January 2, 2012

Dear NYSNA Member:

As you know, the American Nurses Association (ANA) suspended the New York State Nurses Association (NYSNA) from constituent member status for a period of one year, effective December 15, 2011. The action followed a disciplinary hearing where several NYSNA members produced evidence that leaders of a competing union are in control of NYSNA’s operations. [view full decision (PDF)]

ANA’s bylaws stipulate that engaging in “dual unionism” is cause for disciplinary action against a constituent member.

Unfortunately, suspension of NYSNA as the state association member means individual members of NYSNA lose their ANA rights and benefits during the state association suspension period. We sincerely regret the impact this will have on you. However, it is imperative that ANA enforce its bylaws and protect the rights of all of our members, and disciplinary action was our only recourse in light of what is occurring within NYSNA. ANA compiled “Frequently Asked Questions” based on the questions we have received to date from NYSNA members, and I am including them here for you.

Q: Why are my individual rights suspended?

A: ANA has a federated model, meaning NYSNA is the organizational member of ANA. Therefore, disciplinary action is taken against the state association. Consequently, individual members of NYSNA also lose their ANA rights and benefits during the suspension period. This includes the right to hold national office, participate in ANA’s House of Delegates, and access member benefits such as periodicals, members’ content on ANA’s website, and discounts. You are not able to contribute to ANA*PAC nor eligible to receive the member discount for the American Nurses Credentialing Center (ANCC) initial certification and recertification. NYSNA is no longer an ANCC-accredited approver of continuing education.

Q: What is dual unionism and what happened at NYSNA to spur these charges?

A: Courts have defined “dual unionism” as assisting a rival union in taking over as the bargaining representative, or otherwise undermining the integrity of the labor organization by helping its rival. In October, the newly elected NYSNA board of directors brought in the current executive director of the Massachusetts Nurses Association (MNA) to run the association. The Massachusetts Nurses Association is an affiliate and founding member of National Nurses United (NNU). NNU and its leading affiliate (the California Nurses Association) have raided and
taken away bargaining units from an ANA state nurses association. NYSNA is affiliated with ANA.

Q: Does this mean I am no longer a member of ANA?

A: No. Because NYSNA was not expelled and remains affiliated pending the conclusion of the suspension, you are still a member. However, because of the way ANA is structured, the impact of the suspension of NYSNA from ANA means that your individual NYSNA member rights relative to ANA are suspended also. ANA will not expect you to pay ANA dues during the period that your individual member rights are affected.

Q: Does that mean I don’t have to pay union dues for one year?

A: The New York State Nurses Association remains your collective bargaining representative. NYSNA is a constituent member of the American Nurses Association. As a NYSNA member, you pay your membership dues directly to NYSNA, and a portion of those go toward covering your membership in ANA. However, during the suspension, ANA does not expect payment of dues from NYSNA. Contact NYSNA to find out how they plan to refund or credit you for the ANA portion of your dues. The ANA rate is $138 per member, per year. Contact NYSNA by calling NYSNA at (518) 782-9400, or by emailing membership@nysna.org

Q: How do I get a refund of the portion of my dues that would normally go to ANA?

A: NYSNA collects both the state and national level dues. Therefore, you need to contact NYSNA to find out how they plan to refund or credit you for the ANA portion of your dues.

Q: Can NYSNA do anything to end the suspension before the one-year period?

A: In the event dual unionism is effectively ended during the period of suspension, NYSNA may provide evidence of that fact and petition the ANA Board of Directors to have the suspension lifted.

Q: How can I maintain my relationship with ANA?

A: There are other membership options available to you. You may join as a “full ANA and state member,” the "gold standard" of membership. It includes membership in ANA and another state nurses association. You receive full benefits from both. You may join as an “ANA Only” member to receive full ANA member benefits but no benefits at the state level. Another option with limited rights is our E-Membership which provides access to our website only. Please join online (use your email address and password to access your existing account) or call the ANA membership department at (800) 923-7709, and we will guide you through the quick and easy process. (If you have never provided your e-mail address to ANA before, or need help logging in, please contact the ANA Membership Department for assistance.)
Q: How will NYSNA’s suspension affect my liability insurance? [Professional Liability Insurance from Marsh Consumer or other insurance offered to ANA members]

A: Any existing malpractice or other insurance benefit will not be affected until the renewal date, at which time you will need to join ANA through one of the other membership options if NYSNA is still in a suspended status.

Q: I support ANA’s action. What can I do?

A: ANA encourages you to tell the NYSNA board members that you have not abdicated your right to have a voice in the future of your association. Tell them to stop aiding a competing union in a takeover of your organization. Encourage your fellow NYSNA members to raise their voices in protest of the takeover of your organization.

Q. How can I contact NYSNA to make my views known?

A. CONTACT NYSNA:

   Call: (518) 782-9400
   Email: info@nysna.org
   Write: NYSNA Board of Directors
          11 Cornell Road
          Latham, NY 12110

ANA values your participation in the association and hopes that you will continue to be an active part of the ANA community. This is a dynamic situation, and we will keep you informed of new developments.

Respectfully,

Karen A. Daley, RN
President
American Nurses Association