



# The Workers' Edge

Voice of the Tompkins County Workers' Center

## Fighting Back Against the Corporate University: Contingent Faculty Win Their First Successful Contract

by Tom Schneller, Member of the IC Contingent Faculty Union Bargaining Committee

**I**t began with a meeting at Gimme Coffee on a dark January afternoon in 2014. Four Ithaca College (IC) contingent professors and a union organizer sat down to commiserate about the crisis that is sweeping American Higher Ed. Like so many workers in precarious jobs across the country, we felt isolated, disrespected, depressed, frustrated, fearful, hopeless, powerless. As precarious workers on semester-by-semester contracts, we knew that any of us could be fired at any moment, regardless of how much effort and dedication we put into our teaching. Our paltry salaries had not been raised in years, but what could we do about it? As individuals, we were entirely dependent on the munificence of the IC administration. What the Boss Giveth, the Boss Taketh Away – at the snap of a finger.



Artwork by Eric Machan Howd, Assistant Professor, [Department of Writing](#) IC graduate (Class of H&S, 1990)

The plight of contingent faculty at IC and other universities across the country is a microcosm of what is going in the U.S. economy as a whole. American universities, which used to provide stable and well-paying jobs for its professors, have turned into intellectual sweatshops over the course of the last 40 years. Like corporate CEOs, university administrators have increasingly balanced their budgets on the backs of underpaid, overworked, and demoralized contin-

gent faculty on part-time or short-term contracts (all the while giving themselves lavish perks and salaries). Since universities have turned away from tenure toward a Walmart model of exploiting precarious labor, the foundations of the American Academy have been hollowed out. The unionization movement of adjuncts that has caught fire in the last few years is a last-ditch attempt to shore up the crumbling foundations of the American professorate.

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## Workers' Center Supports City and County Sanctuary Policies

**T**he City of Ithaca and the Tompkins County governments have approved policies and resolutions around Sanctuary proposals. The Workers' Center joined public comment at Ithaca Common Council to support a Resolution originally introduced by Cynthia Brock, 1<sup>st</sup> Ward Alderperson.

In our view, Brock's proposal for the City to adopt what we call an Employer's Policy, directing City employees not to engage in the enforcement of immigration policing, is a correct and legal way to make sure

that our immigrant residents don't become the subject of racial profiling. Immigration policing is the job of the Federal Government.

The Workers' Center provides Occupational Safety and Health training to vulnerable workers and immigrant workers. Agricultural and dairy farm jobs are among the most dangerous jobs. We have had four deaths at farms in the Finger Lakes area in the last 3-4 years and due to some legal exceptions these workers do not appear in work accidents statistics under the US La-

bor Department. OSHA cannot inspect a dairy farm with 10 or fewer workers, therefore, it cannot rule on negligence or safety violations. In other words the law does not apply to these farms.

Immigrant workers often become subject to racial profiling. It is well known that police in other counties and cities of NY are engaging in immigration policing by stopping drivers and then calling ICE.

The Tompkins County Workers' Center has joined with other members of the

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# Sex, Gender and Sexual Orientation Discrimination in the Ithaca Police Department

By Rob Brown

## Understanding Sexual Orientation and Gender Identity Discrimination

- **Sex** is biological and assigned at birth based on a person's sex organs; i.e., female or male.
- **Gender Identity** means how an individual feels inside, whether feminine or masculine, regardless of the person's biological sex assigned at birth; i.e., feminine or masculine.
- **Gender Expression** is how society views another's gender identity based on cues like clothing, haircut, voice, behaviors, or name.
- **Gender nonconforming** means a person whose appearance or manner does not conform to traditional societal gender expectations or with the person's sex assigned at birth.
- **Transgender** is a person who identifies and expresses their gender differently from what is traditionally expected based on the sex they were assigned at birth.
- **Sexual Orientation** means the internal experience that determines one's physical, emotional or other attraction to men, women, both (bisexual) or neither (asexual). Everyone has a sexual orientation.
- **Gay** refers to a sexual orientation toward people of the same gender; can be used as an umbrella term for men and women.
- **Lesbian** refers to a woman whose primary sexual orientation is toward people of the same gender.
- **Bisexual** refers to a person whose primary sexual orientation is toward people regardless of gender.
- **Intersex** refers to persons who naturally develop primary and secondary sex characteristics that do not fit society's definitions of simply female or male.

Our society is still learning how to talk about sexual orientation and gender identity, and we cannot end discrimination if we don't understand the concepts and terms. The Tompkins County Workers' Center recommends that all businesses have non-discrimination and anti-harassment policies that provide definitions for the benefit of managers and other employees alike, and to have zero tolerance for workplace discrimination.

At left is excerpted from the Tompkins County Office of Human Rights policy toolkit for Law Enforcement & Corrections Agencies prepared after TCWC sought their guidance related to police force discrimination.

Businesses interested in help developing nondiscrimination standards can contact the TCWC Workers' Rights Hotline at 607-269-0409

**More Info:**  
[bit.ly/lgbtforlawenforcement](http://bit.ly/lgbtforlawenforcement)

In late February, 2017 Officer Sarah Crews, an employee of the Ithaca City Police Department (IPD), filed a lawsuit against the City of Ithaca and outgoing Chief of Police John Barber over years of discrimination based on her sex, gender identity and sexual orientation. Officer Crews is a gender non-conforming lesbian. Workplace harassment against her at the police department started soon after her hire in 2007, with insulting posters about her in the men's locker room. Since then, she has endured ongoing jabs at work. Everyone who is lesbian, gay or bisexual, or does not obey gender expectations (LGBT) learns to expect this kind of harassment, and Officer Crews is no exception; mostly she has "toughed it out," making complaints through internal channels in only some cases. Despite the City of Ithaca's Non-Discrimination and Anti-Harassment Policy that absolutely forbids discrimination based on gender and sexual orientation (also prohibited by local and New York State law), her superiors have ignored complaints, given offenders a mere slap on the wrist, or blamed her for their behavior.

Crews says she would probably have just lived with that if the department hadn't continually refused to address her concerns about its policies on the search and transport of people detained by the police. These outdated policies state that a physical search of a detainee (from pat-downs to strip searches) must be performed by an *officer of the same gender* whenever possible along with other similar rules.

The idea behind the policy is that every police officer and every person the police will ever detain is heterosexual and gender-conforming, and that the way to prevent sexual crimes by officers is to

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## A Union Win for TC3 Adjuncts

**T**ompkins Cortland Community College (TC3) adjunct professors scored a major win this spring when the Public Employees Relations Board (PERB) approved their request to be recognized as a bargaining unit separate from the full-time faculty. Following that determination President Haynes formally recognized the TC3 Adjunct Association as the official collective bargaining unit, completing the organizing process that began in 2013. Gregg Weatherby, an original member of the organizing committee commented, "This is a great win for the adjuncts at TC3, and we are pleased that our victory coincides with Ithaca College Contingent Faculty's success. After a long struggle, we can now begin the real work of the union. In the coming weeks we will be electing officers and finalizing our constitution and bylaws. The next step: negotiating our first contract. We'll keep you posted."

There had long been unrest among the adjunct instructors at the college, and the idea of forming a union had been secretly discussed for many years. During the 2012-2013 semester, though, these rumblings began to coalesce, and a small organizing committee was formed. The process began in earnest after New York State United Teachers (NYSUT) was contacted, and

Julie Berman, a NYSUT Labor Relations Specialist, was brought in to coordinate the effort and the collection of authorization cards was begun in earnest.

In October 2014, the executive committee determined that it had a sufficient majority of adjuncts on board to request voluntary recognition by the college. College administrators responded by repeatedly questioning whether the committee had a majority, even though it was verified by an independent member of the local clergy. The college also sent out a letter through the HR department to all adjuncts, warning them that they were jeopardizing their relations with the college.

Subsequently, the executive committee filed its petition with PERB to be recognized as the bargaining unit of record. The college countered by challenging the appropriateness of the bargaining unit, arguing that adjuncts should belong to the same union as the full-time academics. This was the same tactic that was used unsuccessfully by the CCC administration previously.

Last month's announcement was the result of PERB hearings that were held in June of 2015.

## IPD Discrimination Cont.

make it so that only people of the same "gender" touch or see detainees' bodies. Preventing sex crimes by law enforcement is very much in the public interest, and protecting employees and the departments they work for against false accusations is in everyone's best interest. Ithaca's policy fails to do either. Officer Crews pointed this out many times, especially since regularly making her search females opened her up to accusations of misconduct and in fact she was threatened with such by women in her custody.

IPD could easily have acted to protect Officer Crews' rights. While police in general are still behind modern standards of civil rights for LGBT workers, other cities – such as Albany, NY – have implemented protections that allow

gender non-conforming detainees to identify a sex/gender preference for which officers may search them. Such standards can easily be adapted to protect employee rights too. Instead, in response to her complaints, IPD retaliated against her with unfavorable assignments, disciplinary action, and subjecting her to a disproportionate number of compromising situations with female detainees compared to her peers.

The Tompkins County Workers' Center has been working with Officer Crews since early 2016. We call on the City of Ithaca to create and enforce policies that respect LGBT rights for its employees in law enforcement and the members of the public they serve.

# Cayuga Medical Update: Nurses Reinstated!

**O**n March 22, 2017, United States District Judge Thomas McAvoy granted an injunction requested by the National Labor Relations Board (NLRB) and ordered Cayuga Medical Center (CMC) to reinstate two Registered Nurses to their former jobs, pending a final administrative court decision on charges of unfair labor practices by the hospital.

In October, 2016 CMC fired RNs Anne Marshall and Loran Lamb, both of whom are outspoken supporters of efforts to form a nurses' union at CMC. While the hospital claims they were fired for not following protocol in the Intensive Care Unit, other ICU nurses have testified that their actions have long been common practice and that only the union organizers were fired

for it. The late March court ruling cites allegations by the NLRB that these nurses also said this during the hospital's investigation of the incident, but were then encouraged by the investigator to testify otherwise. Other nurses have pointed out ironically that they regularly have to "cut corners" because of the short-staffing that is one of the unionizing nurses' foremost issues. "I am happy that justice has prevailed and am looking forward to returning to caring for patients," says Marshall. She also looks forward to revitalizing the unionization campaign, which has suffered thanks to other nurses fearing for their jobs after the union organizers got fired.

The court has ordered that both nurses be reinstated within five

days, that CMC post copies of the order while the unfair labor practices hearings are ongoing, and schedule a meeting on paid work time "to ensure the widest possible attendance" at which a hospital official, or NLRB agent if CMC prefers, must read the conclusion of the order to those present.

This injunction does not constitute a ruling on whether the firings, or other behavior laid out in charges currently before an Administrative Law Judge, are unfair labor practices. Instead it is intended to preserve status quo and prevent irreparable harm given that the court has "reasonable cause to believe that a Board decision finding an unfair labor practice will be enforced by the Court of Appeals."

## Adjunct Successful Contract, cont.

On that bleak midwinter evening in 2014, we decided that we, too, had enough of being taken advantage of. We decided to fight back by forming a union that would stand up for the interests of the most vulnerable segment of the professorate at IC. None of us could have foreseen just how powerful these first stirrings of resistance to the status quo would become. Only three years later, this first moment of solidarity between a few part-timers bloomed into a powerful collective movement of professors, students, and community allies. The mere threat of this movement coming together in preparation for a massive and unprecedented strike at IC struck such fear into the heart of our callous, rigid and heretofore unyielding administration that at the last minute they panicked and settled a strong contract that, for the first time in the history of the institution, provides job security and a path to pay parity

for contingent faculty at IC. While we celebrate this victory, we are keenly aware of the loss of three full-time contingent members of our bargaining committee whose jobs, we believe, were terminated by the administration in retaliation for their activism. Stay tuned for the outcome of the Unfair Labor Practice charge that was filed by SEIU, Local200 United and the Cornell Labor Law Clinic against the IC administration.

In the process of organizing our union, we have formed lasting bonds of friendship and solidarity, not only among our bargaining committee but also with student activists, our tenured and community allies, and with other local union movements like CGSU and the CMC Nurses. We are no longer isolated, fearful, or powerless – we are now part of a network of allies who are struggling together in solidarity to reclaim the

common good that was lost in the ideological pandemic of neoliberalism and the ensuing corporate assault on the democratic and economic foundations of the United States. As the republic teeters on the brink of the Trumpian abyss, the Ithaca College Contingent Faculty Union recognizes the urgency of the historical moment, and stands in solidarity with the Tompkins County Workers Center to fight back against the anti-human forces of corporate autocracy in their local and national manifestations.

[Editor's Note: The Tompkins County Workers' Center (TCWC) has worked very closely with Contingent Faculty the past several years. In late March, after much IC campus and community organizing, a successful conclusion was finally reached! For details, go to [bit.ly/iccontingentfacultycontract](http://bit.ly/iccontingentfacultycontract)]

## Sanctuary, cont.

Upstate NY Workers Center Alliance in advocating for New York to issue drivers licenses regardless of documentation status, to improve public safety through properly licensed/tested drivers and so that workers can get to their jobs.

Studies have shown that the contributions undocumented workers give to the United States are greater than what others claim to be a burden to tax payers. These workers work up to 80 hours a week in the farms, the fields and restau-

rants. They pay taxes on every purchase they make. They have taxes deducted from their pay and since they may not file income tax returns, that money stay in the US coffers. Undocumented workers are covered by protections under labor law. That is why it is important that they receive trainings on Know Your Rights.

One more element is the fact that the United States Government and Corporations are the main players in creating the

Guest Workers Program. Together with a failed immigration system and the detrimental consequence of international trade agreements, they have created this migration of workers. This is not only happening here in the Americas by also in Europe, because the crisis is global.

Food for thought: Guest workers programs and unintended migration have one specific goal, that of creating cheap labor and low wages.

## Garden Plots Available



To reserve a plot either send an email to [ithacagardens@yahoo.com](mailto:ithacagardens@yahoo.com) or write to Project Growing Hope PO Box 606 Ithaca NY 14851. Be sure to include your name, postal mailing address and phone number. We have financial assistance that can reduce the cost to \$15 per season. We are centrally located off route 13 near the farmers market. We provide water, tools, and compost. There are also always some seed and plant donations.

If you want more information about this contact Judith Barker at 272 1897 or [judith.barker2@gmail.com](mailto:judith.barker2@gmail.com).



### Has your job made you sick?

## Occupational Health Clinical Center Can Help!

- **Are your symptoms work-related?**
- **Have you been exposed to substances on the job that might make a person sick?**
- **Have you recently left a job (through retirement, lay-off, termination, etc.) that caused your symptoms?**

**Call to find out how we can help you.... Occupational Clinical Health Centers are staffed by a team of health professionals actively working to support worker health and safety in 26 counties in New York. Occupational Illnesses and diseases are highly preventable, and we can help.**

As a medical practice, we focus on Medical Services including medical and occupational history; physical exam and diagnostic testing, referral and social work services.

Prevention of Occupational Illness and Disease, including screening and monitoring; education and workplace safety assessment; data collection; public policy advocacy; worker/patient empowerment, including risk mapping, workers' rights to health and safety at the workplace; navigating the Workers' Compensation system, support groups and popular education related to the impact of worker health on public health.

Convenient locations in Binghamton, Syracuse and Canton

**Call OHCC at 315-432-8899 or toll-free at 1-800-432-9590**

# Support our 104 Certified Living Wage Businesses with over 2880 workers!

Since our last newsletter in December 2016, we are pleased to welcome seven new employers: Avital's Apiaries; Center for Transformative Action; Sciencenter Discovery Museum; St. John's Episcopal Church; Tiny Timber, LLC; Village of Cayuga Heights; Youth Farm Project.

Advocacy Center	International Brotherhood of	Singlebrook Technology, Inc.
Alcohol & Drug Council of Tompkins County	Electrical Workers Local #241	Snug Planet LLC
Alternatives Federal Credit Union	International Food Network, Inc.	Sparks Electric
Autumn Leaves Used Books	Ironwood Builders of Ithaca	Sprague & Janowsky
Avital's Apiaries	Ithaca Carshare	St. Catherine of Siena Church
Blue Spruce Painting and Decorating	Ithaca Cayuga Optical Service	St. John's Episcopal Church
Boyce Thompson Institute	Ithaca Health Alliance	St. Luke Lutheran Church
Brightworks Computer Consulting	Ithaca Neighborhood Housing Services	St. Paul's United Methodist Church and Nursery School
Buffalo Street Books	Ithaca Oral Surgery and Implants	Stone Quarry House
Cancer Resource Center of Finger Lakes	Ithaca Urban Renewal Agency	Strawbridge and Jahn Builders
Catholic Charities of Tompkins/Tioga	IthacaMed	Sunbeam Candles
Center for Transformative Action	Ithaca Teachers Association	Sunny Brook Builders
Child Development Council	Jewel Box	Sunny Days of Ithaca
Cinemapolis	Jillian's Drawers	Sustainable Tompkins
City of Ithaca	Julia e Dean Inc/The Clay School	Sweet Land Farm CSA
Colonial Veterinary Hospital	Loaves and Fishes	Taitem Engineering
Community Dispute Resolution Center	Mama Goose/Mimi's Attic	Temple Beth El
Community Foundation of Tompkins County	McBooks Press	The Frame Shop
Community Nursery School	Miller Mayer Law Firm	The History Center of Tompkins County
Community Science Institute	Multicultural Resource Center	The Strebel Planning Group
Cornell Child Care Center	New Roots Charter School	Tiny Timber LLC
Court St. Chiropractic of Ithaca	Northeast Pediatrics and Adolescent Medicine	Tompkins County
Downtown Ithaca Alliance	Nutritional Wellness Center	Tompkins County Public Library
Family and Children's Service of Ithaca	OAR – Opportunities, Alternatives and Resources	Tompkins County Recycling, LLC
Finger Lakes Naturals	One World Market	Town of Caroline
Finger Lakes ReUse	Ongweoweh Corporation	Town of Danby
First Baptist Church of Ithaca	Planned Parenthood of the Southern Finger Lakes	Town of Enfield
First Congregational Church of Ithaca, United Church of Christ	Q2 Solutions	Town of Ithaca
First Unitarian Society of Ithaca	Red Feet Wine Market and Spirit Provisions	TRC Energy Services (Ithaca)
Friendship Donations Network, Inc.	Renovus Energy, Inc.	Trumansburg Community Nursery School
The History Center in Tompkins County	Schlather, Stumbar, Parks and Salk	United Auto Workers Local 2300
Holmberg Galbraith, LLP	Sciencenter Discovery Museum	Upscale Remodeling Corporation
Home Green Home	Segal and Sorensen	Village of Cayuga Heights
Hospicare and Palliative Care	Shade Tree Auto, Inc.	Viridius Property
Human Services Coalition of Tompkins County	Shaw & Murphy Law Firm	The Watershed
	Silk Oak/Ithacamide	Weaver Wind Energy
		Youth Farm Project



# Are You a Member of the Tompkins County Workers' Center?

**I want to Get Involved in the Fight for Workers Rights!**

\$ \_\_\_\_\_ Individual Annual Membership  
Due= One Hour's Wage or \$9.70 if not working

**During the next year, I'LL BE THERE at least five times for someone else's fight, as well as my own. Contact me for Rapid Response Alerts.**

Signature

Name (Please Print):

Home Address

City/State/ZIP

Phone

Email

**Mail to: TC Workers Center**

**115 The Commons/ E MLK St. Ithaca, NY 14850**

You'll receive a laminated card in the mail. Great to have you with us!

Is a member of the  
**Tompkins County Workers' Center**

**During the year, I'LL BE THERE at least five times for someone else's struggle as well as my own. If enough of us are there, we'll start winning.**

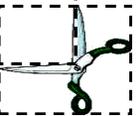
**I'LL BE THERE...**

**...standing up for our rights as working people to a decent standard of living**

**...organizing working families to take strong action to secure better economic future for all of us**

**...fighting for secure family-wage jobs in the face of corporate attacks on working people and communities**

**...supporting the right of all workers to organize and bargain collectively in the workplace**



## Living Wage Employer Spotlight: Sunbeam Candles

**D**avid Gould started making candles soon after college to help support himself as a musician, and decided to make a business of it in 2004 when he founded Sunbeam Candles. His interest all along was socially responsible business practice: Sunbeam Candles seeks to use the most locally sourced ingredients they can, as a solar (and wind) powered business, carbon-neutral shipping and so on. David seeks to extend that social responsibility to his employment practices too: fair pay, benefits, and real appreciation for the team. He has endorsed TCWC's campaign to make the Minimum Wage a Living Wage in Tompkins County, and thinks minimum wages that reflect real costs of living in a region make more sense than shoe-horning in one figure everywhere.

"I think that people who start a business not paying a Living Wage and don't intend to work toward that as soon as they can probably shouldn't even start the business," he says. He makes this argument not just as a morally right one, but from business sense, too. He wasn't able to pay a Living Wage right out the

gate when he opened Sunbeam Candles, and despite having a staff of 10 people or so, he's had maybe 100 employees; most of the turnover was in the early years before he implemented a Living Wage. Most members of the team now have been working with him for 4-5 years or more. "It's important to have continuity and trust, folks who work hard. If you're not earning enough to get by, how can you be expected to give work your all? I always know that whether I'm at the business or working remotely, my folks are kicking butt."

He's proud to offer benefits to staff too, although he's quick to point out that the standard of making people depend on employers for health insurance is ridiculous when basic health care should be a universal right. He talks about more humanly affirming benefits like snacks, massages, and paid time away from work as what's most important to him as an employer. "You can work hard *and* take care of each other. It's not always easy to do it, but I can always feel good about it when I wake up in the morning."

Things are heating up. We need your help.

# TO DO LIST



- WIN for contingent faculty at IC 1
- Sanctuary 1
- IPD Discrimination Case 2
- TC3 Adjuncts 3
- CMC Nurses Reinstated 4
- Living Wage Certified Businesses 6
- Sunbeam Candles 7
- Become a Member 7

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Donate what you can

**STAND UP** with us to create a more just community and world.





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115 The Commons  
Ithaca, NY 14850  
TCWorkersCenter.org



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