CIR-City Contract Talks
Are Nearing Agreement; HHC Covers Malpractice
Although some points are still under discussion, CIR negotiations with the Health and Hospitals Corporation for a new contract covering City-paid housestaff have produced movement on several major issues. Improvements have been discussed for disciplinary procedures and notification of work schedules, including on-call duty. The negotiations anticipate continuation of cost-of-living allowance payments, retroactive to October 1, 1976. Also to be spelled out in the contract is a clause to prohibit discrimination based on place of medical education.

PNHA Holds Conference on New FMG Law; Visa Examination Set for September '77
The Physicians National Housestaff Association has been working to clarify and soften PL94-484, the new health manpower law that sharply and suddenly curtailed FMG entrance to the U.S. At a conference on February 8 in Washington, D.C., the PNHA provided information on the law to hospital representatives, diplomats from countries with substantial numbers of FMGs, and government officials.

Provisions of the law remove physicians from the preferred skills list for immigration (thus eliminating third or sixth preference status for FMGs), require J-visa status for any FMG involved with patient care, tighten certification rules for J-visas, limit an exchange visa to two years, and institute a new examination to qualify for a visa.

NYS LABOR RELATIONS BOARD JURISDICTION REESTABLISHED BY FEDERAL DISTRICT COURT
Following a Federal District Court ruling that the National Labor Relations Act does not eliminate state regulation of housestaff labor relations, the New York State Labor Relations Board has reasserted its jurisdiction over housestaff at New York voluntary hospitals. The SLRB has notified six hospitals against which CIR filed unfair labor practice actions for failure to bargain last summer that the Board will resume processing those grievances if there is no appeal of the ruling.

RUN, RUN, RUN!
Annual elections for delegates, alternates, and various hospital committee members will be held April 15-30. See page 3 for a nomination blank — you can nominate yourself or someone else. To be eligible, you must be on the 1977-78 housestaff of a member institution.

PNHA, Dr. Dan Asimus, PNHA President, addresses Washington conference on new medical manpower law.
Question: What lives in a basement, has 20,000 arms and legs, and is spreading across the country?

Wrong Answer: A plague of giant caterpillars?

Right Answer: The Physicians National Housestaff Association (PNHA)

From its basement headquarters in Washington, D.C., the PNHA is serving as the moving force for housestaff across the country to assert their legitimate needs and those of their patients. Organizing drives are underway in Philadelphia, Chicago, Detroit, Denver, San Francisco, Southern California, and New England to establish new PNHA locals. The increasing membership (in the 10,000 vicinity) is most important because it represents additional hospitals where housestaff will be able to speak up effectively for better working conditions, training, and patient care. As more housestaff join PNHA's effort to overturn the NLRB "student" ruling, the chances improve for all interns and residents to be protected by a collectively bargained contract.

PNHA is also leading the effort to pass the bill to change the labor law so it specifically covers housestaff as employees; it is providing the only voice for housestaff in reacting to and changing abuses such as the anti-FMG provisions of the health manpower act. No one else is doing housestaff any favors. The hospital and medical school organizations are actively playing both ends against the middle on housestaff issues while the AMA is seeking to bring back the Stone Age. PNHA is showing nationally, as CIR did in New York, that housestaff organizations can operate effectively and responsibly. CIR members have played a key role through their work and their dues. The PNHA national convention in Cincinnati on April 22-24 will bring members active in local organizations together to focus on such issues as postgraduate education, housestaff "student" status, the future of public hospitals, and national health insurance. CIR is setting up its delegation now. Call the CIR office for information if you are going to be active in the organization next year and would like to go to the convention.

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**DIRECTOR'S REPORT**

**Elections, Dues, HR 2222**

by EDWARD T. GLUCKMANN

Mark down these dates — April 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, and 29. These are dates for CIR's annual elections of new delegates and alternates. Nominations can be made by mail (see page 3), or by calling CIR at (212) 697-7600. Self-nomination is encouraged.

Delegates represent their housestaffs in the CIR House of Delegates. The House of Delegates, which meets the third Tuesday of each month, is the official policy-making body of the CIR. Delegates elect CIR's officers, who serve on the Executive Committee. The officers are the President, three Vice Presidents, the Secretary-Treasurer, and two Officers-at-Large. Delegates handle grievances, attend conferences of the Physicians National Housestaff Association (our national affiliate), and assist the CIR Contract Administrators David Stolow and Carol Davis and Counsel Murray Gordon. But most important, delegates are the link between the CIR and its members in handling the multitude of problems facing housestaff.

Until the status of housestaff rights to organize and bargain collectively through the agent of their choice has been finally resolved, housestaff at hospitals formerly under the protection of a CIR contract are asked to pay quarterly dues ($25) directly to CIR at 686 Third Avenue, New York, N.Y., 10017. Your support helps CIR continue the court and legislative battles to regain housestaff status as employees. The efforts of hospitals to bankrupt CIR have failed — by signing a CIR dues card or sending their dues directly to us, over 350 housestaff have recently joined more than 2700 other CIR dues-paying members. Paid-up members are entitled to all CIR services and benefits.

You can help by writing to Congressional leaders as outlined in last month's Bulletin. If passed, HR 222 will amend the NLRA to include housestaff as professional employees.

Close to 600 housestaff from Kings County, Bellevue, Wyckoff Heights, and Harlem have already signed letters and given them to CIR for forwarding to the appropriate Senators and Representatives in Congress. CIR staff and delegates will be distributing letters at your hospital for your signature. Listed below are the names and addresses of legislators who should hear from you in case you prefer to write directly.

**Senators:**
- Jacob K. Javits (NY)
- Edward M. Kennedy (Mass)
- Daniel P. Moynihan (NY)
- Harrison Williams (NJ)
- Allan Cranston (Cal)
- Edward I. Koch (NY)
- Jonathan Bingham (NY)
- Mario Biaggi (NY)
- Herman Badillo (NY)
- United States Senate
- Washington, D. C. 20510

**Representatives:**
- Frank Thompson (NJ)
- Allan Cranston (Cal)
- United States House of Representatives
- Washington, D. C. 20515

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**PRESIDENT'S MESSAGE**

by JAY DOBKIN, M.D.

CIR Riddle

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GRIEVANCES UPDATE

- Miserable Match
- Attempted Floaticide
- Fiscal Fudging Around
- The Unkindest Cut

by DAVID STOLOW and CAROL DAVIS

LINCOLN-MISERICORDIA MISERIES

Transition from Albert Einstein to Misericordia as the affiliate at Lincoln Hospital has been far from smooth, creating many problems for the housestaff involved. Misericordia, a leader in the fight to deny voluntary-paid housestaff collective bargaining rights, is doing its best through its administrators and chiefs to undermine contract rights of City-paid housestaff at Lincoln. Misericordia has even tried to deny contract renewal to housestaff renewed prior to November 15 by AECOM. An entire department was given the impression that their continued presence in the program was dependent on their not being CIR members. Moreover, CIR has learned that it is Misericordia policy to replace HHC housestaff with affiliate-paid housestaff through attrition, gradually eliminating CIR from Lincoln. After vigorous protest to the Corporation, CIR was advised that HHC has instituted a policy that housestaff working in City hospitals should be paid by the City, not by an affiliate, and is taking a firm stand on this at Lincoln.

NIGHT FLOAT RESUSCITATED

Contract renewals haven't been the only problem at the "new" New Lincoln. After four years of a successful night float system, Lincoln medical residents were informed last December that the system would be terminated immediately. The Misericordia Chairman of Medicine refused to continue the AECOM practice of providing an additional resident to act as the night float. After vigorous protest to the Corporation, CIR was advised that the termination of the float was a unilateral change in the work schedules of HHC-paid housestaff. When the Chief Medical Resident at Lincoln received the new work schedule three weeks later, the night float had been reinstalled.

CONTRACTS WITHHELD

Housestaff officers in internal medicine sub-specialty training programs at Metropolitan and Flower have been advised that due to budget problems their contracts for the coming year have not yet been issued and that in fact they may not be renewed at all. As the CIR contract has both a November 15 notification date of non-renewal and an employee security clause preventing the discharge of an incumbent housestaff officer for budgetary reasons, this is a clear contract violation by the institution. Grievances have been filed on behalf of the housestaff officers involved.

LUTHERAN CUTS SURGEONS

While the Flower/Met housestaff have a union contract to fall back on, the housestaff at Lutheran do not. Nor do they have access to a grievance procedure to resolve contract renewal disputes in an expeditious and comparatively inexpensive manner. CIR has learned that second-year surgery residents were given signed contracts by Lutheran for the 1977-78 training year late last fall. Now Lutheran has advised some of these surgeons that, due to a fiscal crisis, their contracts will not be honored. The residents are faced with the choice of fighting a long uphill battle, in which they may personally incur substantial legal costs, or looking for third-year residencies elsewhere. The EVFMGs among them are also faced with possible loss of their visas after June 30.

Why Not the Best? (Nominate Yourself!)

NOMINATION FORM FOR 1977 CIR ELECTIONS

Next year's CIR delegates, officers, and committee members face a difficult but important job: having survived the attacks of the hospitals, the AAMC, and the National Labor Relations Board, CIR must restore and expand bargaining representation at local hospitals, as well as continue its involvement in the national housestaff organizational movement. CIR protects individual housestaff officers and provides benefits and services for all members. CIR has improved patient care conditions and enforced training program standards. Without active, committed leadership, however, this struggle cannot go on. You can make a difference — run for delegate or committee membership! ELECTIONS WILL BE HELD AT HOSPITALS THAT LOST CONTRACTS OR WERE DENIED RECOGNITION AS WELL AS AT THOSE INSTITUTIONS NOW UNDER CONTRACT.

COMBINED NOMINATION BLANK

I nominate __________________________ for the position(s) of

Delegate*  House Staff Affairs Committee
Medical Board  Standards & Grievances Committee

representative of the house staff at __________________________ during 1977-78.

(HOSPITAL)

(YOUR SIGNATURE)

I accept the above nomination(s).

(NOMINEE'S SIGNATURE)  (DATE)

PLEASE COMPLETE AND MAIL TO CIR, 666 THIRD AVE.,
NEW YORK, N.Y. 10017 ON OR BEFORE APRIL 8th.

* Delegates must be CIR members.
DUES DRIVE

CIR needs the support of all members no longer covered by dues checkoff at hospitals that refused to renew contracts. Send quarterly dues ($26) direct to CIR, 666 Third Ave., N.Y., N.Y. 10017, to help regain recognition.

SLRB Jurisdiction

(continued from page 1)
to that very policy." CIR Counsel Murray A. Gordon and Mark Kreitman argued that the NLRB could only claim that national labor policy prohibited both federal and state coverage of housestaff labor relations if they could also demonstrate that Congress intended that intern and resident employment conditions be determined solely by the economic forces of the open market. Judge Stewart saw no such Congressional desire, finding in fact that "The occurrence, last fall, of recognitional strikes by the CIR in response to the hospitals' refusal to bargain... is exactly the evil sought to be removed" by the law.

FMG Conference

(continued from page 1)
PNHA Vice President for FMGs Dr. Russell Samson, keynote speaker at the conference, pointed out that the most detrimental of the new requirements is the two-year time limit. "With most American residencies set up on a four-year plan," Samson asked, "how is an exchange visitor going to profit from a two-year program?" The limit will inevitably push exchange visitors into providing more service while receiving less training, according to Samson, a CIR member from Bronx Municipal.

New Exam Set. The new Visa Qualifying Examination, which replaces the ECFMG, will be given on September 7 and 8 in 16-20 as yet unnamed countries. Applications must be submitted to the ECFMG by June 15. If an applicant has not passed the old ECFMG exam since January 1976, he or she will also have to take an English exam on May 25; applications for that exam should be at the ECFMG by March 30.

FMG Handbook. PNHA is preparing a new FMG handbook with information and advice on problems facing FMGs, including the new law; until it is published, questions can be answered by CIR (666 Third Avenue, New York, N.Y., 10017) or PNHA (1825 L Street, N.W., Washington, D.C., 20036).

City Contract Talks

(continued from page 1)
recent court decision had declared that HHC, as an independent corporation, was not covered by the City's "self insurance" provisions. When CIR protested that the ruling might leave housestaff without malpractice coverage, HHC undertook to guarantee indemnification.

HSBP MEMO:

HAVE YOU SENT IN YOUR ENROLLMENT CARD?

Each housestaff officer on the City payroll is covered for $125,000 of life insurance. In order for your rights to be fully protected, you must have an enrollment card on file in the Fund Office. This card is essential in order to record the name(s) of whomever you want as beneficiary — to receive the insurance in case of your death.

If you have not yet filled out an enrollment card — call Gloria Palmer, HSBP Administrator, at (212) 697-7600.