

## FDNY Douses The First Amendment In NYC EMS

The NYC EMS Demonstration last week framed the topic of this flyer. First of all, let me thank all of those NYC EMS workers who stood up for the NYC EMS system that the Giuliani Administration is destroying. In addition to thanking the EMTs and Paramedics of EMS Local 2507, let me also thank the large number of EMS Supervisors who attended the event. I also greatly appreciate the efforts of the EMS rally organizers Merritt Grant and Aaron Cohen, the EMS stretcher-bearers, and the Labor Leaders and politicians who took time out to attend the rally. The NYC EMS workers who staffed the EMS ambulances and EMS Communications Trailer Park while their brothers and sisters attended the event also deserve our recognition and thanks as well. The turnout was so large that it sent a powerful message that the NYC EMS professionals do NOT want to see their NYC EMS system destroyed by FDNY and the City.

The membership should be aware of some of the behind the scenes threats that FDNY made in an attempt to stop our members from standing up for their First Amendment rights. FDNY threats of retaliation against our membership came in from all sorts of unofficial sources to try to stop the rally in the first place. Some of your own Local Leaders were the first to try to stop the rally on the grounds that FDNY had threatened massive reassignments of our administrative EMS members back to the field. Only when it became obvious that there was no FDNY threat that was going to stop this rally did these our Local Leaders reluctantly join with the rally organizers in actively setting up the demonstration.

These and other FDNY mandatory OT pressure tactics against our members kept going until the very minute the rally began. It is certainly fair to say that the many of us, your author included, were concerned that there could be a low turnout at the rally because of the allegedly demoralized NYC EMS workforce. Everyone felt that if a low EMS turnout was seen by FDNY and the City, that FDNY would feel it had a free hand to engage in more union busting against our members. Fortunately the EMS members answered the call and turned out in large numbers at the rally. This put the lie to our FDNY clones who had said that the only way to survive in our jobs was to appease the FDNY Administration.

### \$20 Million Dollars Of OT, Anyone?

While there was little newspaper coverage of the rally, the TV coverage of the demonstration was simply terrific. FDNY pushed EMS Chief McCracken out into traffic and had him accuse the EMS workforce of being malingerers and worse. [Not surprisingly, McCracken did fail to mention the fact that NYC EMS has always had a very high injury rate because of the physically taxing jobs we perform.] But McCracken did say some revealing things he did not mean to say nonetheless. In one interview, McCracken said that NYC EMS workers were working an *average* of 46 hours a week. If we do the math, that means that NYC EMS is booking approximately 15,000 hours of Overtime per week. *That's about 2,000 individual tours of duty per week.* No wonder the children of NYC EMS workers don't recognize their parents!! And FDNY says that they don't discriminate against our largely minority Local!!

To keep the math simple, let's say that each EMS OT hour costs FDNY \$27 per hour. [5 year EMT OT rate.] That means that FDNY is spending approximately \$400,000 per week in NYC EMS overtime. That's about \$1.6 million dollars per month or approximately \$20,000,000 a year in NYC EMS Overtime costs. Given even this conservative estimate, that's a huge amount of OT costs to the taxpayers. It would be cheaper for the taxpayers if FDNY paid NYC EMS a living wage for the stressful NYC EMS jobs we perform in the first place. HHC certainly ran NYC EMS better than the mess FDNY has made of it.

But that's not the way FDNY think-speak works. Instead of admitting how the medically incompetent Fire Administration has taken NYC EMS back into the 1950's personnel policies FDNY operates under, FDNY merely lies that NYC EMS is running better now than when NYC EMS was operated by HHC. It's simply unbelievable that FDNY gets away with these monstrous lies.

### Parity On The NYC EMS Unemployment Line:

We had no sooner left Metrotech than the Mayor was holding a news conference to say that the mess FDNY has made out of NYC EMS is the EMS workers fault. The NYC EMS workers just don't like the competition

from the voluntary hospitals he gleefully told the reporters. As I said in my last flyer, as part of the merger the City they had promised that NYC EMS would be the *municipal* ambulance service in this City. The FDNY lies just keep coming! And why not? FDNY has kept the corrupt Local 2507 Secretary-Treasurer busy with secret meetings that are designed to sell out our jobs, like the 250 jobs of our members sitting in the illegal NYC EMS Trailer Park. As long as FDNY can hold the parity BS story together and have their FDNY clones on the E-Board kill effective union action to stop the contracting out, the FDNY Administration is getting over like the NYC EMS union busting rats they are.

While the Local 2507 fire clones keep dreaming that FDNY is on the level, the City is writing new "voluntary hospital" contracts as fast as they can fill them out. These hospitals are literally making millions off these contracts. In June of this year I provided the NYC Council with a copy of a suppressed 1995 HHC Internal Audit of the EMS voluntary hospital units. This HHC Audit, which WNBC-TV also obtained, estimated that the 5 voluntary hospitals audited made \$25 million dollars of inpatient revenue off their then much smaller ambulance fleets. The audit found that the voluntaries were taking up to 88% of their patients back to their own hospitals. That's why there are virtually no NYC EMS ambulances east of Maspeth in Queens. When is our Local going to put a stop to our elimination through contracting out????? Would the UFA agree to give up their Fire Apparatus in Queens without a fight????

We must all work together if we are going to save our NYC EMS jobs from the Mayor who is using NYC EMS as a pawn to starve out the municipal hospital system in this City. Last week's demonstration was a good first step in the right direction. But look around you—the so called voluntary hospitals are destroying *our* NYC EMS jobs as we speak. Local 2507 and DC 37 haven't done anything meaningful about this so far.

Some months ago your author brought Mr. Philip Michael, Esq., before the interim Executive Board to deal with the contracting out issue. Mr. Michael is a former Budget Director of the City of New York and an expert in the contracting out field. Mr. Michael is also former First Deputy Police Commissioner of NYPD. [Mr. Meginniss, the Local 2507 outside counsel, has declared a conflict of interest in this area because he also does work for Local 1199, which represents some voluntary hospital EMS personnel. As a result, Mr. Meginniss will not be able to represent the Local in this contracting out area.] Mr. Michael agreed to work for the same rates Mr. Meginniss gets for representing EMS Local 2507 in the contracting out area.

Mr. Michael provided the Interim Board with a page full of administrative competitive bidding violations that HHC and FDNY had committed in secretly writing these voluntary hospital contracts. There is also a good chance that we could successfully sue over various competitive bid and other HHC/FDNY voluntary hospital contract violations to save our jobs in NYC EMS. Unfortunately, Mr. Michaels' presentation fell on deaf ears among your Local Leaders. Precious time is fast slipping away to save our jobs in NYC EMS.

Given the secret meetings with FDNY management scandal that has now been exposed in Local 2507, we now know why. It doesn't take much thinking to wonder if our corrupt EMS Local 2507 Secretary-Treasurer didn't check with his Fire Department handler, DC Fitzpatrick, before he went to work killing my efforts to stop the contracting out of our EMS jobs. Be careful of Secretary-Treasurers that scream this will cost the Local money when there is a real possibility that he cut a secret deal with FDNY to contract out your jobs. Saving jobs always costs money—if we have to spend this money to keep our EMS paychecks coming, I am sure that I and every other NYC EMS worker will do it. It's the only way to keep our jobs in place until after Dr. Rudy leaves the scene. There is no more time to be lost in this critical area.

Motion: Local 2507 is directed to hire Mr. Philip Michael as "Contracting Out" Counsel for EMS Local 2507 at the same rates as Mr. Meginniss receives. Mr. Michael will be authorized to take such administrative and/or legal steps that he deems advisable to stop the contracting out of EMS Local 2507 jobs before such forums as the Contract Procurement Board or the NYS Supreme Court. EMS Local 2507 is hereby directed to seek contribution towards Mr. Michael's fees in this important endeavor. Local 2507 is also directed to press DC 37 to undertake appropriate collective bargaining actions against the contracting out of NYC EMS jobs forthwith.