



## STEFAN I. MYCHAJLIW

ERIE COUNTY COMPTROLLER

July 14, 2020

William Geary  
Commissioner  
Department of Public Works  
95 Franklin Street  
Buffalo, NY 14202

Dear Commissioner Geary,

Today my office received copies of numerous emails sent to and amongst Department of Social Services employees in the Child Support Offices on the second floor of the Rath Building. The email directs Social Services employees to empty their own garbage due to a shortage of staffing. According to the information this office received, the email read:

*Sent: Tuesday, July 14, 2020 9:02 AM  
To: DSS OCSE – Exchange  
Subject: Please Help*

***We have been asked by the cleaning people if we could empty our own garbage nightly. They have lost most of their staff.***

*There is a large garbage can in the front of the office by the barney board.  
There are extra bags up there also.*

I am reaching out to you because this email raised numerous questions about the cleanliness of the building and work spaces if in fact those responsible for cleaning the building have been cut or had their hours reduced in the Rath Building and other county managed buildings. There are numerous questions that must be answered:

- Were commonly referred to “welfare to work” cleaners eliminated or cut back from cleaning the Rath Building?
- Are private sector companies cleaning at any county managed building where union employees are responsible for maintaining?
- Why are employees in Social Services asking fellow Social Services employees to clean garbage cans?
- Is there a shortage of workers responsible for cleaning the Rath Building and other county managed properties?
- What are the possible health hazards and consequences of Social Services employees being asked to be responsible for trash collection?
- Is it sanitary for DSS employees to empty their own garbage during a pandemic all at once at the end of their work day, or ever?
- By emptying garbage cans, are Social Services employees working out of title?
- If so, what are the negative consequences for union employees that work outside their title?
- Can grievances be filed over Social Services employees emptying their own trash cans?

In addition to concerns about the health and safety of employees, our office still wonders why Erie County government employees are forced to work in close quarters during a pandemic. If the City of Buffalo is allowing workers to work remotely, why isn't Erie County?

Erie County Executive Mark C. Poloncarz also promised the public and employees that the Rath Building would be clean prior to and during their return to their return:

**“We hope to gradually return our workforce to 100% starting next week. We absolutely would not even consider doing this unless we were certain the necessary cleaning procedures and safety protocols are in place.”**

*Source: Mark Poloncarz, [www.twitter.com](https://www.twitter.com), June 24<sup>th</sup>, 2020*

Four days later, on June 29, 2020, complete with a “welcome back video” boasting that the Rath Building was ready, many employees returned to their offices. Since that time, it has been reported that promised cleaning stations have not been provided, in addition to other safety protocols. Just a few days later, the County Executive went on record about the cleanliness of the Rath Building:

**“We are going above and beyond what the CDC and New York State are doing. We’re actually implementing things that are being done in hospitals.”**

*Source: Mark Poloncarz, [www.wgrz.com](http://www.wgrz.com), July 1<sup>st</sup>, 2020*

I think we all would agree it would be inappropriate for a hospital administrator to ask nurses or doctors to remove their own trash, for their own health and safety and for the cleanliness of their building.

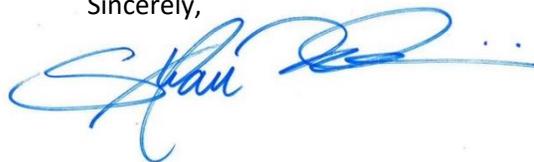
Erie County Health Commissioner Dr. Gale Burstein has also gone on record saying the county is taking steps to protect employees, which is why the email received today is even more worrisome.

**“New signage throughout all county buildings, routine cleaning and disinfecting of high-traffic areas daily, and regular cleaning of all frequently-touched surfaces are just a few measures being taken.”**

*Source: Erie County Health Commissioner Dr. Gale Burstein, letter to Comptroller Mychajliw, June 26<sup>th</sup>, 2020*

Thank you very much for your prompt attention to this serious matter. If the Rath Building is as clean as the County Executive and Health Commissioner claim, I highly doubt there would be talk of a cleaning shortage that is so bad that Social Services employees are being asked to take out their own garbage.

Sincerely,



Hon. Stefan I. Mychajliw Jr.  
Erie County Comptroller

CC: Hon. Mark C. Poloncarz, County Executive  
Robert Keating, Budget Director  
Hon. April N.M. Baskin, Chair – Erie County Legislature  
Hon. Timothy Meyers, Majority Leader – Erie County Legislature  
Hon. Joseph C. Lorigo, Majority Leader – Erie County Legislature  
Denise Szymura, President, CSEA Local 815  
Rich Canazzi, President, AFSCME Local 1095  
Brian Dickman, President, Teamsters Local 264  
Marie Cannon, Commissioner, Erie County Department of Social Services