

Official Call to Convention

2021 Convention of the New York State Nurses Association

Nella Pineda-Marcon, RN, NYSNA Secretary

Wednesday, Oct. 27, 2021

This meeting will be held virtually. It is open to all NYSNA members in good standing. To register, go to www.nysna.org/2021-nysna-convention

PROPOSED AMENDMENTS TO NYSNA BYLAWS

BYLAW PROPOSAL #1: AMENDING NYSNA BYLAWS ARTICLE II, SECTION 1 TO EXPAND THE DEFINITION OF NON-RN MEMBERSHIP IN NYSNA

Submitted by Diane Groneman, RT, LBU President, and Melissa Crabb, RVT, Peconic Bay Medical Center

Text of the Proposal:

ARTICLE II – MEMBERS, DUES, AND AFFILIATES

Section 1. Members and Dues

A. Members

1) A member is one:

a) who has been granted a license to practice as a registered nurse in at least one state, territory, possession or District of Columbia of the United States or is otherwise lawfully so entitled to practice and who does not have a license under suspension or revocation, and a non-Registered Nurse in a bargaining unit ~~currently represented by the association~~ that the association represents or is seeking to represent.

MAKER'S RATIONALE

Within NYSNA's membership there are facilities which not only incorporate RNs but also other healthcare professionals—examples—Respiratory Therapists, Pharmacists, Physical Therapists. These healthcare professionals are strong, supportive members with full rights and privileges in our union. Some are LBU Presidents as well as convention delegates. They walk next to us in our picket lines, fight for our members when we are in discipline hearings, and negotiate contracts we are proud of.

NYSNA's continued fight to organize new facilities across the state including healthcare professionals can open new doors of power as we strive for safe staffing ratios and other healthcare priorities. This allows NYSNA's membership to increase more than if healthcare professions are excluded.

POSITION OF THE NYSNA BOARD

Action: While the NYSNA Board of Directors recognizes the important contributions of our current non-RN members, their recommendation is for delegates to vote "NO" on this proposed amendment to the NYSNA bylaws.

Rationale: This proposed amendment would expand the definition of membership for non-RNs to include not just those in bargaining units that NYSNA currently represents but also those in bargaining units that NYSNA is "seeking to represent."

The intent is to change current policy and expand NYSNA's organizing beyond RNs to include other healthcare professionals.

This would represent a significant shift in NYSNA's organizational focus, away from RNs to other healthcare professionals. Such a move could create significant conflict with other healthcare unions in the state. There have already been several recent examples where other unions have attempted to organize RNs who NYSNA was interested in representing. And if this bylaw amendment were to pass these conflicts would almost certainly intensify.

This could be quite damaging to the organization, since we would not only risk losing potential members cur-

rently working in non-union healthcare facilities, but other unions might also attempt to decertify NYSNA at our existing facilities.

BYLAW PROPOSAL #2: THE FOLLOWING, ALTHOUGH WRITTEN IN THE FORMAT OF A RESOLUTION, WAS SUBMITTED AS A BYLAW AMENDMENT PRESCRIBING SPECIFIC CONTRACT RATIFICATION PROCEDURES. THE MAKERS WERE ADVISED OF THEIR OPTIONS TO AMEND THIS PROPOSAL TO BRING IT IN THE PROPER FORMAT OF A BYLAW AMENDMENT OR TO SUBMIT IT AS A RESOLUTION.

Submitted by: Xenia Greene, RN, Montefiore Moses
Shamelee Morrison-Alexander, RN, Montefiore Moses
Johnaira Dilone, RN, Montefiore Moses
Katherine Fernandez, RN, Montefiore Weiler
Una Davis, RN, Montefiore Moses
Agnes Hunter, RN, Montefiore Weiler
Solomon Kumah, RN, Montefiore Weiler
Mike DeMarco, RN, Mount Sinai Morningside Hospital
Peggy Desiderio, RN, Mount Sinai St Luke's Hospital
Diana Torres RN, Mount Sinai West Hospital

Text of the Proposal:

Whereas a powerful union contract can assist in deepening members' ownership and engagement in our contract;

Whereas a strong union contract aids members in protecting the communities we serve, regardless of our community's socioeconomic or racial background;

Whereas the freedom of expression is intrinsic to democracy and hearing alternative views and analyses is critical for informed and democratic decision-making;

Whereas, we believe a democratic and vibrant culture will build our union and influence other nurses to join NYSNA;

Whereas the right to vote on a contract is only meaningful if it is informed;

Therefore be it resolved, that when a tentative agreement is reached, it is marked with additions and strikeouts to indicate changes from the original agreement;

Be it further resolved, that minority reports (statements of bargaining committee members who are opposed to tentative agreement) will be provided if any;

Be it finally resolved, that the memorandum of agreement and a summary of the tentative agreement including both gains and losses will be provided to all members and be discussed during at least one widely advertised membership meeting at a reasonable time before ratification voting;

POSITION OF THE NYSNA BOARD

Action: The NYSNA Board of Directors is instructing the Convention Chair to consider this submission as a resolution, not a bylaw amendment.

Additionally, even if the proposal is amended to conform to the format of a bylaw amendment, the Board feels mandating a prescriptive process for contract ratification in NYSNA's bylaws is not in the best interest of our union given the diverse nature of our Local Bargaining Units.

Rationale: This proposal recommends specific procedures for contract ratification, a subject not currently addressed in the NYSNA bylaws.

It is structured and framed as a Convention resolution, not a bylaw proposal. The authors put forward an identical resolution at the 2019 Convention which was not considered because of limited time.

The Board supports full transparency, principles of union democracy and the rights of union members in the contract ratification process. However, the Board feels that a "one size fits all" mandate to contract ratification procedures as presented could be harmful to Local Bargaining Units and leaders facing unique circumstances such as potential strikes, lockouts, acceptable offers predicated on full support of the negotiating committee, or very small units that chose to ratify immediately upon reaching an agreement, for example.

BYLAW PROPOSAL #3 – AMENDING NYSNA BYLAWS ARTICLE XII, TO CHANGE THE RESOLUTION DEADLINE TO 60 DAYS PRIOR TO CONVENTION

Submitted by Judy Sheridan-Gonzalez, RN, Montefiore Moses

Text of the Proposal:

ARTICLE XII – CONVENTION

Section 5. Procedural Issues

B) In order to allow for discussion and debate, Convention resolutions must be submitted in writing to the Secretary of the association at least ~~thirty (30)~~ sixty (60) days prior to the Convention and distributed to delegates at least ~~thirty (30) days prior to the Convention,~~ or as otherwise provided in policies and procedures established by the Board of Directors and approved by the Convention.

MAKER'S RATIONALE

The current bylaws allow resolutions to be submitted up to 30 days prior to Convention. The process requires the Resolutions Committee to meet after this date to review the submitted resolutions and ensure they are:

- legal
- not contradicted by other bylaws sections
- understandable

Resolution submitters can be contacted at that time for clarification and suggestions, to ensure that their submissions can be deliberated upon at the meeting.

This process can take up to weeks to finalize and thus the distribution of officially submitted resolutions to the delegates can occur very close to the actual convention making their review and discussion challenging—if not impossible—for regional or LBU delegates prior to the convention.

The deadline for bylaws amendments is 75 days prior to the convention which allows for their discussion. As resolutions are not quite at the same level as bylaws amendments, we think 60 days provides for enough advance time for their review by delegates, given the above process.

POSITION OF THE NYSNA BOARD

Action: The NYSNA Board of Directors' recommendation is for delegates to vote "YES" on this proposed amendment to the NYSNA bylaws.

Rationale: This proposal would move the submission deadline for resolutions to 60 days prior to Convention from the current deadline of 30 days prior.

The current 30-day deadline does not provide sufficient time for resolutions to be reviewed and distributed to delegates well in advance of Convention.

Extending the submission deadline to 60 days prior to Convention would allow for advance distribution of submitted resolutions and ensure that delegates can discuss convention business with members of their Local Bargaining Units.