

Proposed Amendment to NYSNA's Bylaws

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BOARD OF DIRECTORS' PROPOSED AMENDMENT TO NYSNA'S BYLAWS

Text of the Proposal:

Amend Article II, Section 1(b)(3) of NYSNA's bylaws by adding the following new subsections f and g:

(3) Members who qualify for the following categories may pay reduced dues as established by the Convention:

- (a) Nurses not represented for collective bargaining by this association;
- (b) Nurses age 62 and older who are retired and earning not more than what social security allows;
- (c) Unemployed nurses;
- (d) Nurses who are totally and permanently disabled;
- (e) Lifetime members;
- (f) Nurses represented in collective bargaining who are employed on a per diem or part-time basis; and
- (g) Nurses jointly represented in collective bargaining by NYSNA and another labor organization, provided that the Board of Directors may establish the discounted rate for this category based on an agreement negotiated with the other labor organization.

Background:

With respect to subsection f, in the 2021 Convention, the delegates adopted a resolution that asked the Board of Directors to consider a reduced dues structure for per diem nurses. The bylaws Committee considered this issue and recommended an investigation into the feasibility of adopting a policy that would establish the number of weekly hours worked to qualify for the per diem discount, a viable process for confirming the weekly hours worked by each per diem nurse, and a mechanism for collecting reduced dues through check off.

The Board, in conjunction with NYSNA staff, conducted the investigation. It found that the number of hours that per diem nurses work often varies weekly, with some working full-time hours on particular weeks. Additionally, the number of hours a nurse must work to be considered per diem varies greatly in our different hospitals. Further, the Union does not receive information from our employers on the number of hours that per diem nurses work each week, and there is no mechanism to collect the correct amount of dues through monthly dues check-off from nurses whose hours fluctuate on a weekly or monthly basis.

With respect to subsection g, there currently are two facilities

in upstate New York — one where the nurses are represented by NYSNA and the other where the nurses are represented by another union — that are scheduled to be consolidated later this year. The NYSNA Board would like the flexibility to negotiate joint representation, with reduced dues for the NYSNA nurses, if it deems it appropriate to do so. Currently, the bylaws do not provide this flexibility.

Position of the NYSNA Board

The Board recommends approval of this amendment. With respect to subsection f, although it is not feasible to establish a separate dues rate for per diem nurses, these nurses currently pay the part-time dues rate. The bylaws, however, do not provide for a reduced rate for per diem and part-time nurses represented in collective bargaining. Accordingly, the Board believes that the bylaws should codify the right of per diem and part-time nurses represented in collective bargaining to pay a reduced dues rate. With respect to subsection g, the Board believes that NYSNA needs the flexibility to consider negotiating joint representation in appropriate circumstances. Because charging the full dues might not be fair or appropriate in these circumstances, the Board believes that the bylaws should be amended to address this.

