

In late July, Governor Cuomo stated that all state hospital employees would be required to be vaccinated. It was not followed up by any additional information. SUNY was in the dark as to what the order meant, as were administrators at the SUNY Hospitals. Our attempts to get clarification were unsuccessful as the Cuomo's political situation declined rapidly until he announced his resignation on August 10, 2021.

Governor Hochul has stated publicly that she supports the mandate for all hospital employees, but that she does not have the authority to order it – which is accurate. The DOH has the authority to issue a mandatory vaccination order in a public health emergency. They have declared the present circumstances to be such an emergency and on August 18th issued the order that all hospital employees be vaccinated.

The order states that all employees must document that they are either totally vaccinated or have received the first shot of the two-shot options by September 27th.

There was an amended order, issued by DOH on several days later which altered the original order. This second order specifically included the College of Optometry, Dental Clinics and Nursing Homes. These employees are mandated to be vaccinated (first shot completed) by October 7th. The order did not change the date required for all other hospital employees. The other major change is that the religious objection was eliminated.

UUP has been engaged in discussions with the leadership of SUNY and has attempted to have discussions with both the Cuomo and now Hochul Administrations. In the former case, Cuomo was gone before we could get anywhere in the discussions. Regarding Governor Hochul, we are aggressively reaching out to her staff (which is only partially completed), to our fellow unions impacted by this order (PEF and CSEA), and to our national affiliate – AFT to bring pressure to bear on the Governor to alter this order.

UUP's position regarding the vaccination order is as follows: Though we favor vaccinations and have encouraged our members to be vaccinated – successfully, with 80-90% vaccination rates for UUP members at the three SUNY hospitals' – we are insistent that the DOH order be suspended until negotiations can be completed between the State of New York and all unions. UUP opposes the threatened loss of employment targeting any individual choosing not to be vaccinated. We favor an aggressive, humane approach that will feature counseling on a one-on-one basis to encourage every hospital employee to be vaccinated.

However, the fact remains that DOH has the power under New York State law to issue such an order. We are insistent that regardless of such power, the Governor must intervene to ensure that all employees' due process rights are protected – and that the maximum number of individuals are vaccinated. Firing people who are not vaccinated doesn't solve the problem of having too low a rate of vaccinations.

We continue to use every tool at our disposal to convince the Governor. We also need all members to make clear to the administrations at the impacted facilities that the present terrible shortage of staff will only be exacerbated by the DOH order – if followed through upon. Management must raise its voice to the Governor! She must understand that there will be a dire situation at New York State healthcare facilities that will make for a human disaster.