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**THE COUNCIL**

**BRIEFING PAPER AND COMMITTEE REPORT**

**OF THE GOVERNMENTAL AFFAIRS DIVISION**

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**COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT**

**Joseph C. Borelli, Chairman**

January 28, 2020

**OVERSIGHT: EMS Attrition**

**Int. No. 1731:** By Council Members Miller, Cumbo, Adams, Chin, Rosenthal, Borelli, Rodriguez, Moya, Kallos, Koo, Ayala, Holden, Lander, Cabrera, Constantinides, Brannan and Powers

**Title:** A local law to amend the administrative code, in relation to requiring the fire department to report annually on emergency medical services personnel resignations

**Admin Code:** Adds section 15-140

**Res. No. 1062** By Council Members Miller, Cumbo, Adams, Chin, Rosenthal, Borelli, Rodriguez, Moya, Kallos, Koo, Ayala, Brannan, Holden, Ampry-Samuel, Lander, Cabrera and Constantinides

**Title:** A resolution calling for the salaries of New York City emergency medical service personnel to be comparable to New York City’s firefighters and police officers.

1. **INTRODUCTION**

 On January 28, 2020 the Committee on Fire and Emergency Management, Chaired by Joseph C. Borelli, will hold an oversight hearing on EMS attrition rates. In addition to the oversight topic, the Committee will hear Introduction Number 1731 (“Int. No. 1731”), a local law to amend the administrative code, in relation to requiring the Fire Department to report annually on emergency medical services personnel resignations; and Resolution Number 1062 (“Reso. 1062”), which calls for the salaries of New York City emergency medical service personnel to be comparable to New York City's firefighters and police officers. Those invited to testify include representatives of New York City’s Fire Department’s (“FDNY”) Bureau of Emergency Medical Services (“EMS”), numerous emergency service worker unions, community groups and other interested parties.

1. **BACKGROUND**

*New York City’s Fire Department and Emergency Medical Services*

The FDNY’s core responsibility and expertise has evolved from an exclusive emphasis on fighting traditional structural fires and providing pre-hospital care to an expanded role in handling all types of emergencies. These emergencies include hazardous materials incidents, building collapses, transportation accidents, utility-related emergencies, natural disasters, extensive medical responses and acts of terrorism, throughout the City.[[1]](#footnote-1) Currently, EMS is responsible for delivering ambulance and pre-hospital emergency medical services Citywide. According to the Department, since FDNY became responsible for EMS, the only ambulances routinely dispatched via the City’s Emergency 9-1-1 system (“9-1-1 system”) are municipal ambulances and voluntary hospital-based ambulances under contract with the City.[[2]](#footnote-2) Although community based volunteer ambulances respond to medical emergencies, they are not routinely dispatched via the 9-1-1 system.[[3]](#footnote-3) According to the most recent information published by FDNY, there are approximately 4,400 EMS personnel working for the Department. During Fiscal Year 2019, FDNY and EMS responded to more than 1.5 million medical emergencies including 567,757 life-threatening incidents.[[4]](#footnote-4)

*Advanced and Basic Life Support Ambulances*

The two main types of ambulances that operate in New York City are Advanced Life Support ambulances (“ALS”), which are staffed by two paramedics, and Basic Life Support ambulances (“BLS”), which are staffed by two emergency medical technicians (“EMTs”). Paramedics receive 1,500 hours of training whereas EMTs are only required to complete 120 to 150 hours.[[5]](#footnote-5) The higher level of training received by paramedics allows them to perform advanced medical procedures, including patient intubation and the administration of drugs.[[6]](#footnote-6) Medical emergency calls received by the 9-1-1 system are categorized according to the nature of the call, with the basic distinction being whether there is a need for an ALS (life threatening incident) or BLS (non-life threatening incident) response.[[7]](#footnote-7) ALS incidents include calls such as cardiac arrest, choking, difficulty breathing, unconsciousness and other serious life threatening medical emergencies. BLS incidents include a wide variety of non-life threatening conditions. According to the FDNY’s most recently published data, there were 745,696 ALS and 1,012,545 BLS incidents for calendar year 2018,[[8]](#footnote-8) and the total number of ambulance runs in calendar year 2018 was 1,862,159.[[9]](#footnote-9) As a result of their profession, EMS workers have historically faced health and safety risks associated with delivering pre-hospital care. These risks include emotional stress and trauma, threatened and actual assaults by patients, and relatively low financial compensation. As a result, there have been steadily high rates of EMS attrition.

1. **EMS ATTRITION**

Despite responding to more that 80 percent of the City’s emergency call volume, EMS receives approximately 16 percent of FDNY’s total budget.[[10]](#footnote-10) As a result of budget constraints, EMS operations may be impacted by deficits in ambulance and station operations, and low salaries that may hinder recruitment and retention efforts.

*Pay Inequality*

Disparity in pay and benefits have prompted hundreds of EMS personnel to become firefighters in recent years.[[11]](#footnote-11) EMS personnel receive preferential treatment in hiring through the FDNY’s promotional exam for firefighters; and since 2013, 1,533 have gone on to become firefighters.[[12]](#footnote-12) As a result there are fewer and less-experienced emergency medical personnel: currently 60 percent of EMS staff has less than three years of experience.[[13]](#footnote-13) Additionally, as a result of low financial compensation, a significant number of EMS personnel choose to work long periods of overtime[[14]](#footnote-14) or take a second job, in order to earn a living wage.[[15]](#footnote-15) Overworked EMS personnel doing a highly stressful job, likely results in burnout and high rates of turnover.

*Assaults on EMS Personnel*

 Over the past several years there has been an increase in assaults on EMS personnel including the tragic incident that killed 14-year veteran EMT worker and mother of five, Yadira Arroyo in March of 2017.[[16]](#footnote-16) In 2015, in an effort to curb assaults on EMS workers, New York State passed legislation to provide stronger protection for EMTs, paramedics and EMS officers who, while performing their assigned duties, are attacked with intent of bodily harm. Pursuant to this law, individuals that cause physical injury to certain types of public servants, including EMS paramedics or EMTs, face potential elevated criminal penalties for such conduct.[[17]](#footnote-17) Individuals charged with causing physical injury to an EMS paramedic or EMT can face a prison sentence of up to seven years.  In 2018, the FDNY took steps to include decal warnings on all EMS ambulances indicating this enhanced penalty in hopes of deterring assaults against EMS workers.[[18]](#footnote-18)Further, recognizing the duties of EMS workers may cause mental health instability for the responders, themselves, FDNY added components to their training and operational protocols that include a mental performance initiative training that focusing on an EMS member’s individual mental wellbeing. However, despite these efforts made by the State and FDNY, numbers of assaults remain high and have been cited as contributing factors to increased attrition.

1. **ISSUES AND CONCERNS**

 The Committee seeks to examine numerous areas of concern regarding EMS attrition, including, but not limited to: (i) training provided by the FDNY to EMS recruits; (ii) the duration and cost of such training; (iii) working conditions within EMS; (iv) FDNY identified causes for EMS attrition; (v) overtime usage of EMS workers; (vi) pay disparity; and (vii) assaults on EMS workers. The Committee also aims to further explore means to improve EMS personnel retention and evaluate the impact high rates of attrition have on the delivery of emergency medical services. In addition, the Committee seeks to understand the Department’s position regarding the proposed legislation.

1. **ANALYSIS OF INT. NO. 1731**

 Int. No. 1731 would require the Fire Department to submit annual reports to Council, and post such reports online, related to EMS attrition. Such report would include information on each instance an EMS personnel resigns from the Department with specific details on such individual’s job title, salary, length of employment, date of resignation and future employment (where known).

1. **ANALYSIS OF RESOLUTION NO. 1062**

 Reso. 1062 calls for salaries of New York City emergency medical service personnel to be comparable to New York City’s firefighters and police officers. The Reso would explain that during the City’s 2018 Fiscal Year, there were approximately 4,400 EMS personnel on staff charged with responding to more than 1.5 million medical emergencies, which included nearly 569,000 life-threatening incidents. Further, the Reso would note that approximately 30% of EMS’ staff are women and more than 50% are minorities, and that according to the FDNY, EMTs receive a starting salary of $35,254, which increases to only $50,604 after five years. The Reso would note that EMS Paramedics receive a starting salary of $48,237, which increases to only $65,226 after five years. And, that starting salaries of the City’s police officers and firefighters are nearly $8,000 more than that of EMS; while after five years of service, FDNY firefighters make approximately $110,000 including fringe benefits. Reso. 1062 highlights that it is long overdue for the City to ensure that EMTs, Paramedics and EMS Officers are compensated fairly, and offered substantial wage increases so that they are paid similar to other first responders. By remedying this long-standing pay disparity, the City would help provide equality among EMS and other emergency medical personnel as well as boost moral for EMS personnel.

Int. No. 1731

By Council Members Miller, Cumbo, Adams, Chin, Rosenthal, Borelli, Rodriguez, Moya, Kallos, Koo, Ayala, Holden and Lander

..Title

A Local Law to amend the administrative code, in relation to requiring the fire department to report annually on emergency medical services personnel resignations

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the administrative code of the city of New York is amended by adding a new section 15-140 to read as follows:

§ 15-140 Report on emergency medical services personnel resignations. a. Definitions. For purposes of this section, the term “bureau” means the bureau of emergency medical services within the department.

b. Report required. 1. No later than March 1, 2020, and annually thereafter, the commissioner shall, in consultation with the commissioner of citywide administrative services, submit to the speaker of the council and post permanently on the department’s website a report on the individuals who resign from the bureau in the prior two calendar years.

2. The report shall include information on each unique occurrence of an individual resigning from employment in the bureau, including, where reasonably ascertainable:

(a) The job title of the individual;

(b) The final salary of the individual;

(c) The length of employment of the individual;

(d) The date of the individual’s resignation; and

(e) Within a year of resignation, whether the individual is employed by a city agency, state agency, Nassau county agency, or Suffolk county agency.

3. Any information required by paragraph 2 of this subdivision that is not ascertainable shall be indicated as such on the report.

4. In addition to the information required by paragraph 2 of this subdivision, the report shall include the number of bureau employees who took a departmental promotional exam during the prior two calendar years, and if so, which exam.

§ 2. This local law takes effect immediately.

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| Res. No. 1062 Resolution calling for the salaries of New York City emergency medical service personnel to be comparable to New York City’s firefighters and police officers. By Council Members Miller, Cumbo, Adams, Chin, Rosenthal, Borelli, Rodriguez, Moya, Kallos, Koo, Ayala, Brannan, Holden, Ampry-Samuel, Lander, Cabrera and Constantinides Whereas, The brave men and women who serve the Fire Department of New York’s (“FDNY”) Bureau of Emergency Medical Services (“EMS”) respond to life threatening injuries and medical emergencies, helping to  ensure the well-being of the residents of New York City, as well as those who work in and visit the City; andWhereas, EMS is one of the most diverse groups of first responders in the City’s workforce, comprised of approximately 30% women and more than 50% minorities; andWhereas, During Fiscal Year 2018, there were approximately 4,400 EMS personnel on staff which were charged with responding to more than 1.5 million medical emergencies including nearly 569,000 life-threatening incidents; andWhereas, EMS runs account for more than 80% of the FDNY’s annual emergency calls; andWhereas, These emergency medical service personnel respond to every major life threatening emergency that occurs in the City; andWhereas, These emergencies include hazardous materials incidents, building collapses, transportation accidents, utility-related emergencies, natural disasters, extensive medical responses and acts of terrorism, throughout the City; andWhereas, According to the FDNY, EMS Emergency Medical Technicians (“EMT”) receive a starting salary of $35,254, which increases to only $50,604 after 5 years; andWhereas, Additionally, EMS Paramedics receive a starting salary $48,237, which increases to only $65,226 after five years; andWhereas, Starting salaries of the City’s police officers and firefighters are nearly $8,000 more than that of EMS; andWhereas, After five years of service, FDNY firefighters make approximately $110,000 including fringe benefits; andWhereas, It is long overdue for the City to ensure that EMTs, Paramedics and EMS Officers are compensated fairly and offered substantial wage increases to ensure they are paid similar to other first responders; andWhereas, Remedying this long-standing pay disparity would help provide equality among EMS and other emergency medical personnel in the New York City as well as boost moral for our City’s Best; now, therefore, be itResolved, That the Council of the City of New York calls for the salaries of New York City emergency medical service personnel to be comparable to New York City’s firefighters and police officers. WJH9/11/19LS 11553  |

1. FDNY Strategic Plan found at http://www.nyc.gov/html/fdny/pdf/pr/2004/strategic\_plan/responsibilities.pdf. [↑](#footnote-ref-1)
2. Letter from Caroline Kretz, Associate Commissioner Intergovernmental Affairs, N.Y. City Fire Dep’t, to Elizabeth S. Crowley, Chair, Comm. on Fire & Criminal Just. Servs., N.Y. City Council, Feb. 11, 2010. [↑](#footnote-ref-2)
3. New York City Council Fire and Criminal Justice Services oversight hearing transcript- The FDNY and its Utilization of Neighborhood Volunteer Ambulances, Feb. 23, 2010. [↑](#footnote-ref-3)
4. 2019 Mayor’s Management Report at <https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2018/fdny.pdf> [↑](#footnote-ref-4)
5. Bernard O’Brien, *Two Paramedics on an Ambulance—Only in New York*, IBO Web Blog, Jul. 27, 2009, http://ibo.nyc.ny.us/cgi-park/?p=77. [↑](#footnote-ref-5)
6. Bernard O’Brien, *Two Paramedics on an Ambulance—Only in New York*, IBO Web Blog, Jul. 27, 2009, http://ibo.nyc.ny.us/cgi-park/?p=77. [↑](#footnote-ref-6)
7. FDNY Citywide Performance Indicators -<https://www1.nyc.gov/assets/fdny/downloads/pdf/about/citywide-stat-2018-annual-report.pdf> [↑](#footnote-ref-7)
8. FDNY Citywide Performance Indicators - <https://www1.nyc.gov/assets/fdny/downloads/pdf/about/citywide-stat-2018-annual-report.pdf> [↑](#footnote-ref-8)
9. FDNY Citywide Performance Indicators - <https://www1.nyc.gov/assets/fdny/downloads/pdf/about/citywide-stat-2018-annual-report.pdf> [↑](#footnote-ref-9)
10. FY20 Adopted Budget; testimony by Local 2507 at City Council Hearing. February 26, 2019. [↑](#footnote-ref-10)
11. Editorial Board, Emergency Medical Workers Deserve Pay Equity, September 21, 2019 New York Times. [↑](#footnote-ref-11)
12. Editorial Board, Emergency Medical Workers Deserve Pay Equity, September 21, 2019 New York Times. [↑](#footnote-ref-12)
13. Testimony by Local 2507 at City Council Hearing. February 26, 2019. [↑](#footnote-ref-13)
14. EMS accounted for 1.2 million hours of overtime in 2018, an increase from 893,000 hours in 2008, despite the addition of 1,000 EMS personnel during that time period. [↑](#footnote-ref-14)
15. Editorial Board, Emergency Medical Workers Deserve Pay Equity, September 21, 2019 New York Times. [↑](#footnote-ref-15)
16. Celona, Larry, Marino, Joe, Moore, Tina. EMT Run over, killed by man driving stolen ambulance. NY Daily News at <https://nypost.com/2017/03/16/1-medic-dead-another-injured-after-man-steals-ambulance-and-slams-into-them/> [↑](#footnote-ref-16)
17. NY Penal Law §120.05(3)   [↑](#footnote-ref-17)
18. Keep your hands off EMTs or face seven-year hitch, new decal warns, New York Daily News, June 14, 2018; available at: <http://www.nydailynews.com/new-york/ny-metro-fdny-decal-ambulance-emt-assault-20180614-story.html> [↑](#footnote-ref-18)