



ATTENTION RNs AND LPNs!

YOU ARE COVERED BY LABOR LAW SECTION 167: PROHIBITION AGAINST MANDATORY OVERTIME FOR NURSES

KNOW YOUR RIGHTS:

Your employer cannot require you to work beyond your regularly scheduled hours unless it is due to:

- A health care disaster that increases the need for health care personnel;
- A federal, state, or county declaration of emergency;
- An unforeseen emergency and it is necessary to provide safe patient care that could not be prudently planned for by the employer and does not regularly occur; or
- An ongoing medical or surgical procedure in which the nurse is actively engaged and whose continued presence is needed to ensure the health and safety of the patient

YOUR EMPLOYER IS REQUIRED TO:

- Have an adequate Nurse Coverage Plan and utilize it to find coverage and avoid using mandatory overtime
- Make a good faith effort to have overtime covered
- Report instances of mandated overtime to the New York State Department of Labor (NYSDOL)
- Post or provide a copy of the Nurse Coverage Plan
- Display this poster in a clearly visible location accessible to employees

If you believe that your employer required you to work overtime in violation of the law, you can file a **Mandatory Overtime Complaint**. You may file a complaint online at dol.ny.gov/mandatory-overtime-nurses or you may call **888 4-NYSDOL** or **518-457-9000** to obtain a hard copy. Hard copies can be sent by mail or faxed to the address shown at the top of the form.

A COMPLAINT MAY BE FILED BY:

- One nurse
- A group of nurses
- The recognized collective bargaining representative of the nurses at the facility

Your employer **cannot** retaliate against you for filing a complaint or speaking to NYSDOL.

For more information, visit dol.ny.gov/mandatory-overtime-nurses

WE ARE YOUR DOL

