Legislation Details (With Text)

File #:	Res 1282-2008	**Version:**	*	**Name:**	Expanding the term “physically taxing occupation” to include registered nurses and midwives employed by the City of New York or the NYC HHC.
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Title: Resolution calling upon the State of New York to pass A.3873/S.1865, legislation that would amend the Administrative Code of the City of New York and the retirement and social security law by expanding the term “physically taxing occupation” to include registered nurses and midwives employed by the City of New York or the New York City Health and Hospitals Corporation.

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Res. No. 1282

Resolution calling upon the State of New York to pass A.3873/S.1865, legislation that would amend the Administrative Code of the City of New York and the retirement and social security law by expanding the term “physically taxing occupation” to include registered nurses and midwives employed by the City of New York or the New York City Health and Hospitals Corporation.

By Council Members James, Brewer, Dickens, Fidler, Gentile, Koppell, Sanders Jr., Gerson and Garodnick

Whereas, The Administrative Code of the City of New York defines physically taxing occupations as jobs which require heavy duty and extraordinary physical effort; and

Whereas, According to the New York State Nurses Association (NYSNA), nurses are required to perform heavy lifting in the form of moving, shifting or transferring patients an average of 75 times per shift, and perform lifting at an average equivalent of 1.8 tons per shift; and

Whereas, As a result of such heavy lifting, nurses are at risk of suffering from back pain; and

Whereas, According to the U.S. General Accounting Office, in 2001, 83 percent of nurses were working

in spite of back pain, 38 percent of nurses were expected to have severe back pain that would require leave from work, and 60 percent of nurses feared a disabling back injury; and

Whereas, According to the Bureau of Labor Statistics, 61,500 registered nurses, aides, and attendants experience work related musculoskeletal disorders resulting in an average of 5 days out from work every year; and

Whereas, In addition to heavy lifting, the profession of nursing often requires other hazardous duties, such as close contact with patients, diseases and germs, and administering medications by various methods, which can lead to emotional stress, infectious disease, chemical exposures, and dangerous needle sticks; and

Whereas, Nurses are also often exposed to violence on the job, including physical assaults by patients or their family members, and the Colorado Nurses Association has reported that 30 percent of nurses are assaulted on the job during their career; and

Whereas, According to the American Association of Colleges for Nursing and NYSNA, there is a nursing shortage and the January/February 2007 issue of Health Affairs reported that the shortage of nurses in the United States is estimated to reach 340,000 by 2020, and PricewaterhouseCooper's Health Research Institute reported that in 2007, the average nurse turnover was 8.4 percent and the average volunteer turnover rate was 27.1 percent; and

Whereas, Despite the many physical demands, nursing is not currently considered a physically taxing occupation; and

Whereas, If nursing was included in the Administrative Code of the City of New York as a physically taxing occupation, nurses would be eligible to retire with benefits at age 50 with 25 years of work experience; and

Whereas, Including nursing in the "physically taxing occupation" category would improve recruitment and retention of registered nurses by the City; and

Whereas, New York State Assembly Member Peter J. Abbate, Jr. has sponsored A.3873 and New York

State Senator Martin J. Golden has sponsored S.1865, legislation that would amend the Administrative Code of the City of New York and the retirement and social security law by including registered nurses and midwives in the category of "physically taxing occupation" in order to allow such individuals, who are employed by the New York City Health and Hospitals Corporation, to be eligible for certain pension and retirement benefits from the New York City Employees' Retirement System; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State of New York to pass A.3873/S.1865, legislation that would amend the Administrative Code of the City of New York and the retirement and social security law by expanding the term "physically taxing occupation" to include registered nurses and midwives employed by the City of New York or the New York City Health and Hospitals Corporation.

R.C.
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