



STEFAN I. MYCHAJLIW  
ERIE COUNTY COMPTROLLER

July 9, 2020

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

Dear Ms. Szymura,

I am reaching out to you yet again as employees that your union represents in the Department of Social Services have reported to me that they have been unfairly treated, and in some cases disciplined, for raising their concerns surrounding the Rath Building conditions during the COVID-19 pandemic. They are not only expressing concerns about returning to county buildings when they do not have to, but are perplexed at the punishment they perceive to be receiving over the issue of working remotely.

I cannot stress enough the health and safety benefits to the union employees you represent by allowing them to continue the hard work they do on behalf of taxpayers from remote locations. The County Executive himself is conducting Capital Projects Committee meetings remotely out of fear of bringing people together in close, confined spaces. If this is a genuine fear of the administration, it should also apply to union workers being forced back into county buildings, even though they are completing work assignments remotely.

A number of union employees sent me emails expressing concerns for the health and safety of themselves and their loved ones following the first correspondence I sent you pertaining to this very serious issue.

All personal identifying information has been redacted to protect the employees. It is unacceptable some workers feel they have been punished for sharing their valid concerns. In "**Email 1**," you will see that employees state they are being unfairly disciplined and forced to use personal time despite having already worked hours. Due to a miscommunication from supervisors, many of the workers you represent who were safely working remotely were notified they were being forced to use personal time for that work day, despite having already logged many hours of work from a remote location.

The work on behalf of the County of Erie and the taxpayers we serve is getting done very well remotely. Numerous supervisors and the employees who work under them have gone on record stating that they are more productive working remotely many reasons. We also know they

are safer too. The Office of Erie County Comptroller has heard for months from the County Executive and Governor that they recommend social distancing for health and safety reasons.

However, the County Executive and Commissioner of DSS have not only ordered employees back to the building to work in close quarters, they have not followed through with their promise to have cleaning stations and proper sanitizing, according to numerous emails sent to our office.

Shortly after I wrote to you on June 25<sup>th</sup>, 2020, I was deeply concerned to learn that employees had been reprimanded, and told they could not contact my office, which operates the Whistleblower Hotline, or the media. Their health is at stake, as well as the health and safety of their loved ones. We have received a response from AFSCME Local 1095 Union President Richard Canazzi concerning this important issue, but have not yet heard back from you or your office.

The treatment of the employees you represent is a concern to me, while it may not be to some that collect their hard-earned money via union dues. I cannot be any more direct: many CSEA workers want you to fight for them the same way I am to continue working remotely, not being pushed around by the administration and folding to them like a house of cards.

Not only is their health and safety at risk, but the fear bestowed on them for raising concerns about those risks should never be allowed.

Sincerely,



Hon. Stefan I. Mychajliw Jr.  
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  
Marie Cannon, Commissioner, Erie County Department of Social Services  
Timothy Hogue, Commissioner, Erie County Personnel Department  
William Geary, Commissioner, Erie County Department of Public Works

## Email 1

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

Sent: Tuesday, July 7, 2020

To: Mychajliw, Stefan

Subject:

**[Caution: this email is not from an Erie County employee: attachments or links may not be safe.]**

Good afternoon Mr. Mychajliw,

I had previously emailed you with concerns about returning to work at the Rath building. Originally we were told that we had to pick one of the days assigned to us for onsite work. Apparently this was not made clear in the most recent email and several of us did not report to the building for work today and are working virtually from home. Supervisors have contacted us saying that we were to be there today and because we didn't show up this morning, we would need to use our own time off even though we were working remotely all morning. This is absurd and it wasn't made clear, we are working from home and now being told to use our time while working. To top it off it has come to our attention that supervisors are only required to come into the building two days per week while we are required to come in three days. Is their health and safety more important than ours? I'm not sure how this is fair. Also they have not given us any resolutions to our child care needs.

I appreciate you standing up for us and hopefully we can reach some type of resolution to make this safe and manageable for everyone.

Again, Thank you!

[REDACTED]

## Email 2

From: [REDACTED], [REDACTED]

Sent: Wednesday, July 8, 2020 To: Mychajliw, Stefan

Subject:

Stephan (sic):

I work in the [REDACTED] Dept. I'm aware that you are working on the behalf of the Erie County Employees advocating a work from home situation. A few points I would like to highlight. First there is nothing I do in the office I can't do at home. I am finding I get more work done at home due to less

interruptions. I used my own high speed internet, my own PC and my own cell phone. I like others am not asking for compensation, I am advocating for a permanent partial work from home scenario. There are so many reasons why working from home is beneficial to everyone including our Democratic friends who are pushing the green new deal. What could be greener than lessening the daily drive to work and decreased office space which is no longer necessary. Not to mention the savings in parking, fuel and repairs and maintenance. Due to the times and the days of Covid 19, the days of full offices of workers and clients is and has always been a petri dish waiting for disaster. This is the workplace of yesterday's thinking. We must move forward change with the times and do what's in the best interest of all people. I could go on but, I know you know. If There's anything I can do to help, please let me know.

Respectfully,

[REDACTED]

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[REDACTED] | [REDACTED] [REDACTED] [REDACTED]

Erie County | Department of Social Services

95 Franklin St., Room [REDACTED] | Buffalo, NY 14202

P:+1(716)858-[REDACTED] | F:+1(716)858-[REDACTED]

[REDACTED]@erie.gov | <http://www.erie.gov>

### Email 3

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

**Sent:** Tuesday, July 7, 2020

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

**Subject:** Rath Building

**[Caution: this email is not from an Erie County employee: attachments or links may not be safe.]**

Good morning. I hope you remember me. I use to be [REDACTED] during the red/green budget ([REDACTED]). I'm sending you this because I'm so happy you are fighting for the employees. I don't dare go to my Commissioner and complain because I'm sure I will end up on the lay-offs when the budget is being done for 2021. But this building is disgusting. We have no one taking out the garbages. The floor in the office hasn't been cleaned since before the shut down. I'm not a

germaphobe but this is bad. The clean the floors where the media will be but that is it. Bathrooms are not clean. So I can only imagine the germs going around. Why are we back 100% when no one else is? I can do my job 100% from home. Actually I worked harder because I did work all the time at home. Not just 8 hours. Whenever I had down time - because my laptop was right there - I would jump on and do clean up, answer emails that came in late and just kept up all the time. I don't understand why no one else cares about the employees. The lobby is over crowded during times employees are coming in. And lunches. And the HVAC system. They are forcing the gyms and malls to update there's - how is ours? I know the air in this building is bad. I didn't have one migraine while working from home. I've been back 3 weeks and have had 3 migraines.

Keep up the fight. I hope you can get through to them. I have my [REDACTED] year old [REDACTED] [REDACTED] at home that if [REDACTED] gets sick starts having [REDACTED] [REDACTED] and major health problems. All we need is 1 person to infect us all.

Thanks - you're doing a great job!!!!

#### Email 4

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

**Sent:** Monday, June 29, 2020

**Subject:** Issues w/ FW: General Announcement 20200629 - Welcome Back

Good Morning,

I know your office received a copy of this email, but I just want to keep you updated as things progress in our some of areas. I had to address a few matters this morning, about desks still not being six feet apart, employees getting up from their desks and using the copies/printers without face coverings and there are no cleaning stations to be found as promised by the county administrators.

Take Care.

[REDACTED]

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[REDACTED] [REDACTED] | [REDACTED] [REDACTED] [REDACTED]

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[REDACTED] [REDACTED]@erie.gov | <http://www.erie.gov>