Dear Doctors Corwin, Davis and Safyer:

We write to you today out of critical concern for the safety and well-being of New York City area hospital patients and local communities.

It has come to our attention that more than 10,000 New York City area nurses are currently working with expired labor contracts at your hospitals. We understand that negotiations are faltering, as critical issues related to staffing and working conditions raised by your registered nurses remain unaddressed. Registered nurses working in your hospitals have expressed to us that are particularly concerned with the lack of discussion regarding improved minimum staffing standards. Safe staffing is necessary in our city’s hospitals because:

- Hospitals that staff 1:8 nurse-to-patient ratios experience five additional deaths per 1,000 patients than a 1:4 nurse-to-patient ratio (Journal of the American Medical Association, 2002).
- The odds of patient death increases by 7% for each additional patient the nurse must take on at one time (Journal of the American Medical Association, 2002).
- Increased nurse staffing is a more cost-effective tactic to improve patient care when compared to other interventions (Nursing Administration Quarterly, 2011).
- Length of stay, urinary tract infections, cases of upper gastrointestinal bleeding all increased due to unsafe staffing (New England Journal of Medicine, 346 (22) 1715-1722).
- Rates of hospital-acquired pneumonia, shock, and cardiac arrest, and a failure to rescue, climbed due to unsafe staffing (New England Journal of Medicine, 346 (22) 1715-1722).

The lack of progress in bargaining has led recently to a day of citywide picketing, which was widely reported in the press. We are very concerned that nurses’ frustration has now reached the point that they are actively engaged in strike votes all over the city.

This situation is very alarming to us as legislators and to our communities.

Of equal concern to us is your intention to contract for-profit temporary nursing corporations that lack both the competency and compassion our communities need, as well as deserve, which our local nursing workforce is uniquely capable of providing.
These temporary nursing agencies that you are seeking to engage, including most prominently U.S. Nursing Corporation and Health Source Global Staffing, Inc.,¹ specialize in breaking strikes and breaking rules in pursuit of exorbitant profits.

These staffing agencies have also engaged in a pattern of troubling behavior, including:

a) Supporting firm ownership and/or senior management with criminal backgrounds, including such offenses as financial fraud, larceny and drug dealing;²
b) Forcing nurses to sign illegal contracts waiving their basic rights under federal and New York State law;
c) Often failing to pay the nurses they recruit and making false promises to the nurses, the public, and the community.³

The nurses who live in our communities, who have worked tirelessly for years in providing vital health services, should be the ones caring for our communities. Placing our health care in the hands of these staffing agencies jeopardizes the health of New York City.

These companies are ill equipped and not competent to provide the quality of patient care that we need and demand for our patients and communities. Wait times for emergency room treatment will grow worse, the quality of care in in-patient acute care units will suffer, costs of treatment and complications will soar, and ultimately, patients’ lives will be put at unnecessary risk. More patients will die and more patients will suffer needless adverse health effects.⁴

We call on you, as Chief Executive Officers and leadership of our local hospital systems to avoid this reckless and needless shutdown of our hospitals and work constructively with our nurses to reach fair agreements. Hospitals will be held accountable for the results of any unnecessary disruption in vital hospital care. The time has come to engage in serious negotiations to avert an unnecessary catastrophe for our communities and the patients that rely on our hospitals.

² See: https://www.philly.com/philly/business/20100403_Nurses_union_Felon_recruiting_temps.html
³ See: https://www.leagle.com/decision/infdco20180208977 in settlement of wage violations involving “scab” nurses.
⁴ According a National Bureau of Economic Research study, the deterioration in patient care when scabs replace the regular nurse workforce lead to a 19.4% increase in patient mortality and a 6.5% increase in 30-day readmissions. See: Do Strikes Kill? Evidence from New York State, J. Gruber and S. Kleiner (2010) at https://www.nber.org/papers/w15855.pdf. Interestingly, similar data in other industries supports the finding that employment of scab labor affects the quality of goods and services, including higher rates of defective automotive tires and tread separation (see: https://www.nber.org/papers/w9524.pdf), the quality and value of heavy construction machinery (see: https://www.nber.org/papers/w13138.pdf) and student achievement and test scores (see: https://www.nber.org/papers/w16846.pdf).
Sincerely,

I. Daneek Miller  
Council Member, 27th District  
Chair  
Committee on Civil Service & Labor

Diana Ayala  
Council Member, 8th District  
Chair  
Committee on Mental Health, Disabilities, and Addiction

Carlina Rivera  
Council Member, 2nd District  
Chair  
Committee on Hospitals

Mark Levine  
Council Member, 7th District  
Chair  
Committee on Health

Fernando Cabrera  
Council Member, 14th District

Rafael Salamanca, Jr.  
Council Member, 17th District

Corey Johnson  
Speaker, 3rd District

Rory I. Lancman  
Council Member, 24th District

Francisco Moya  
Council Member, 21st District

Robert E. Cornegy, Jr.  
Council Member, 36th District

Adrienne E. Adams  
Council Member, 28th District

Robert Holden  
Council Member, 30th District
Antonio Reynoso  
Council Member, 34th District

Keith Powers  
Council Member, 4th District

Barry S. Grodenchik  
Council Member, 23rd District

Inez Barron  
Council Member, 42nd District

Mark Treyger  
Council Member, 47th District

Justin Brannan  
Council Member, 43rd District

Ben Kallos  
Council Member, 5th District

Mathieu Eugene  
Council Member, 40th District

Peter Koo  
Council Member, 20th District

Carlos Menchaca  
Council Member, 38th District

Andy King  
Council Member, 12th District

Andrew Cohen  
Council Member, 11th District

Vanessa L. Gibson  
Council Member, 16th District

Ydanis Rodriguez  
Council Member, 10th District
Laurie A. Cumbo  Brad Lander
Majority Leader, 35th District  Council Member, 39th District

Costa Constantinides  Alicka Ampry-Samuel
Council Member, 22nd District  Council Member, 41st District

Margaret S. Chin  Deborah Rose
Council Member, 1st District  Council Member, 49th District