



STEFAN I. MYCHAJLIW  
ERIE COUNTY COMPTROLLER

June 25, 2020

Denise Szymura  
President - CSEA Local 815  
305 Cayuga Road  
Buffalo, NY 14225

Dear Ms. Szymura,

It has been brought to my attention that there are many concerns surrounding Erie County's announcement to bring staff, many represented by your union, back into the Rath Building and other county locations on Monday, June 29. At this time both federal and state health departments warn that COVID-19 is still a serious and deadly threat. Many restrictions remain in place because this virus is still causing illness, hospitalizations and deaths.

As a matter of fact, data from the New York State Department of Health reported an increase of COVID-19 hospitalizations in our area just this week. Erie County Health Commissioner Dr. Gale R. Burstein and Erie County Executive Mark C. Poloncarz also released data on June 24<sup>th</sup>, 2020 showing increases of Coronavirus cases amongst the young.

"We're really worried about this trend."

Source: Dr. Gale Burstein, [www.buffalonews.com](http://www.buffalonews.com),

"County Sees Spike in COVID-19 Cases Among the Young Amid Reopening," June 24, 2020

Since the Administration is worried about increased COVID-19 cases, the hard-working employees you represent are justified to express concerns about potential exposure to this disease when coming back to work. The Rath Building is often crowded with employees and the taxpayers we serve, with thousands of employees and visitors coming in and out of the doors each work day.

Because of this, the issues raised by employees are many, including lack of available space to properly socially distance; concerns over ability to stay on top of sanitizing with so many individuals using the same facilities; and lack of formal plans for those who interact with the public and clients. I have included numerous examples (*personal identifying information redacted*) of the employees you represent that are concerned about their health, the health of their family, and the lack of guidance from the county as to how they will properly handle this ongoing pandemic.

We are only a few short days away from the Administration's incomplete reopening plan. Questions are piling up. Answers are lacking. It does not appear that the county is properly prepared to reopen fully. In fact, the County Executive emphasized that the vast majority of our population is still at risk for coronavirus, noting we are seeing increased trends around the country due to not social distancing. If those words are true, and I'm sure they are, bringing the employees you represent back into county workspaces could put their health and lives at risk.

Everything considered, I firmly believe that the county must adopt a permanent remote workplace model that allows employees who have the ability to work from home to do so. We are seeing the City of Buffalo, IRS, local private companies, and even large national businesses, including Twitter, announce they are shifting to remote workplace models. This helps protect employees' health and safety, while still doing the people's work. I see no reason why those employees who can productively work from home must congregate in the Rath Building and other county buildings.

Thank you for your attention to this matter. I'm happy to work collaboratively with your union and the Administration to maintain the status quo of having our employees that can, work remotely. Their lives and the lives of their loved ones depend on it. The last thing we need is to bring back employees to the workforce too soon, when we don't even need to in the first place, needlessly infecting them and the people around them with a deadly disease.

Sincerely,



STEFAN I. MYCHAJLIW  
Erie County Comptroller

CC: Rich Canazzi, President, AFSCME Local 1095  
Brian Dickman, President, Teamsters Local 264  
Gary Wilson, Esq., Commissioner, Erie County Department of Labor Relations  
Dr. Gale Burstein, Commissioner, Erie County Health Department  
Marie Cannon, Commissioner, Erie County Department of Social Services  
Timothy Hogues, Commissioner, Erie County Personnel Department  
William Geary, Commissioner, Erie County Department of Public Works  
Howard Zucker, M.D., Commissioner, New York State Department of Health

Enclosure

## **EXAMPLE LETTER 1**

**From:** [REDACTED] <[REDACTED]@gmail.com>

**Sent:** Monday, June 22, 2020

**To:** Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>

**Subject:** Open Letter wrt reopening the Rath building

### **AN OPEN LETTER TO ERIE COUNTY EXECUTIVE MARK POLONCARZ**

#### **Why work-from-home should continue in the face on an ongoing global pandemic**

The appeal to tradition is tempting. It's easier to say "we've always done it this way" than to adapt to a changing world. In these unprecedented times, that appeal to tradition has the potential to be fatally flawed.

Erie County policy forbids remote work - an antiquated clause that was written without the faintest whisper of a global pandemic. It was only when Governor Cuomo enacted New York State on PAUSE that the thousands of nervous Erie County employees were permitted to go to the safety of their homes to serve the county remotely.

And while we have flattened the curve, that does not mean the world has returned to normal.

The leaders of the County seem to be appealing to tradition by forcing Erie County employees to return to a crowded and at-full-capacity office. Again, the old fallacy of "we've always done it this way" has been the stated reasoning.

Nevermind that little has changed. Thankfully hospitalizations have continued to decline locally, however, there is no vaccine, and COVID-19 is still circulating in our communities and large gathering places like the 16-floor Rath building.

Furthermore, the County should be prepared for the inevitable spike in cases, which has already been seen in states across the country that reopened earlier than NYS, and should share that preparedness plan with staff.

Countless employees have expressed their fear, anxiety, and complete lack of understanding on the logic of returning to a crowded workplace, which will inevitably reduce the efficacy of social distancing. The oft-cited explanation is "policy doesn't allow for work from home." Case closed. No further discussion. In the midst of a global pandemic, this is not an acceptable form of communication.

As highlighted in a recent Buffalo News [article](#), other large local employers including Rich Products, M&T Bank, and Geico are permitting employees to continue their remote work, as are countless other national employers. As a Rich Products spokesman stated in the article, "we just don't see any reason to rush our folks back into the office. Taking any undue risk at this point is simply not prudent."

It is important to note that Erie County employees have been efficiently (and successfully) working from home since March 17th. The projects, processes, and services that residents have come to expect have not stopped or suffered. Many of us have actually become more productive without the distractions of a busy office. There simply is not any apparent benefit, to the County or its residents, to having non-essential employees return to a crowded office building when their work productivity would not improve.

While the County has publicly and rightly touted the importance of social distancing and avoiding large gatherings whenever possible, its messaging should match its practices with its own employees and workplace.

In his inaugural address, Mr. Poloncarz stated that "a government is concerned with the welfare of those it represents, all of its citizens, not just taxpayers." This fact was reiterated last month, when Mr. Poloncarz again stated that he represents, above all, the people of Erie County. I would then ask, County Executive, that you

remember the employees of Erie County are also the people of Erie County. We are your constituents and taxpayers and we are proud of your invaluable leadership during this crisis.

Mr. Poloncarz has made it a point to address mental health issues during the pandemic, informing us recently that anxiety is normal and directing residents to ask for help when needed. At your advice, we are asking for help. We are asking that you remember our interests and allow us to continue to remain safe at home and work remotely.

To the Erie County administration and CSEA Local 815, we ask that you work together to amend policy and immediately allow remote work.

“We’ve always done it that way” is invalid in the face of the COVID-19 pandemic.

Concerned Erie County Employees

## **EXAMPLE LETTER 2**

**From:** [REDACTED] <[REDACTED]@gmail.com>  
**Sent:** Tuesday, June 23, 2020  
**To:** Mychajliw, Stefan  
**Subject:** Re: Open Letter wrt reopening the Rath building

Stefan,

Thank you for your response. The biggest thing you could do to help would be to again raise your voice in support of County employees regarding these issues. We feel that we are not being heard by the County Executive, the Legislature or the union and the question and concerns listed below have either been ignored or not adequately addressed.

- Can the County Executive give us an answer on why he is abruptly forcing employees to physically return to a crowded office? The only answer we have gotten is that remote work is not in the contract so it's not allowed anymore. Just because it's not in the contract doesn't mean it makes sense. We have proven our ability to successfully complete our work from home like many other office workers. Please call on the County Executive and Legislature to be reasonable and work in good faith with employees to at least give us the option of working from home. This administration has simply ignored these requests so far.

- Have any Rath Building employees tested positive for COVID-19? What is the administration's plan for when a positive case occurs and will employees be informed? What happens if an employee or someone in their house tests positive, will they be forced to use sick time to quarantine? Why not let them work from home if they can? We have gotten inadequate responses to these questions and we are concerned about the lack of communication regarding this, which goes against the County Executive's public messaging during the pandemic. The administration should be as transparent as possible. They need to have answers to these questions **before** people are forced back to the building.

- Is the County adequately prepared to maintain a safe workplace once the building is full of employees and members of the public? What has actually changed since March when the Rath Building had an inadequate cleaning staff and a bedbug problem that has somehow still not been fixed. Many employees share tight workspaces. Why are these people being forced to sit together when the administration is telling the public to socially distance whenever they can?

If you could please use your voice to raise the above concerns of many county employees we would be very grateful. We are contacting you anonymously because we have already faced backlash for raising these questions

and worry about further retribution. We're frustrated and we think the taxpayers of Erie County should know about the questions we are raising, the lack of response we have gotten and the potential danger that employees and members of the public would unnecessarily be exposed to at the Rath Building.

We are civil servants, not political appointees. We have served Erie County residents under multiple administrations, and want to keep providing these services in the most effective way we can. But forcing us to return to a fully occupied building without even an option to work from home will not accomplish this.

Thank you for standing up for County employees.

### **EXAMPLE LETTER 3**

**From:** [REDACTED], [REDACTED]

**Sent:** Tuesday, June 23, 2020

**To:** Mychajliw, Stefan

**Subject:** 6/29/20

Hi there.

I just wanted to reach out to you on behalf of myself, my [REDACTED], and coworkers including supervision about returning into the building on June 29<sup>th</sup>.

I am sure I am not the first to bring forth concerns but I just wanted to give you a little bit of my background that also leads me to have concerns about the safety and well-being of actually everyone that will be coming back.

I am a primary caregiver of [REDACTED] [REDACTED] [REDACTED] that has health issues. I have been more than vigilant with keeping [REDACTED] safe as well as myself during this pandemic. I went out of work [REDACTED] [REDACTED] [REDACTED] [REDACTED] has stage four lung cancer and I was [REDACTED] primary caregiver. I could not risk bringing anything into their household. I burned through all my time off as it was a priority to be with them when they needed me most.

I submitted all and any medical documentation that would back me up in my decision to stay at home with my parents. [REDACTED] [REDACTED] needed 24 hour care and I was lucky enough to provide it [REDACTED]. [REDACTED] passed away a week ago, I spend my time with my [REDACTED] [REDACTED]. I was shocked at the email last week about going back into the building.

I immediately contacted the department of people with disabilities as I was in the same boat and I can get medical documentation that being in the building with people that may have been exposed to covid 19 or carries puts me and my family in a very dangerous position. I was told there are no exemptions this time around.

This time around? This wave is not over, people are still getting sick and carrying covid 19.

My point is everyone has a story, a family to protect and Erie county does not seem to take any of that into consideration. I know the world has to start turning again, but working from home is working. My department is in compliance, the work is getting done and most importantly my family is safe. I have numerous friends and coworkers that have stories and I believe respectively they need to be heard. We are individuals and we are scared and no one feels as if the Rath building is ready to have everyone return at full staff.

I appreciate you taking the time to read my story. I would love to reach out to anyone that may also be interested in hearing it? In hopes that something can be done because I know as well as the majority of those returning we don't feel safe.

Thank you for your time 😊

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### **EXAMPLE LETTER 4**

From: [REDACTED]  
Sent: Wednesday, June 24, 2020  
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>  
Subject: 6/24/20

Hello,  
I felt I needed to reach out to you about my concern for returning to the Rath building on June 29<sup>th</sup>. I also know of many other coworkers that have the same concerns.

While working from home I was diagnosed with a [REDACTED] [REDACTED] [REDACTED] [REDACTED]. I am under a doctor's care and I have FMLA in place, however I have concerns for my health being in the building at full staff. I know I am unable to receive an exception at this time that would enable me to continue to work from home.

I work in a cubicle that is not six feet from the coworkers on either side of me and have not been informed on how I will be protected.

We are under a waiver for the face to face interviews at this time and there has been no talk about our safety once that waiver is lifted. I myself, and several coworkers will be uncomfortable with having a client less than six feet from them in their cubicle.

I appreciate you taking the time to read my letter and I am asking for reconsideration on bringing everyone back into the building all at one time.

Thank you  
[REDACTED]

**EXAMPLE LETTER 5**

**From:** [REDACTED], [REDACTED]  
**Sent:** Thursday, June 18, 2020  
**To:** Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>  
**Subject:** Return to work

Good morning Mr. Mychajliw,  
My name is [REDACTED] and I am a [REDACTED] in the [REDACTED] Department. I have work for [REDACTED] for [REDACTED] years now. The reason I am contacting you is my concern about returning to the Rath Building.  
My two sisters and I have been taking care of [REDACTED] for months due to him [REDACTED] passed away on [REDACTED] leaving behind our [REDACTED] this year. [REDACTED] and I have taken every precaution to stay safe from Covid 19 to insure we brought nothing into [REDACTED] home. I am deeply afraid that once I enter the Rath Building I can no long feel confident that would still be true. One of my other [REDACTED] works for [REDACTED] also so [REDACTED] is in the same situation I am in.  
We are a very close family and we are truly heartbroken that we have lost the Rock of our family. [REDACTED] for four years and has amazed so many in the Medical field for his will to live. Everyone that met [REDACTED] instantly fell in love [REDACTED], as they were always together.  
Now is not the time that we can leave [REDACTED]. Any guidance would be greatly appreciated.

Thank you,  
[REDACTED]

**EXAMPLE LETTER 6**

**From:** [REDACTED], [REDACTED]  
**Sent:** Monday, June 1, 2020  
**To:** Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>  
**Subject:** Remote Work

Good Afternoon,

My name is [REDACTED]. I am a [REDACTED] in the [REDACTED]. I have been with the County since [REDACTED], the entire time in [REDACTED]. I am a valued and hardworking employee [REDACTED]. I have received an [REDACTED] and also an [REDACTED] from one of the previous Commissioners. I never could have imagined all the changes that have taken place during my employment with the County, especially the most recent change which is working remotely. I have been working from home since April [REDACTED], 2020. I am a [REDACTED] and a [REDACTED] (who is currently living and working in [REDACTED]). I am so grateful to be able to have had the ability to work remotely, to be able to keep myself and my [REDACTED] safe during the Covid 19 Pandemic, to continue to earn a full paycheck and to continue to take care of our [REDACTED] clients. My department heads ([REDACTED] and [REDACTED]) have made the transition of working in the office to working remotely practically seamless. My immediate Supervisor [REDACTED] has been an incredible support throughout the day answering questions, making sure time is approved and reviewing my cases. I have not abused this privilege. I work my full 6.5 hours a day, taking my two 15 minute breaks and my hour

lunch. I have been just as productive if not more working remotely. My daysheets and my Supervisor will attest to that.

I am so thankful that you are trying to bring awareness to possibly allow this remote work to continue. My [REDACTED] Summer Camp is not operating this year and I have no other option for childcare for her. I received notification from her school district in [REDACTED] that they aren't even sure what the plan is as far as resuming school in the Fall. I am scared. I am worried that the work from home accommodation at some point will not be able to continue and I will be faced with having to exhaust all my time to be able to stay home with her. Once my time runs out I am worried that I will not have a paycheck. I wanted to email you to put a human "face" to this pandemic. These problems are real. My anxiety and fear over my employment are real. I am certain I am not the only one in this position. I wanted you to hear my story so you would know how beneficial it has been for me to work remotely. I honestly don't know what I would have done had I not been able to be home. I understand that not all jobs within the county are not able to be performed remotely but mine can be. I hope hearing a little piece of my story will encourage you to continue to speak up for county employees in regards to working remotely.

Thank you so much,  
[REDACTED]

--  
[REDACTED]

#### EXAMPLE LETTER 7

**From:** [REDACTED], [REDACTED]  
**Sent:** Monday, June 08, 2020  
**To:** Mychajliw, Stefan  
**Subject:** REMOTE WORK

Good Morning Sir,

My name is [REDACTED]. I am a [REDACTED] in the [REDACTED]. I have been with the County since [REDACTED], the entire time in [REDACTED]. I have seen quite a few changes in that have taken place during my employment with the County.

Up until now the change that had the biggest impact on the [REDACTED] was the [REDACTED]. The most recent change, due to the Covid 19 Emergency, is working remotely. I have been working from home since April [REDACTED], 2020 and am grateful to be able to have had the ability to work remotely, to be able to keep myself and my family safe during the Covid 19 Pandemic, to continue to earn a full paycheck and to continue to take care of our [REDACTED]. Working at home, I still put in a full 6.5 hours a day, and my entire job function can be performed remotely.

[REDACTED] has had the easiest transition from working in the office to working remote. Other departments such as [REDACTED] have asked for our departments assistance when setting up their remote work. [REDACTED] and [REDACTED] have worked extremely hard to make sure their department



runs smoothly and that clients are still taken care of. As we do not see clients there is no need for us to return to the office.

As a person with health issues, I am worried that the work from home accommodation at some point will not be able to continue. Every now and then due to my health issues, I unfortunately have to “call” in and take time off. I have not had to use any sick time since I have been working from home. I have found that even when I have a bad night, working from home allows me to still put in a full day of work and I do not have to take a sick day. I am quite sure I am not the only one in this situation.

I wanted to relay my experience with work from home so you would know how beneficial it has been for me, and the County, to work remotely. I understand that not all jobs within the county are not able to be performed remotely but mine can be. I hope by hearing of my experience with remote work, it will further encourage you to continue to speak up for county employees in regards to working remotely.

Thank you for your time and consideration,

██████████ ██████████

**EXAMPLE LETTER 8**

**From:** ██████████, ██████████  
**Sent:** Wednesday, June 24, 2020  
**To:** Comptroller <Comptroller@erie.gov>  
**Subject:** FW: Concerns regarding returning to the Rath Building  
**Importance:** High

I have several concerns regarding returning all staff to the Rath building on 6/29.

The Rath building has a history of not properly or professionally cleaned. During this crisis, cleanliness is more important than ever. The notice received on Friday afternoon states maintenance staff will concentrate on common areas but offices should be disinfected by the office staff. A professional cleaning crew should be brought in on a regular basis to protect our staff. I would imagine these steps are taken in higher floors of the building.

There are reports that the proper procedures of wearing of masks, social distancing and taking of staffs' temperatures are not being followed. Staff temperatures are not being taken when entering the building. Social distancing will be very difficult in an office of our size with the large number of staff in our office. Employees have complained about the issues of wearing a mask for 8 hours a day. Masks cause discomfort, breathing issues, fogging of eye glasses, soreness of straps around one's ears.

Other issues include staff that cannot acquire child care during the crisis. Availability of day cares and summer camps have been greatly reduced or are very costly. Relatives cannot be relied on as they are reluctant to be near children of some working in the building especially older relatives.

A number of our staff including myself, rely on public transportation. Commuting with large groups of people heightens the possibility of becoming infected and then bringing the virus into the building, our office or homes.

There have been staff members that have tested positive for the virus in our office. Common sense would be to not bring in more staff where the virus was present.

The solution to these issues is to continue and increase the number of staff working remotely. This is the safest and most effective measure. Staff working remotely in the ██████████ ██████████ ██████████ have been incredibly productive. The backlog of paperwork has been eliminated. Customer service call levels have never

been greater. Staff production while working remotely is recorded and can easily be tracked with technology. We have treated our staff like responsible adults and they responded as such.

Wellness of our staff and their families should be of the highest priority. A SF-TIC principle is taking care of your mental well being along with your physical well-being. Working remotely helps promote this. The constant threat of the virus creates anxiety and stress.

Working remotely produces many benefits:

- Reduction of wear and tear on buildings, roads, equipment, utilities, etc., which creates cost-savings
- Creates a paperless environment.
- Most importantly, keeps our staff safe

The Covid crisis is not over and it is reported there will be a second wave soon. The County should do everything in its power to keep staff and clients safe. Bringing staff back to the building while we have proven the department can continue to provide services at a high level with remote staff, does not make sense.

It is disheartening to feel that upper management is not making every effort for the well-being of their staff. Our staff should be commended for the work they have successfully completed under these trying times. I'm very proud of our [REDACTED] [REDACTED] [REDACTED] for their accomplishments and dedication during the crisis. Being brought back into an unhealthy building is irresponsible and a slap-in-the-face to our staff.

Putting our staff and their families in harm's way while there are procedures in place to continue to function remotely and provide services at a high rate is unconscionable.

Our office contained staff that tested positive for Covid. If our office is 100% staffed, more people will catch the virus, become sick or worse.

Thanks for your time regarding this matter,  
[REDACTED] [REDACTED]

## **EXAMPLE LETTER 9**

**From:** [REDACTED], [REDACTED]  
**Sent:** Wednesday, June 24, 2020  
**To:** Comptroller <Comptroller@erie.gov>  
**Subject:** Concerns related to the return to onsite order for June 29

Greetings Comptroller Mychajliw,

First of all, thank you for your service, and thank you for taking the time to hear workers' concerns regarding the County Executive's order to return onsite June 29th, and cancellation of the work at home program during the continuing COVID-19 global pandemic.

In the simplest of terms, the above forces me to choose between my life and my livelihood, which is really no choice at all. Let me explain.

I am a [REDACTED] [REDACTED] [REDACTED] [REDACTED] in the [REDACTED] [REDACTED] [REDACTED]. I have been working for the Department of Social Services since [REDACTED], and [REDACTED] since [REDACTED]. This is not my first professional experience serving the people of Erie County, however. My first job was at the [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

██████████. After graduating from ██████████ University, I returned to Erie County as a ██████████ for ██████████. When I left EC to pursue a career as a ██████████, my dream, I took my commitment to customer service as well as serving our most vulnerable into ██████████. Unfortunately, health problems ended my ██████████ career. I was delighted to have the opportunity to return to Erie County service in ██████████! All this background is \*just\* to give you some insight as to the kind of worker (the human resources) you will find in ██████████. I have many years of professionalism and quality education under my belt, and I bring those to my job every day.

I also have been a client. I know what it's like to be in a precarious financial situation. I know what it's like to be afraid. I know what it's like to need to be heard. And Comptroller Mychajliw, I bring that empathy and concern to my work with clients, whether talking to them on the phone as I have been since the work at home program initiated in April, or in processing their cases, as I have been doing faithfully as well. I believe I am just the kind of worker ██████████ and Erie County would want to keep. But unfortunately, and confusingly, and maddeningly, my employer is asking me to choose between my own life and my livelihood. by ordering the end of work at home and return to full staffing onsite. Sadly, for me, this is no choice at all.

Erie County is often known for leading best practices. I have found this to be true in many positions and trainings throughout the years. Yet here, now, when every expert and every report states unequivocally that social distancing and reduction of staffing is the best and safest way to slow the spread of this deadly virus, the administration is shockingly ordering us back to full staff in a space where, to be frank, we are unable to keep 6 feet from each other, and where cleanliness has never really been a priority. We have to share restrooms, hallways. We will have to eat at our desks while removing our masks. Share printers. The list goes on. For someone like myself who has several at-risk factors for dying from COVID-19, as does my ██████████ whom I care for (and who herself served Erie County for ██████████ years), it is just too terrifying to report onsite. I will have to exhaust my time, and tragically leave county service. And likely go back on public aid.

But beyond that, the work at home program has been a success for ██████████ ██████████! and Erie County has an opportunity to lead the way once again in terms of best practices in customer service delivery and worker advocacy by keeping the program. Not only does it ensure my own and others' health, well-being, and safety, it keeps onsite staff safer by reducing numbers onsite, and it keeps clients who do need to visit the building that much safer as well.

Notice I do not say "return to work." That is purposeful. Comptroller Mychajliw, I have been working. I have been working very hard every day since the program began. I have used my own resources without objection or hesitation in order to make this work (phone, computer, wifi, office supplies, etc.). I have held myself accountable as have my supervisors. I use the Jabber chat to track my time, I submit daysheets that are checked against my work handed in daily, and DISS records all of my remote computer work. I am accountable. To signal to the public that "we can't keep track of workers" or "we don't know what workers are doing" is disingenuous and false. Since working at home I have learned and adapted to a whole new workflow and I have excelled. My error rate is down and my productivity is actually increasing. This translates to better service to our clients (ironically, in ██████████ ██████████, the elderly and disabled, or the most at-risk population) and it saves money in the long run as I am sure you can attest.

Comptroller Mychajliw, I respectfully ask you to advocate for workers' health, safety, and well-being by advocating for the work at home program to continue. I pray that I will not have to choose to leave a job that I love and am good at. Please do not hesitate to contact me at 716-██████████-██████████ to discuss this any further. I permit you to use my name should you need to. Once again, thank you for your continued service, and for your time and attention.

Respectfully,

██████████ ██████████

**EXAMPLE LETTER 10**

**From:** [REDACTED], [REDACTED]  
**Sent:** Wednesday, June 24, 2020  
**To:** Mychajliw, Stefan  
**Subject:** Returning to the Rath building after Covid19

Hello Mr. Mychajliw, my name is [REDACTED] [REDACTED]. I work for [REDACTED] [REDACTED] on the [REDACTED] floor in the Rath building in the [REDACTED] department. It was suggested that I could voice my concerns to you via email, regarding the return of all workers to the building on 6/29/20.

I know many of us have concerns regarding the return to the building full staff. Concerns such as social distancing, elevators, restrooms, equipment and childcare issues. My biggest concern is with child care and no accommodations for working from home. We started out as just county workers and overnight we became essential workers and continued to work in the building with clients until finally it was closed to clients coming up to other floors than the first floor. We immediately began working from home to issue the benefits at a rapid pace due to the pandemic.

Well now the pandemic is winding down and we are no longer essential I suppose and must return to the normal. However there is no normal at this time. My personal issue is that I have [REDACTED] [REDACTED] children at home and they do not have programs or school to return to. I have one son [REDACTED] that needs [REDACTED] services and the school is providing them via zoom and virtual classroom. Unfortunately, [REDACTED] isn't able to do this on [REDACTED] own. I cannot obtain childcare for him as they would not accept [REDACTED] into a typical daycare at [REDACTED] age and would not provide a one on one aide to get [REDACTED] into [REDACTED] virtual classrooms all day long, not to mention the cost of childcare. I have been working from home since March and have been able to help [REDACTED], however, I would not be able to do that from the Rath building.

When I reached out to ask about accommodations I was told absolutely not and if need be take a leave of absence. So from essential to take a leave and not a worry that I could not afford such a leave from work. We have been productive working from home for all of these months, which I would think is cost effective for the county and the workers as well. Even if I had a typical child, the care centers are only working at 50% currently and finding one is difficult.

In closing I am asking for some type of joint effort between the employees and the county executives to figure out how we can resolve these concerns. Any assistance you can give me would be very much appreciated. Thank you for your time and consideration.

[REDACTED] [REDACTED]

**EXAMPLE LETTER 10**

**From:** [REDACTED], [REDACTED]  
**Sent:** Wednesday, June 24, 2020  
**To:** Mychajliw, Stefan  
**Subject:** Remote Work

Dear Mr. Mychajliw,

Thank you for taking the time to read the emails from the workers of Erie County. Taking the time to want to represent them for a just cause. Also, for just caring about the workers of Erie County government.

I have been an employee for Erie County for over [REDACTED] years. I have worked for [REDACTED], Erie County [REDACTED], but most of my years have been spent at Erie County [REDACTED]. I have also been involved with CSEA for over [REDACTED] years in various roles. In the past three months, I have never been more disappointed in either one.

I'll start with the county first, I feel my work is my second home, I spend more time at work, then I do my own home, especially if I work overtime. In one week I can put in anywhere from 37.5 hours to 55.00 hours. I don't want to be told that thermometers are not in the budget, I priced them, they are only \$29.00 for a good no-contact thermometer. You can have one at each entrance. As for who will be taking the temperatures of employees and clients, ask the National Guard to assist, they are assisting Nursing homes. I don't want to hear that plexiglass dividers aren't in the budget. They are roughly \$59.00 a piece for Sneez Guard 16 X 16 divider, we are being told as long as there are six squares between a desk, that is sufficient. What happens, when someone sneezes and it sprays, not everyone is wearing a mask, employees are getting notes from doctors so they don't have to wear masks. Why can't we ask clients to wear masks upon entering the building? It is for our own protection and theirs.

No one is monitoring the elevators for capacity purposes. At the beginning and endings of shifts, employees are just going to pile on, they aren't going to care that there should only be four people. There are going to be conflicts between people, telling people to get off, and people aren't going too. Same with the bathrooms, the bathrooms weren't clean prior to COVID19, they aren't clean now. Mark Polancarz insists that the Rath building is clean, he insists that only the remote workers are making complaints, this is not true. The onsite workers have been complaining all along.

Remote workers have been working at home since mid-March, productivity has increased in most departments, if not all. Mr. Polancarz insists there is no way to track how we work or what we are doing during the day. I object to his allegations. Our supervisors, check our day-sheets against what we submit to them in their supervisor folders. We are on the "jabber" system all day, they can get a hold of us through that at any point. We are supposed to sign off for breaks and lunch only. If they wanted to, they could have the help desk pull up our key strokes for the day. We also have staff meetings on Microsoft Teams. If you aren't producing, they will bring you back onsite. As a union rep, I have seen this happen.

I also feel virtual work is the way of the future. Many companies are doing it, I also am a [REDACTED] [REDACTED]. We were not allowed to go on base at all through the months of April, May and June. Our drills were virtual. We signed in through Zoom with our supervisor, sign out at the end of the day and work on a virtual desk top through out the day, just like the counties. July is even a virtual UTA if you don't feel comfortable coming in. They want the least foot traffic on the base.

I have spoken to friends and family who work at different companies, for example Lawley is not bringing their personnel back 100% not at least until September. They are only going in twice a week. Merchants Insurance company, they aren't going back until after September 4<sup>th</sup>, they are all working virtually. The IRS, City of Buffalo is working virtually.

The benefits of remote working are saving on parking, there a reduction of traffic on the road, fewer office politics, less electricity used, save on office products, workers save on child care, workers use less sick, PL and vacation time. Just to name a few!

There are many workers now that don't know what to do about child care because summer camps are closed and day cares are at full capacity, because they are regulated only to take a certain percentage and honestly do you feel comfortable sending your children somewhere you don't know?

Now for the union, [REDACTED] I get asked all these questions and more from my co-workers and workers I don't even know. I ask my [REDACTED] above me what are we doing for our members.....crickets! I ask how the safety

and health meeting went, I hear the committee can't answer our questions, we still need follow up. We can't get access to the cleaning logs. Why not? Aren't there inspections? Shouldn't there have been cleaning logs all along? [REDACTED] I don't have faith in the union, because I feel like we can't protect the workers, because I can't give them any answers....only one.....that we have to enter that building on Monday, June 29<sup>th</sup> at 100% capacity with clients to follow. If I don't feel safe, I'm sure a lot more people feel the same way.

Thank you for your time and effort in this matter.

Sincerely,

[REDACTED]

### **WHISTLEBLOWER TIP 1**

From: Erie County Comptroller's Office <sysadmin@www2.erie.gov>  
Sent: Thursday, June 18, 2020  
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>  
Subject: Waste, Abuse, Employee or Vendor Misconduct REPORTING FORM

Submitted on Thursday, June 18, 2020 - 18:53 Submitted by anonymous user: [REDACTED] Submitted values are:

#### Observation/Information:

The County has stated a return to work date of 6/29/2020 per the email from Marie Cannon found at WGRZ's website.

The County has not issued formal policies or procedures for their re-opening plan. The Governor stated that each business needs to affirm they have a plan and make it available upon request.

#### Date Of Occurrence:

Identifying Information (License tag, vehicle description, etc.):

Names of Employees/Vendors Involved:

Mark Poloncarz

Gale Burstein

Timothy Hagues

Other Witnesses:

Your Name (OPTIONAL):

Telephone/Email where we may contact you for additional information (OPTIONAL):

### **WHISTLEBLOWER TIP 2**

June 19, 2020

Voice message: The Rath Building is back to normal business for employees on June 29th but appears cleaning is not taking place at least in Social Services.

### **WHISTLEBLOWER TIP 3**

June 24, 2020

Voice message: Department of Social Services has benefited greatly from working from home. Production is up while overtime costs are down. DSS's Medicaid division could save significantly on lease space if remote workplaces are made permanent. Employees and their families are safer, and absenteeism is way down.