled with corporate dollars, have filed a lawsuit, *Wright v. State of New York*, to eliminate teacher tenure.

Democratic Governor Andrew Cuomo has expanded the number of non-union, corpo-

rate-sponsored charter schools. He and SUNY administrators demanded a contract for SUNY faculty and staff that included unpaid furloughs, benefit givebacks and meager wage increases that fail to keep up with inflation.

THE POWER OF COLLECTIVITY

Cuomo's stalling on the "maintenance of effort" bill to fund basic cost increases – which, at press time, he had yet sign – and his refusal to adequately fund CUNY so that CUNY employees can have a fair contract are the latest glaring manifestations of the anti-unionism that has infected New York, the state with the highest union density in the nation. In this political climate, it is more important than ever for PSC members to raise their union consciousness and engage in greater union activism.

In the face of such recalcitrance by elected officials and CUNY management, CUNY faculty and staff have been working without a contract for over five years and without raises for six. It will take a concerted effort from an activist membership to win a respectable contract that preserves the hard-earned gains of the past and secures improvements for the future. In this effort, it will serve PSC members to revisit the benefits, individual, collective and social, that union membership affords CUNY

faculty and staff. Although members may not always be completely satisfied with the results of the contract reached between CUNY and the PSC, having a union that bargains collectively and, when necessary, exerts pressure on CUNY and elected officials to provide employees with a space, an accessible process, and collective strength for employees to bargain with their employer is critical to ensuring the quality of the education our students deserve.

Social unionism is a key aspect of the PSC and its forward-thinking orientation. It links the union – with its numbers, its political influence, its resources (both material and in human capital) – in solidarity with the struggles of our students, their families, and the community (both local and global). Social unionism, especially in this anti-union political environment, is not merely an expression of humanitarianism, but an attempt to build alliances with the communities we serve and live within – which is a necessary counterweight to the divide and conquer tactics of the keepers of the status quo.

A casual perusal of *Clarion* will show that over the years the PSC has been active on a whole host of social justice issues, including in post-earthquake Haiti, in demonstrations for racial justice and against police brutality, the Fight for \$15 movement, the

to be president. Presidents take an oath to defend the Constitution.

On a personal level, I wonder whether any of these politicians has lost a child, a parent or a sibling in a terrorist attack. The pain of losing and burying your child is inexpressible. The feeling of incompleteness remains because my son Salman was a part of my body; every breath I take reminds me of him.

I wonder how, if he were alive today, he would respond to Donald Trump's claims that "thousands" of Muslims in New Jersey celebrated his murder. I wonder what he would say to Trump and other vultures picking on the flesh of 9/11 and these other terrible tragedies.

LIBERTY AND JUSTICE FOR ALL

No one needs to tell me that we live in dangerous and fearful times. I live with that every day that I mourn the loss of my son. At the same time, we must never lose sight of what it is that will lead us to prevail. We need to uphold our American identity. Ultimately, this conflict is about who we are. We have to uphold our values. This may be hardest in tough times, but that is also when it is most important.

If we are truly to lead a successful struggle to address the threat posed to us all by violent extremists, if we are truly to be the leader of the world, then we cannot abandon our creed of advocating liberty and justice for all.

Talat Hamdani founded the Salman Hamdani Memorial Award at Queens College. To donate, go to tinyurl.com/hamdanifund. This essay originally appeared in the New York Daily News.

People's Climate March, and the end to tuition increases at CUNY, just to name a few. The PSC's activities on these issues embody Martin Luther King's famous dictum:

Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.

MEMBER ACTIVISM IS KEY

As the PSC increases pressure on CUNY administration and elected officials to win a contract that affords faculty and staff the salary increases they have earned and improves upon the gains of the past – a contract that recognizes the positive social contributions that CUNY faculty and staff make to the present and future well-being of the residents of the city and state of New York – the mobilization and activism of the PSC membership, along with the support of CUNY students, is of primary importance. Contact the chapter chairperson on your campus to get more involved in the PSC. For the directory of chapter chairpersons go to www.psc-cuny.org/chapters.

Peter Kolozi, associate professor of political science, and Brandi Rima, assistant professor of psychology, teach at Bronx Community College.

A union linked to other struggles



15-MINUTE ACTIVIST

Strike authorization vote

The time to organize is now. Part of preparing for the strike authorization vote this coming spring means sustained on-the-ground organizing, one-on-one conversations with colleagues and deep discussions about our collective vision for our union and the future of higher education. Take a few minutes

to fill out the online form (tinyurl.com/PSC-commitment-form) and sign up to talk to your coworkers about the vote, assess commitment and build up the grassroots power of the Professional Staff Congress. A just contract for all of us will be won on the strength of our entire membership.

Professional Staff Congress/CUNY
61 Broadway, 15th Floor
New York, New York 10006

Return Service Requested

NonProfit Org.
U.S. Postage
PAID
New York, N.Y.
Permit No. 8049

Ben Lerner on CUNY and ‘the power of naming’

By NIVEDITA MAJUMDAR
PSC Secretary

MacArthur Fellow on art & power

EDITOR’S NOTE: The novels and poems of Ben Lerner, professor of English at Brooklyn College and active member of his PSC chapter, have earned the praise of critics and spurred conversations about the intersection of art and politics. When released in September of last year, his novel 10:04 (Faber and Faber), which addresses both the Occupy movement and the aftermath of Hurricane Sandy, was described by The New York Times as “frequently brilliant.” His first novel, Leaving the Atocha Station (Coffee House, 2011), won The Believer Book Award and was named one of the best books of the year by The New Yorker and The Guardian, among many others. He is presently at work on a monograph titled The Hatred of Poetry, which will be published this June by Farrar, Straus and Giroux. In October, Lerner was awarded a MacArthur Fellowship.

Clarion asked PSC Secretary Nivedita Majumdar, associate professor of English at John Jay College, to interview Lerner about how his view of poetry and fiction compares with the struggle for justice and fairness at CUNY in a climate of public disinvestment. Here we present their exchange, which was conducted via email.



John D. & Catherine T. MacArthur Foundation

Ben Lerner, professor of English at Brooklyn College, recently received a MacArthur Fellowship.

NIVEDITA MAJUMDAR: You have related your poetic practice to Allen Grossman’s view that poetry is defined by a “bitter logic” because of a necessary disconnect between the “transcendent impulse” that motivates the poet and the material limitedness of the actual poem. Poetry in this sense is characterized by a failure or a betrayal. Do you see a similar process at work with the political impulse – the lofty idealism that often motivates radical politics and the meagerness of outcomes, if not even goals? Then again, much like the poet, does the political agent have any choice other than that of pressing

on? Can you speak to this parallel, if you see it as one, especially in the context of an all-pervasive neoliberal logic?

BEN LERNER: I think the parallel your question suggests is real: that there always is, or at least always has been, a distance between a revolutionary or poetic impulse and what is actually achieved. But you write and press on politically anyway, both because you have no choice and because the story isn’t as tragic as it sounds; the fact that a poetry or politics has to remain virtual in some sense just means that what is real is never identical to, never exhaustive of, the possible. I also think the energies opened up in the act of composition

– like the energies released in the process of political struggle – are real and unpredictable forces that are not limited to what an artist or political agent intended to achieve. More generally, setting aside the logic of “bitterness” – which is sometimes a useful way to talk about art and sometimes not – I think that “neoliberal logic” is largely the logic that there is no measure of value but price. And art and political experiment are, to my mind, committed to seeking out other ways of valuing and measuring value. So there is that fundamental affinity.

NM: Your novels portray a certain alienation from the idea of collective action in young people

preoccupied with private lives and aligning with only a kind of lifestyle politics. And yet, you also document the Occupy movement, which unsettled not just institutional structures but key moments in the lives of your characters. How do you understand the coexistence of these seemingly contradictory impulses in contemporary youth? Could you maybe talk, in particular, about how you see CUNY students negotiating the pulls of the personal and the political?

BL: Both of my novels – like many novels – are concerned with what would count as authentic experience (aesthetic, romantic, social) in conditions of spectacle. The novel as a form is great at portraying the threat of solipsism as well as glimmers of real social possibility. I should say that both of my novels have narrators of significant privilege (in terms, for starters, of race and class), who are trying to figure out what it would mean to be an artist or father or friend or political agent from those positions without lapsing into ironic detachment. That’s not everybody’s problem, obviously. But generally, I think atomization and interconnection are very close to one another in a globalized economy of bundled debt, “social media,” etc.

I suppose I see CUNY students trying to figure out how bad forms of collectivity (being denied X) can be transformed into a good form of collectivity (joining together to fight for X and then make claims beyond it). One of the weird things art can do is make us feel the potential for good collectivity in even its most perverted forms.

LANGUAGE AND POLITICS

NM: As you know, we’re now at a critical juncture in our contract campaign. Like public institutions across the country, we’re under attack by forces that want to deny the right to quality education to working-class communities. A key aspect of the attempt

to eviscerate the worth of public education was also reflected for us in the Pathways Initiative. It basically sent the message to our students that they are not worthy of a well-rounded liberal arts education, that a vocational education is good enough for them. As a highly accomplished writer, your work with CUNY students challenges that message. Could you speak to the significance of teaching poetry and creative writing to working-class, largely minority students?

BL: I should say first that my teaching at Brooklyn is primarily – but not exclusively – in a graduate writing program that is not largely [composed of] minority students (making our program more diverse is and should be a critical priority). But I also teach and advise undergraduates whenever I have the chance. In my experience, CUNY undergraduates are polyglot, brilliant, tough, generous, open-minded and remarkably resilient. (I have students working so much to support their education and their family that it is unclear to me how they do it all, exactly; of course, some of them ultimately can’t. There’s just a limit to how many minimum-wage jobs you can work while also trying to do your reading.)

Talking about language and literature with such students is my privilege and I feel like much of my teaching is about bringing out what they already know so deeply: that language and power are inseparable, that structure (political or poetic) is inseparable from how we experience sense, that the social world is built, to a large degree, from words. I also think that part of my job is to remind them what is, by rights, already theirs: the city and city colleges. A poetry and a creative writing class is in part about the power of naming. The divestiture from all things public, the privatization of everything, is violence, is theft, and should be named thusly.

Reality is never identical to the possible.