



Paid Family Leave for All NYSNA Nurses

Whereas, in 2016 New York State created the Paid Family Leave Program for private sector workers;

Whereas, it allows for 12 paid weeks at \$1,068.36 weekly or 67% of average weekly wage (whichever is less) to care for family members;

Whereas, the approximate cost of the program to each member is 0.511% of gross salary with an annual cap of \$423.71;

Whereas, this cost can be passed to the employer through negotiations;

Whereas, the program provides the option for public sector unions to bargain for their members to be included;

~~Whereas, NYSNA leadership has not secured Paid Family Leave for its public sector nurses~~

Whereas, bonding with children early in life is critical to healthy development;

Whereas, children of public sector nurses should not be excluded from the opportunity to bond with their parents by virtue of their parent's employer;

Whereas, the law additionally provides paid time off to care for elders, spouses and other family members, a task that frequently falls to nurses;

Therefore, be it resolved that:

~~1. NYSNA will bargain with employers to provide Paid Family Leave for members in the public sector; and,~~

2. NYSNA will provide its full support to any bargaining units that seek to be included in the Paid Family Leave law.

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Recommendation from the NYSNA Board of Directors:

The Board notes at the outset that pursuant to Appendix 1 (Paragraph 1) of the NYSNA Bylaws, “the autonomy and integrity of individual local bargaining units must be respected and preserved.” This provision is incorporated into and forms the foundation of NYSNA policy and practice pursuant to a footnote to Article IV, Section 3(b) of the Bylaws, reflecting the general principle that members and local bargaining units have the right to democratically raise bargaining demands and approve or ratify their contracts as they see fit, subject to the will of the local bargaining unit membership.

The proposed resolution asserts in the sixth Whereas Clause that “NYSNA leadership has not secured Paid Family Leave for public sector nurses.” The Board notes that “NYSNA leadership” does not have the power or authority to unilaterally secure or otherwise impose participation in the PFL Law on behalf of local public sector bargaining units. That is a matter for the members of those units to decide upon consistent with the NYSNA Bylaws.

The Board also notes that the first Resolved Clause of the resolution directs that “NYSNA will bargain with employers to provide Paid Family Leave for members in the public sector.” The proposed resolution would thus require NYSNA as an organization to enter into bargaining for inclusion of all public sector nurses in the Paid Family Leave program without regard to the expressed desire, preference, or approval of the membership of the local bargaining units.

Accordingly, the NYSNA Board recommends that the sixth Whereas clause and the first Resolved clause be ruled out of order and stricken from the proposed resolution as violative of the current NYSNA Bylaws and an infringement on the power and autonomy of local bargaining units. NYSNA can and should support local bargaining units that wish to be included in the PFL Law but cannot and should not impose that upon them from above.