

Council Member Hoey, Anane, Balarin, and Farrell introduced the following:

RESOLUTION NUMBER 19.22.21R

RESOLUTION CALLING FOR THE ENFORCEMENT OF THE CITY OF ALBANY'S CODE PART I: ADMINISTRATIVE LEGISLATION / LABOR ARTICLE V STRIKEBREAKERS

WHEREAS the nurses at Albany Medical Center voted to unionize over two years ago; and

WHEREAS there has been no movement in contract negotiations, which Albany Medical Center management hopes will break the nurses' union; and

WHEREAS the nurses are exhausted by their effort to keep their patients alive during the Covid-19 pandemic; and

WHEREAS the nurses, seeing no movement at the negotiations table, called a 24-hour strike on December 1, 2020; and

WHEREAS Albany Medical Center Management hired hundreds of strikebreaker replacement nurses and locked its own nurses out for the following two days, thereby preventing its own nurses from caring for their patients; and

WHEREAS the City of Albany New York has on its books an anti-strikebreaking law; and

WHEREAS Section 62-5 of the law states: "Purpose. No person, partnership, agency, firm or corporation, or officer, employee or agent thereof, shall recruit, procure, supply or refer any person for employment who customarily and repeatedly offers himself for employment in place of any employee involved in a labor dispute in which such person, partnership, agency, firm or corporation is not directly involved"; and

WHEREAS Section 62-6 of the law states: "Prohibited employment of strikebreakers. No person, partnership, firm or corporation involved in a labor dispute shall, directly or indirectly, employ in the place of an employee involved in such dispute any person who customarily and repeatedly offers himself for employment in the place of employees involved in a labor dispute or contract or arrange with any other person, partnership, agency, firm or corporation to recruit, procure, supply or refer persons for employment who customarily and repeatedly offer themselves for employment in place of employees involved in such labor dispute"; and

WHEREAS Section 62-7 of the law states: "Unlawful to employ replacements. No person who customarily and repeatedly offers himself for employment in place of employees involved in a labor dispute shall take or offer to take the place in employment of any employee involved in a labor dispute"; and

WHEREAS Section 62-8 of the law states: "Penalties for offenses. Any person, partnership, agency, firm or corporation, or any officer, employee or agent thereof, who or which

shall violate any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to punishment by a fine of not more than \$1,000 or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment”;

NOW, THEREFORE BE IT RESOLVED, that this Common Council of the City of Albany expresses its strong displeasure with Albany Medical Center Management at the apparent lack of good faith in its negotiations with the Nurses Union and strongly urges the City of Albany, New York enforce its law code and prosecute Albany Medical Center Management for violation of City Law; and

BE IT FINALLY RESOLVED, that Albany Medical Center release to this Council information regarding the number of the strikebreaking nurses it hired, what it paid these strikebreakers.

To: Danielle Gillespie, City Clerk
From: Council Member Tom Hoey
Re: Request for Common Council Legislation
Supporting Memorandum
Date: February 5, 2021

SPONSOR Council Member Hoey

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TITLE

RESOLUTION CALLING FOR THE ENFORCEMENT OF THE CITY OF ALBANY'S CODE
PART I: ADMINISTRATIVE LEGISLATION / LABOR ARTICLE V STRIKEBREAKERS

GENERAL PURPOSE OF LEGISLATION

Calling for the enforcement of strikebreaker laws.

FISCAL IMPACT(S)

None.