From: FDNY Local 2507

Media Contact: Butler Associates 212-685-4600
Thomas Butler 646-213-1802 / tbutler@butlerpr.com
Christian Agredo 646-213-0286 / cagredo@butlerpr.com

FOR IMMEDIATE RELEASE:

FDNY EMS Members & Union Gain BIG Win in Pandemic-Linked Federal Free Speech Lawsuit Settlement

EMT's, Paramedics & Union Agree to Settlement Federal Lawsuit – City Agrees to Pay Damages

The FDNY EMS Local 2507 and four of its members: Elizabeth Bonilla, Alexander Nunez, Megan Pfeiffer and John Rugen, together with their union, have reached a settlement in their federal free speech lawsuit -vs- The City of New York.

The City of New York, with the FDNY has consented to pay each of the plaintiffs $29,999.00 and the City shall expunge from all FDNY files any claim or assertion that these members - at the height of the pandemic - committed violations in communicating with the news media in March and April 2020, to explain the health and safety crisis.

Oren Barzilay, President of FDNY EMS Local 2507 said, "Our union always believed that the City and FDNY's case was built upon nothing more than prosecutorial overzealousness. For them to take such rapid, punitive attacks on these four dedicated medical professions is reflective of a complete lack of understanding and respect for the difficult dangerous work our members do as New York City's Street Doctors, as EMT's and Paramedics are often seen as."

Strong First Amendment Case:

The original case was brought in the Spring 2020, at the behest of Local 2507 President Oren Barzilay, before the U.S. District Court for the Southern District of New York, after the FDNY's Bureau of Investigations and Trials (BITS) brought charges against these medical first responders, for simply sharing their story with the news media.

In interviews during the initial weeks of the pandemic, they spoke of their experience being on the medical front lines of the rapidly spreading Covid-19 outbreak. It was a time when emergency rooms were severely backlogged, the call volume for EMS nearly doubled, and hospitals lacked medicine and equipment to properly overcome the virus.

The union brought suit, after the workers were suspended or placed on restricted status, and not allowed to receive overtime or work for any other emergency medical services in the city's 911 system in retaliation. As New York City's medical first responders, there is no other group with a front row seat to explain what was taking place.

Three paramedics — Elizabeth Bonilla, Alexander Nunez, Megan Pfeiffer were restricted from treating any patients at all. The city agency gave no reason at all why they were put under restrictions.

EMT John Rugen, who was also a union officer, was put on restricted status and suspended without pay for 30 days, as BITS claimed he violated FDNY social media policy and patient privacy, without the agency ever offering any evidence.

Barzilay said: "It was clear from the beginning of this case that any implication that our EMT's and paramedics did not respect their patients' privacy was absolutely manufactured hogwash. The women and men of the FDNY EMS service are today, and during the pandemic, heroes that set aside their own health and welfare to serve their fellow New Yorkers. With this settlement, justice is finally served, albeit a bit cold after nearly three years."

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