

**Communications  
Workers of America**  
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OFFICE OF THE VICE PRESIDENT

March 20, 2020

The Honorable Andrew M. Cuomo  
Governor of the State of New York  
NYS Capitol  
Albany, NY 12224,

Dear Governor Cuomo,

Let us begin by thanking you for your extraordinary leadership during this unprecedented crisis. In these dangerous and uncertain times, we know that you are doing everything humanly possible to ensure that 19.5 million New Yorkers are protected to the greatest extent possible from the Covid-19 pandemic.

The Communications Workers of America represents over 13,000 health care workers in the State of New York. These members are on the front lines of the Covid-19 crisis. Every day, they heroically go into work, putting themselves and their families at risk, in order to fulfill their mission of providing the highest quality medical care to the victims of the current crisis, and countless others who must be in our hospitals at this time.

We deeply regret to inform you, however, that our members are verging on a state of panic about the current situation, because of a desperate shortage of sufficient personal protective equipment (PPE), because of the roll-back of infection control guidance by the CDC, which is being followed by the NYS DOH and local authorities, and because of chronic understaffing and financial precariousness in our facilities. Let us address each in turn.

- 1. New York State must do whatever is legally and practically possible to obtain, or mandate the production of, N95 respirators, protective gowns, face shields, goggles, and other Personal Protective Equipment.**

The unavailability of disposable respirators is perhaps the most pressing issue facing our members at this moment. We know that you are well aware of this shortage.

We urge you to use the state's authority to ensure that adequate supplies of respirators and other PPE are obtained and distributed to the hospitals.

Apparently, the federal government is failing the country in this regard. Already, front-line health care workers like our CWA members are being forced to work without adequate protection, are unnecessarily and recklessly being exposed to the virus, will fall ill and endanger themselves and their families, and as a consequence, will reduce the available workforce to provide treatment. Unless we take dramatic and immediate measures to rectify this situation the danger and spread of COVID-19 will grow worse each day. We urge you to take the following steps:

- Request PPE, including N-95 or more protective respirators, and ventilators from the National Stockpile controlled by HHS, Assistant Secretary for Preparedness and Response (ASPR). We are aware that some equipment is being or has been released on a pro rata basis to each state. There needs to be a coordinated and transparent process on the part of the NYS DOH to ensure a reliable and on-going assessment of need throughout the state, as well as a fair distribution process to ensure necessary supplies are getting to facilities most at risk.
- Obtain any and all surplus stocks of PPE, including N95 or more protective respirators that may be in the possession of construction, chemical or other companies, and redistribute them to front-line health care institutions. There should also be an emergency appeal made to local businesses, such as hardware stores that may stock this type of protective gear in smaller quantities, to obtain and redistribute the needed equipment for use by front line healthcare personnel.
- Order any manufacturing companies which have the capacity to produce PPE to switch their production to these life-saving products.
- Have the Department of Health directly investigate any and all suppliers, here and overseas, which may be able to provide disposable respirators. By coincidence, a consultant who works with CWA on wireless issues has contacts with Chinese manufacturers and we are currently working with two of our Western New York employers to determine if the hospitals can order directly from these suppliers. We must seize any opportunities like these.
- Publicly demand that President Trump do everything in his power to accelerate the production of PPE. HHS should investigate and quickly evaluate alternate sources and types of protective respirators manufactured and used outside of the United States for emergency use by healthcare in this country.

**2. We must not relax infection control standards because of a lack of adequate Personal Protective Equipment.**

Over the last few days, we have learned that facilities are implementing an alarming roll-back of infection control standards that are critical to protecting the health of front-line responders, including nurses, doctors, hospital support personnel, and emergency responders. This rollback is apparently being driven by the lack of Personal Protective Equipment and sanctioned by the CDC. It is unacceptable. These standards were developed so that front-line providers are adequately protected on the job, and a rollback simply means that health care providers will disproportionately fall ill, further limiting the capacity of an already strained health care system.

The way to deal with this problem is to redouble and retriplate our efforts to obtain the necessary PPE. The alternative is disaster.

**3. We must continue to drastically increase the testing capacity in NYS for COVID-19.**

Testing is critical. We know you know this. Until there is widespread testing available, testing should be prioritized for healthcare personnel, emergency responders transporting patients, and high risk individuals. If healthcare personnel have access to reliable testing following an exposure to presumed or confirmed COVID-19 patients or other persons, this will ensure that healthcare workers who may be positive and infectious, but not symptomatic, do not continue to work until they can be cleared. Knowing whether healthcare workers are infected at the earliest possible stage of infection will also enable healthcare workers who are not infected to stay on the job without the need for a two week precautionary quarantine.

**4. New York State hospitals are already struggling financially and suffer from chronic staffing shortages. The State budget must include no cuts to health care funding, the state must announce a full financial backstop for all hospitals and other critical facilities, and every effort must be made to supplement the current workforce to meet the increased demands of this crisis.**

On numerous previous occasions, CWA has communicated to you, to the staff of the Department of Health, and to the NYS Legislature, its deep and abiding concern about the chronic understaffing of New York's hospitals, nursing homes and other health care institutions. We have lobbied for legislation to implement minimum staffing standards and testified before the DoH Commission mandated

to investigate this issue nearly two years ago. Our concern arises from the daily accounts we hear from nurses and other health care personnel represented by CWA about their inability to care properly for patients as a result of excessive caseloads.

Now this long-standing staffing shortage is tragically coming home to roost. An already straining system may very well crack under the pressure of the Covid-19 epidemic. And potential state budget cuts threaten to make a bad problem worse.

We urge you to take the following steps to avoid exacerbating the looming crisis of hospital and nursing home care in our state:

- Legislate zero cuts to Medicaid and other public-health related services in the pending state budget. If necessary, modestly raise taxes on the wealthiest 1% of New Yorkers, whose average income is \$2.2 million a year, in order to generate additional revenue the state needs to avoid a disastrous collapse of our health care system.
- Implement a full financial backstop for all New York hospitals and other critical facilities and providers. Most of the state's hospitals operate on thin or negative margins under normal circumstances. The state must ensure that these institutions are guaranteed the funding they need to sustain full operations throughout the crisis. The state should provide adequate funding for procurement of supplies and services, meeting payroll, meeting ongoing debt obligations and all other operating expenses. The state should also backstop all planned and new capital commitments, especially any that go towards expanding current limited capacity of the hospitals.
- The state should use all resources at its disposal to recruit additional nurses from whatever available source. We urge you to reach out to insurance, medical technology and pharmaceutical companies, legal firms and schools that employ non-acute care nurses and ask them to release staff on a voluntary basis. Offer financial incentives and rigorous Covid testing to potential volunteers. Implement online refresher courses with apprenticeships to enable non-practicing nurses to return to the bedside. Provide intensive training to nurses who are in the latter stages of their nurse education.

In conclusion, we thank you for your extraordinary efforts to lead New Yorkers through this crisis. We know that everything you do is with the goal of minimizing the impact of this catastrophe on the people of New York State.

As representatives of thousands of front-line health care workers in the crisis, we wanted to share our views on what we believe must be done to enable us to overcome this disaster. We hope you will give due consideration to our proposals.

Together, we will get through this.

Sincerely,



Dennis G. Trainor  
Vice President,  
CWA District One



Debora M. Hayes  
Area Director for Health Care  
and Upstate NY CWA District One