

May 24, 2022

RE: Sanction for Violation of Mandatory Overtime (S.1997-A/A.286-A)

Dear Legislator:

As a taxpayer, a constituent, a health care consumer and a member of the New York State Public Employees Federation, I urge you to pass legislation to sanction health care employers that violate New York's law prohibiting the imposition of mandatory overtime for nurses (S.1997-A by Sen. Jackson/A.286-A by Asm. Gunther).

Nurses are the backbone of our healthcare system, and work selflessly to provide quality health care to their patients. Under current law, employers are prohibited from requiring a nurse to work more than that nurse's regularly scheduled work hours except in cases of a federal, state or county declaration of emergency, health care disaster, an ongoing medical or surgical procedure or other emergencies.

Despite this law, we know that nurses are often required to work beyond their agreed upon scheduled work hours. This bill would provide a mechanism for a civil penalty where an employer violated the law, as well as provides the employee with an additional 15% of overtime payment for each violation as damages.

Our nurses are our heroes and we cannot continue to allow employers to take advantage of these heroes any longer. Relying on mandatory overtime is not a solution. Health care providers need to develop better salaries and benefits to attract and retain these critical workers in order to ensure their staffing plan can meet their needs. Relying on mandatory overtime to meet their workforce needs puts patients at risk; it puts nurses in a position to fail; and it hurts families.

I urge you to pass this legislation at the earliest possible opportunity.

Sincerely,