

May 24, 2022

RE: Limiting Emergency Exemptions for Nurse Mandatory Overtime (S.8063/A.8874)

Dear Legislator:

As a taxpayer, a constituent and a member of the New York State Public Employees Federation, I urge you to pass legislation to limit the ability of hospitals to mandate overtime of nurses, except under specific emergency circumstances (S.8063 by Sen. Ramos/A.8874 by Asm. Joyner).

This bill would limit a “health care disaster” to three consecutive days; a declared state of emergency would be capped at 30 days, if the emergency is still in effect; and an unanticipated staff “emergency” would explicitly not include typical staffing level needs associated with vacation, holiday, sick and personal leave.

This measure will better protect the health and well-being of patients, workers, and all New Yorkers. We have all witnessed over the course of the COVID-19 pandemic both the shortage of healthcare workers, as well as the tremendous pressure the current workforce is under. Being forced to work overtime has become commonplace for far too many nurses. This bill better defines the exemptions where the law would not apply, making adequate allowances for actual emergencies, but not allowing for larger loopholes for employers to totally circumvent the law.

This bill would provide healthcare workers with a sense that their employers cannot take advantage of them and that their rights to not be mandated into overtime is legitimate. At this time, we need to take all reasonable steps to keep the dedicated nurses we have and ensure future employees join this noble profession.

I ask that you work with the leadership of your house to pass S.8063/A.8874 during this legislative session.

Sincerely,