



STEFAN I. MYCHAJLIW

ERIE COUNTY COMPTROLLER

August 28, 2020

Hon. April N.M. Baskin
Chairwoman
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Dear Chair Baskin,

The COVID-19 pandemic has caused numerous issues for our community, but one benefit was the ability to test a remote workplace model in Erie County. The results have been positive. I use my office as an example, we were able to quickly and efficiently move staff to a remote work model from day one. The process worked so well that we have implemented a hybrid policy that keeps staff safe while completing our day-to-day work assignments, as well as long-term projects.

Now that a remote workforce has proven effective, it is time to not only implement such a plan on a permanent basis, but also to begin the process of disposing assets that are not necessary for supporting a remote workforce. Primary among these assets is the Rath Building.

Prior to the onset of the pandemic, my office sent out Request for Solutions (RFS) to sell the Rath building to the private sector. This was done to gather information from local developers with the expertise and knowledge of the region to understand what redevelopment opportunities might exist. If the county is going to have its employees work from home, continuing to operate and maintain the Rath Building is unnecessary and wasteful. Selling the Rath Building would be a financial boost to Erie County, while simultaneously alleviating the massive financial and logistical burden of maintaining such a large and dated structure. Developers we met with saw great development potential, and suggestions included mixed-use redevelopment that would offer apartments, stores, as well as commercial leasing space that would be ideal for legal services.

The Rath Building was constructed in 1968, at the cost of \$15,662,339. It has 16 floors, a basement and sub-basement, as well as a 90-spot parking area underneath it. The building is 30 feet and a one-minute walk to Old County Hall, where the District Attorney's Office, as well as several State Supreme Court and Erie County court chambers, are housed. The Rath building is 410 feet, or a two-minute walk, from the Erie County Family Court building; .2 miles, or a five-minute walk to the Buffalo City Court building; and .3 miles, or a 6-minute walk, to the U.S. District Court for the Western District of New York at 2 Niagara Square. Because of its prime location, it would be well suited for law offices. The Rath Building's close proximity to many Buffalo amenities and attractions would also make it suitable for mixed use, allowing for residential spaces, as well. This could be done similar to the purchase and redevelopment of another downtown government building.

In 2007, the Thaddeus J. Dulski Federal Building on Delaware Avenue in Buffalo was sold for \$6.1 million to the Uniland Corporation in an online auction. The Federal building previously was home to some 50 federal agencies. It became the "Avant Building" in downtown Buffalo after a renovation cost of \$83 million of private investment. The Avant Building is 15 floors and put 440,000 square feet back on the tax rolls.

Another Federal building to sell recently was the Niagara Center on Elmwood Avenue in Buffalo. It sold to a private development company in 2018 at the cost of \$89 Million. This building still houses the U.S. Department of Veterans Affairs and the Internal Revenue Service, and one of the National Labor Relations Board's regional offices, with leases through 2021. Those leases are for \$7.1M annually. The Niagara Center consists of 268,000 square feet of office space, 40,000 square feet of warehouse space, and a 5-story parking ramp.

This comes at a time when developer Doug Jemal is reinvesting in One Seneca Tower and the former Buffalo police headquarters. These renovations will offer a synergy and excitement to downtown that we have not seen in a long while.

In addition to selling the Rath building, the county could further decrease costs to taxpayers by reducing the needed space now being leased. In a remote workplace model, the vast majority of county employees won't be "onsite," as such Erie County could lease a much smaller amount of space for customer facing departments and individuals who are "onsite" at a fraction of the cost currently being spent for maintenance. Although most building leasing expenses are reimbursed by the state and federal government, it should still be noted that Erie County pays approximately \$4.2 million up front annually for leased space. Erie County would also receive a large boost in revenue, both short and long term. In the short term, Erie County would receive the purchase price from a developer, and in the long term the Rath Building would be added back to the tax rolls, and the City of Buffalo and Erie County would begin to receive tax revenue for it. An additional fringe benefit to the sale would be the job creation and private expenditures on renovation of the Rath Building.

Given the success of my office, as well as other departments within Erie County government, with remote working environments, I would also like to offer my insight into finalizing a permanent remote work plan. Any permanent plan must consider the following topics:

ACCESS TO TOOLS

Erie County's virtual desktop allows Erie County workers to access their files, as well as shared files, from home or any location. The secure site removes the necessity for many workers to be physically onsite to complete their work. Part of the policy will be an agreement on a file-sharing method that includes version control and accounts for relevant security concerns.

Many of the floors that house DSS employees, for example, are crowded. This became a larger concern after COVID-19 hit our region. This presents an issue when considering client privacy and workplace distractions.

Further, training would be accessible in electronic and other delivery methods. Simply having access to tools is not sufficient without the proper understanding of capability and usage remotely. The training would also reduce strain on the remote helpdesk, discussed later in this document.

ACCOUNTABILITY

We have heard from both employees and supervisors who say their work product has been maintained, or in many cases improved. This is due to a variety of reasons, not limited to: removal of workplace distractions, elimination of commuting and possible headaches it creates, ability to complete a personal appointment without using a full day by removing the commute to downtown, etc.

Employees who work remotely are monitored. Productivity is measured. Systems, such as the Jabber, allows for the tracking of time, and in the case of DSS, as reported by one employee, this requires the submission of daysheets that are checked against work that is handed in daily. As employees have reported: DISS also can record remote computer work.

Daily work logs should be used for time in ESS, as well as in emails to managers/supervisors with as much detail as possible.

EMPLOYEE/WORKPLACE SAFETY

In order to provide a secure work environment for our employees and protect the county from liability, a review of safety and liability concerns should be undertaken with the cooperation of the County Attorney. Issues should include, but not be limited to: prohibiting in person meetings in the home of an employee, requiring non-attendee supervisory knowledge and approval of any off-site meeting, examining liability issues, etc.

ROTATION TO MEET PUBLIC NEEDS

In many cases, a hybrid model may be necessary. As a government entity, we serve the taxpayers who fund the programs they need. This requires a certain level of customer service by some employees. Departments and offices with service counters, where the public is allowed to walk up, must be staffed properly during business hours. This ensures the public is served properly. This doesn't require a full department staff. Employees not handling face to face interaction should work remotely if they are able.

In these cases, greater consideration can be given to flexibility to employees that must work in a county operated facility. For example, if employees were offered the opportunity to work four 10-hour days that would mean fewer workers downtown in offices, which would allow for greater distancing between work spaces. Meanwhile, any employee who is able to complete work remotely should be permanently assigned to do so.

TELECONFERENCE

During the pandemic we were all introduced to Zoom. This online service "provides videotelephony and online chat services through a cloud-based peer-to-peer software platform and is used for teleconferencing, telecommuting, distance education, and social relations." We saw the Erie County Legislature use this service on many occasions for committee meetings and sessions.

The county provides WebEx, powered by Cisco. This service uses web conferencing and videoconferencing applications. This allows meeting attendees to either call in from a phone or virtual chat using a computer and web camera. With today's technology we no longer need to file employees into a conference room to discuss issues, projects, etc.

PERSONAL EQUIPMENT

In moving forward with a permanent remote workplace model, Erie County will need a policy concerning use of personal equipment, as well as personal internet services. Employees will need access to secure, high speed internet that allows them to complete their daily tasks without interruption. The county has always provided equipment to staff. Being able to do so in a new remote workplace model would be feasible. The county should also explore utilizing CARES Act funding to purchase necessary equipment, including but not limited to laptops and MiFis for employees. This funding would certainly be a good use of these funds, as allowed.

The county should transition to a laptop/docking station for each employee when computers need to be replaced. Desktops are no longer viable in today's technologically advanced world. A laptop will also improve employees' ability to complete tasks, such as meeting with clients safely, visiting sites, etc.

REMOTE HELPDESK

Today, requests are placed electronically. In many cases, a representative from the HelpDesk can assist an employee over the phone. This should be able to continue in a remote workplace model.

The county should also consider the following issues and questions:

- Disaster Recovery

- What if employees are unable to connect to SAP?
- What if employees are unable to connect to the Email Server?
- What if employees are unable to connect to the share drive?
- How are they supposed to check in with management and document the above items? How are they supposed to perform their job function? How are they supposed to submit work?
 - If they are unable to perform their job function due to not being able to log in to a specific program like SAP, do they need to log out for the day?
 - If they are logging out does that mean they need to take the day off or are they given the time despite not being able to work?
- In the event of power outages, snow storms, closures, etc... what is expected of our staff?
 - If the Rath Building/County is closed, are they expected to still log in and work off site?
 - If the Rath Building/County is closed, are they given the time off under “emergency Closure”?
 - If their power goes out but the Rath Building is still open, what is the expectation for their work? Do they need to report in to the office? If they cannot report do they have to take a day off?
- If the answer for any of this is not just “put in the time as Emergency Closure: we will need a process for our staff on how all of this must be put into SAP.

VACATION/PERSONAL/SICK TIME

When considering a remote workplace model, the benefits provided to employees should not be compromised. A remote workplace model should not be seen as less than an onsite model. Employees who can work remotely are doing the same job they were hired to do in the Rath Building or another site.

As such remote employees should also be allowed a one-hour lunch, as well as breaks. The Administration and unions should also revisit what a “standard work day” is for remote employees, and consider flexibility outside of the 7 AM-3 PM, 8 AM-4 PM, 9 AM- 5 PM shifts with evenings and weekends allowed.

CREATION OF TASK FORCE

Creating a workplace task force would allow various entities to come to the table to create a model that is most effective. That task force would be comprised of one representative each from: Erie County Executive, Erie County Comptroller, Erie County Sheriff, Erie County District Attorney, Erie County Clerk, Chairwoman of the Erie County Legislature, Minority Leader of the Legislature, and one representative from every bargaining unit in Erie County government. The purpose of the task force would be to provide the Administration and bargaining units with policy and procedure proposals for their consideration and negotiation.

CONCERNS ABOUT DEPARTMENTAL PROCEDURES

The county should review offering an outlet to all employees to voice any concerns they may have about these procedures or county wide safety procedures etc. and make suggestions. Similar to a whistleblower line, it might be good to offer a confidential way for our staff to voice their concerns etc. so we can augment these procedures based on the needs of our staff, or address concerns one on one to people who may not be completely comfortable voicing them publicly.

Many other government agencies, as well as private companies, have reportedly transitioned to remote workplace models, including the City of Buffalo, Rich Products, M&T Bank, IRS, Independent Health, and Geico. With these models in place and being tested, the county should consider working with our partners to see what works and what doesn't.

REGIONAL APPROACH

By taking the regional approach in Erie County to working efficiently and effectively while saving taxpayer dollars, county government should consider sharing space with the City of Buffalo at City Hall, where there is considerable space. Even Buffalo Common Council chambers could be used for the County Legislature and other public meetings.

In addition to the County Personnel Department offering a survey, my office has heard from dozens of employees (**attached**) who shared their concerns and ideas about transitioning from working in the Rath Building to a remote setting.

Implementation of a permanent remote working environment will result in many benefits, including staff productivity and morale, a positive environmental impact and reduced costs. However, perhaps the biggest benefit will be the opportunity to return the Rath Building to the tax rolls, resulting in sustained benefits for the taxpayers of Erie County.

As always, I am available to discuss these plans further and look forward to your response.

Sincerely,



Stefan I. Mychajliw, Jr.
Erie County Comptroller

CC: Honorable Erie County Legislators
Hon. Mark Poloncarz, Erie County Executive
Michael Siragusa, Esq. – Erie County Attorney
Gary Wilson, Esq., Commissioner, Erie County Department of Labor Relations
Timothy Hogue, Commissioner, Erie County Personnel Department
Denise Szymura, President - CSEA Local 815
Rich Canazzi, President, AFSCME Local 1095
Brian Dickman, President, Teamsters Local 264
Tim Donovan, President - Erie County Sheriff's PBA
Andrew Sako, President - Faculty Federation of Erie Community College
Maureen Fitzpatrick, President - Administrators' Association of Erie Community College
Dennis Zgoda, Upstate Area Director - New York State Nurses Association
Marc Priore, President CSEA Local 815 Unit - Erie County Corrections
Andrew Maines, President - Librarians Association of the Buffalo and Erie County Public Library
Kevin Zawadzki, President - Librarians Clerical and Maintenance Union

**Emails, letters and whistleblower complaints received
by the Office of Erie County Comptroller**

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] Division. I have been with the County since [REDACTED], the entire time in [REDACTED]. I am a valued and hardworking employee in my division. I have received an [REDACTED] Award and also an [REDACTED] Award 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 2, 2020. I am a [REDACTED] of a [REDACTED] year old [REDACTED] and a [REDACTED] year old [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 [REDACTED]. I received notification from [REDACTED] 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 [REDACTED]. 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]

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] Division. 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] Division was the [REDACTED]. The most recent change, due to the Covid 19 Emergency, is working remotely. I have been working from home since April 2, 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] clients. 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 Temporary Assistance have asked for our departments assistance when setting up their remote work. [REDACTED]

[REDACTED] and [REDACTED] [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,

[REDACTED]

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WHISTLEBLOWER TIP

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 Hogues

Other Witnesses:

Your Name (OPTIONAL):

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

.....

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] [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 [REDACTED] and I have been taking care of my [REDACTED] 24/7 for months due to [REDACTED] having [REDACTED] [REDACTED]. Our [REDACTED] passed away on [REDACTED] leaving behind our [REDACTED] [REDACTED]. My [REDACTED]

's and I have taken every precaution to stay safe from Covid 19 to insure we brought nothing into our home. I am deeply afraid that once I enter the Rath Building I can no longer feel confident that would still be true. One of my other [REDACTED]'s 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] has fought [REDACTED] [REDACTED] [REDACTED] and has amazed so many in the Medical field for [REDACTED] will to live. Everyone that met our [REDACTED] instantly fell in love with [REDACTED] and my [REDACTED] as they were always together. Now is not the time that we can leave our [REDACTED] by [REDACTED]. Any guidance would be greatly appreciated. Thank you,
[REDACTED] [REDACTED]

WHISTLEBLOWER TIP

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.

From: [REDACTED] [REDACTED] <[REDACTED]>
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

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From: [REDACTED] <[REDACTED]>
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.

From: [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, [REDACTED], and coworkers including supervision about returning into the building on June 29th.

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 my [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 on March 16th as my [REDACTED] has [REDACTED] [REDACTED] 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 [REDACTED]. My [REDACTED] needed 24 hour care and I was lucky enough to provide it to [REDACTED]. My [REDACTED] passed away [REDACTED] ago, I spend my time with my newly [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 😊

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 Social Services [REDACTED] 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 [REDACTED] 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] at home and they do not have programs or school to return to. I have one [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 [REDACTED] as they would not accept him into a [REDACTED] at [REDACTED] and would not provide a [REDACTED] 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 [REDACTED], 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.

WHISTLEBLOWER TIP

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 [REDACTED] could save significantly on lease space if remote workplaces are made permanent. Employees and their families are safer, and absenteeism is way down.

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] in the [REDACTED] program. 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] while a junior at [REDACTED] in [REDACTED]. After graduating from [REDACTED] University, I returned to Erie County as a [REDACTED] for Senior Services. When I left EC to pursue a career as a [REDACTED], my dream, I took my commitment to customer service as well as serving our most vulnerable into [REDACTED]. Unfortunately, health

problems ended my [REDACTED] career. I was delighted to have the opportunity to return to Erie County service in [REDACTED]! All this background is *just* to give you some insight as to the kind of worker (the human resources) you will find in DSS. 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 DSS 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 [REDACTED] whom I care for (and who [REDACTED] served Erie County for [REDACTED] 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 [REDACTED] [REDACTED]! 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 [REDACTED] [REDACTED], 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-[REDACTED]-[REDACTED] 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,

[REDACTED] [REDACTED]

.....

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

.....

From [REDACTED]

Sent: Wednesday, June 24, 2020

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

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] Department, but most of my years have been spent at Erie County [REDACTED]. I have also been involved with [REDACTED] 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 Sneeze 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 Poloncarz 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. Poloncarz 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 4th, 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, I'm an [REDACTED] and I get asked all these questions and more from my co-workers and workers I don't even know. I ask my fellow officers and officers 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? I am an officer and 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 29th 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,

From: [REDACTED], [REDACTED]

Sent: Wednesday, June 24, 2020

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

Subject: work from home

I was told that you were heading over to the leg to express the desire to continue the option to work at home for county employees.

If that is true, first, I would like to thank you for your representation. Second, I'd like to give you my pitch!

Let me start by going back to my Ed Psych roots:

According to Maslow's Hierarchy of Needs, we have five categories of needs: physiological, safety, love, esteem, and self-actualization. In this theory, higher needs in the hierarchy begin to emerge when people feel they have sufficiently satisfied the previous need. Second only to food, water and shelter is SAFETY. Once people's physiological requirements are met, the next need that arises is a safe environment. Our safety needs are apparent even early in childhood. Maslow pointed out that in adults living in developed nations, safety needs are more apparent in emergency situations (e.g. war and disasters). When an individual does not feel safe in their environment, it is not possible to rise to the additional tiers which include things like feeling accomplished, achieving potential, utilizing creativity, etc....in other words, work, and all of the necessary psychological aspects of performing their work.

The [REDACTED] [REDACTED] [REDACTED] [REDACTED] division of DSS has for quite some time been buried in the weeds of the hundreds of applications we receive each month. We're a small staff, with a difficult job and a skill set different from any other department in the agency.

Since the beginning of the COVID-19 crisis [REDACTED] [REDACTED] [REDACTED] [REDACTED] staff have followed a one day in office, 4 days work from home schedule. This schedule has been extremely successful! Perhaps even more so that the typical 5 day in office week pre COVID.

Our numbers are improving! We are pending and opening more cases now than previous to this work from home policy and we are desperately hoping that we can continue to work from home for a myriad of reasons.

We feel safer at home.

We are productive at home.

Are children are safe with us at home.

The community agencies we work with have seen an improvement in the lag time between application and opening while we were working at home.

This is working!!! No one is more excited than I am to see it.

I fear that an early return to the Rath Building will cause my staff to revert to the second tier. Become unable to perform to their highest level due to fear for their health.

I am not alone in the feeling that this "all at once" full return to the building seems reckless.

I have staff with underlying Medical conditions that will resort to FMLA when they could instead be home and be PRODUCTIVE!

Where is the sense in that?

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 29th. I also know of many other coworkers that have the same concerns.

While working from home I was diagnosed with [REDACTED]. I am under a doctor's care and I have [REDACTED] 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 brining everyone back into the building all at one time.

Thank you
[REDACTED]

From: [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Cc: [REDACTED]
Subject: EC Employees request to work remotely

Good morning.

I am writing to support that county government workers workers are allowed to continue to work from home and not be required to go into the Rath building. During my division's time working from home, we have continued to successfully provide our services without interruption. We have successfully remotely provided services and support to families and children [REDACTED], many of whom are at high risk or medically fragile.

NYS has stated that the services that we provide are essential and I believe having the ability to work remotely allows us to do this.. It is unnecessary to ask us to put the families we work with and our own families at risk. My family has been following all safety guidelines put forth by the county executive and governor and has been thankfully able to avoid contracting Covid. Asking workers who have successfully implemented their programs to go back into a highly populated and crowded Rath building is senseless and dangerous. Many of us have infants, special needs children, and family members with high risk factors living with us who will be directly put at risk if we are asked to provide our services in a building where we have no control and limited knowledge of how the people around us are or are not taking safety precautions. I find myself working more effectively knowing that I'm safe and not putting my coworkers and others in harm way..

Again, the Rath building is a workspace that has been around for many years with very little updates and quite frankly In need of major renovations that many and all Erie County Employees have endure for years.. In our department work areas have very little space and many of us work in a office with multiple coworkers less than 6ft apart...

We are so lucky to have the technology available to keep government workers and their families safe. It is a fact that states that are opening to quickly and with little regard to their populations are seeing a spike in COVID cases. NYS and Erie County have successfully avoided this. Why not use what we have to continue successful programs and support the safety and well being of government employees?

Thank you for your time.

Respectfully,
[REDACTED]

From: [REDACTED]
Sent: Thursday, June 25, 2020

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

Subject: return to work 6/29

Dear Comptroller:

My name is [REDACTED], I have worked for the county for [REDACTED] years. I DO NOT WISH to return to the Rath Building until such provisions are made for our clients to be interviewed at a 6 foot distance.

Also, I have almost [REDACTED] people in my office, sharing a small amount of printers. Germs are spread quite easily. I appreciate all of your efforts and thank you. My phone is [REDACTED]

Sincerely,

--

From: [REDACTED]

Sent: Thursday, June 25, 2020

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

Cc: [REDACTED]

Subject: Remote work

Dear Mr. Mychajliw,

I hope this e-mail finds you well. I am a [REDACTED] in the Division of [REDACTED] in the [REDACTED] Department of Erie County. I am writing on behalf of myself and my division in asking that we continue to be able to work remotely rather than return to the Rath Building on 6/29. With the recent uptick in COVID-19 cases in Erie County it just does not make sense to call back the staff of an entire building to work on the same day. In addition, as of today we have not received the detailed information that was promised to us by the administration regarding re-opening procedures such as elevator usage (i.e. how many people can be in the lobby waiting for the elevator, etc), updated cleaning procedures, etc. We were told that we would be receiving an e-mail and a video and we have not received anything yet.

Our division has been working remotely since March 16, 2020 when we were essentially kicked out of the building with a few hours notice and I'm happy to say that there has been ZERO disruption in the [REDACTED] Services that we are able to provide to the children and families in Erie County other than the limitations that the COVID pandemic has placed on services itself. We have the technology and resources to continue to work remotely. Thank you for your time and consideration.

Sincerely,

[REDACTED]

From: [REDACTED]

Sent: Thursday, June 25, 2020

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

Subject: return to work

I am writing to express my concern about returning to the office in the Rath Bldg. I have successfully completed my job duties during this "work from home" period. I have continued to conduct intakes for all the [REDACTED] / [REDACTED] / [REDACTED] caseworkers that contacted the [REDACTED] for their [REDACTED] needing evaluations. I also manage the [REDACTED] program which has continued. It seems too rushed for all employees to arrive on Monday. The COVID-19 pandemic is not over and I feel unsafe being in contact with so many people. Myself, my [REDACTED] are over [REDACTED] and my [REDACTED] is aged [REDACTED] and I worry about our health and safety.

Please consider allowing "work from home" to continue and to set up a slower, safe, well thought-out transition to work by staggering the employees' return. This can be done by assigning alternating days in the office or weekly check-ins. Thank-you for your attention to this concern.

[REDACTED]

From: [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Remote work

I have been working remotely for the past several months ever since the pandemic. 100% of my work is able to be done remotely. I have not missed a single task. My job requires me to work in the field about half of the week already. I am a [REDACTED] with [REDACTED]. My entire department recouped 100% of billings while working remotely. As leaders of Health and Government we should accept the changes in time and allow for work to be done remotely. We need to stop the spreading of this virus. I urge the decision makers to look at and reverse the decision of returning to the office.

Thank you,
[REDACTED]

From: [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: work from home

Good morning Mr. Mychajliw,
I am very concern about the decision that all employees are to return to work during this current pandemic. I understand there has been protocols and things added to protect employees such as the anti-viral filtration system, 4 people at time in elevator, extra cleaning, etc.. However, I work at the Rath Building [REDACTED]. I would be more comfortable had we worked on first floor and not walk into any elevators with others, or wait in hallway for an elevator with less than 4 to become available, use stair well with others, and restrooms.

Since all employees in our department have to return, we cannot use the lunch room because too small, we have to limit use of copier and fax due to running into other others even though we will where mask when leave our desk. I for see increase back problems, anxiety and more.

I really thought that the government employees would be treated as normal working people working for private companies and minimize the amount of people in the work place, even if it is alternating people working in office and other days remotely from home.

Respectfully,

From: [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: County Government

Good Morning,
I am sending this email in response to the recent plan to have county employees return to the Rath Building. I am so very grateful for my position with the county and since COVID-19 restrictions have been in place, I have been truly amazed by the county's support of its employees that were ordered to work from home. My supervisors quickly implemented plans to make this unprecedented transition feel seamless and because of their guidance, I was able to adjust to producing effective and good work from home.
My co workers and I have found creative ways to meet the needs of the families we serve and it is successful! We serve disenfranchised families and families with very medically fragile children and we have all made a concerted effort to safely do our work for them. The work that we do involves field work and since COVID, our work looks a little different

but we are consistently managing our responsibilities from the safety of our homes and in the communities we serve. I believe it is careless to expect field workers to return to an already crowded work environment.

I was fortunate to work at an [REDACTED] and being allowed to witness the tenacity and bravery of the public health nurses was a privilege. I am proud to work for Erie County and I have been impressed with the county's response to COVID. I would like to believe that the county cares for the health and safety of its employees. Right now we are seeing what is happening in other parts of the country that have prematurely returned to "normal." I would be saddened to think that Erie County would neglect to consider the consequences of recklessly exposing employees in crowded departments.

Thank you for considering my email.

Sincerely,

[REDACTED]

From: [REDACTED]

Sent: Thursday, June 25, 2020

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

Subject: Working remotely

Good Morning. I was advised that you were looking for information with regard to remote work. I work in the [REDACTED] [REDACTED] [REDACTED], and have been working remotely since March 16th. I have been able to ensure no disruption at all to any of the services that families that I work with receive and all my work has continued uninterrupted. I have continued to virtually process all new referrals, conduct virtual home visits, and meet virtually to develop plans for children's services. All of my work has continued virtually with no interruption. We have technology to do so and I am able to access the virtual desktop to use all necessary software programs. Additionally, our State software is web-based so it can be accessed remotely. There is a procedure in place so that my Supervisor is in contact daily with me to monitor work loads, answer questions, advise, troubleshoot and ensure that all work is being completed.

I am very uneasy about returning to the Rath Building next week. I am very uncomfortable with the thought of being in an elevator even if it is with just three other people even wearing a mask. With so many people being asymptomatic there is no way to assure that we will not be exposed. Any exposure puts myself and family at risk when I come home and could cause further spread of the virus. Less people in the office would decrease the risk of exposure to everyone and the chance of contact spread. The CDC recommends tele-work where possible and reduced capacity at offices... I am glad to hear that you will advocate for this.

Sincerely,

[REDACTED]

From: [REDACTED]

Sent: Thursday, June 25, 2020

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

Subject: Employee support

I am writing to support that county government workers continue to work from home and not be required to go into the Rath building. During my division's time working from home, we have continued to successfully provide our services without interruption. We have successfully remotely provided services and support to [REDACTED] and [REDACTED], many of whom are at high risk or medically fragile.

It is unnecessary to ask us to put the families we work with and our own families at risk. Especially when our department has done such a successful job with being able to work from home. Having so many people going back at the same time to the highly populated and crowded Rath building is senseless and dangerous.

I welcomed a new baby [REDACTED] this past [REDACTED] and the thought of returning to work in environment with so many people has been very uneasy for me. I know I am not the only one as many of us have infants, special needs children, and elder family members living with us who will be directly put at risk if we are asked to provide our services in a building where we have no control and limited knowledge of how the people around us are or are not taking safety precautions.

Our department is very lucky to have the technology available to keep government workers and their families safe. It is a fact that states that are opening to quickly and with little regard to their populations are seeing a spike in COVID cases. Hoping that you can help us avoid this and allow those workers who are doing well at home stay out of the building.

Thank you for your time.
[REDACTED] [REDACTED]

From: [REDACTED] [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Employee Support

Good Morning,

Writing in hopes you can help keep county workers working remotely. Our department has been able to work at full speed while still at home. This allows us to continue to remain healthy during these unknown times.

Sending everyone back may undo everything we worked so hard to overcome.

Thank you for advocating for us!
[REDACTED] [REDACTED]

From: [REDACTED] [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Remote Work

Good morning,

When the announcement was made on March 16th that everyone except essential staff must work from home, my unit was able to transition to remote working quickly and by the next morning, we were all up and running doing the same work we do in the Rath every day. My unit [REDACTED] for the county from the state. We were tasked with focusing on only claiming to maximize the reimbursement, due to expected county budget issues. I truly believe that we were able to bring in as much revenue as we did because we were remote with little distraction. Our work is measurable by department supervision and during the three months, we received accolades from supervision for our extra effort and success.

The announcement that we must all return to the Rath building is frightening and seems too soon. There has still been no communication as to what the procedures will be and what precautions will be taken to keep us safe. We all know we will need to wear masks, but what else? Will 15 people be in the elevators at the same time? If capacity is limited, will we need to arrive way before our starting time to ensure we are on time in our department? Will there be more flexible starting times so that everyone is not arriving together? Will bathrooms really be cleaned more than before? Will we have any assurance that they were actually cleaned? Many people use the Metro rail and don't feel comfortable doing that right now. Many people have children that will not be going back to school until September at the earliest and they do not feel comfortable sending their children to daycare or to have grandparents handle the child care. There are so many unknowns about returning and yet, we are expected to jump right back in.

When Mayor Brown announced that city workers that were able to work efficiently while remote and that many would probably continue to do so, it made sense. They were getting the job done, less office space would be required which creates decreases cost, less commuting equals better air quality (part of the green initiative that the county is also working on?).

*From the Merriam-Webster Dictionary: If it ain't **broke**, **don't fix it definition** is - —used to say that one should not try to change something that is working well.*

I thank you for listening.

--

From: [REDACTED] [REDACTED]

Sent: Thursday, June 25, 2020

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

Subject: work from home

Mr. Mychajliw,

I am understanding that you are making a proposal to continue for us to work from home. I am in complete favor of continuing to work from home. I have been able to perform my duties at home without any interruptions! I am able to access everything I need from my home computer. I am able to keep in contact with my agencies and school districts through email and phone calls. I have been able to keep in touch with co-workers as well as supervisors.

I am immunocompromised as a [REDACTED] patient who is receiving [REDACTED] and feel that leaving my house would greatly jeopardized my health as well as my families. Also having younger at home, I don't feel comfortable sending them to a daycare or to their [REDACTED] houses. I want to limit my exposure and this seems almost impossible to do this with having to go back into the Rath building. I am worried about cleanliness and the social distancing within the elevators as well as the bathrooms. I also feel that social distancing in my office would be difficult since I do not have an actual office that I can shut a door.

I also feel that this seems to be an unnecessary risk since I can't control what coworkers and as well as all the people that come in and out of the Rath building are doing. My family and I has been following the all guidelines issued by the governor and as well as our own health department, and our county executive. I am so scared since seeing what is happening in other states.

Since hearing that we have to return to the building on Monday, this has caused so much stress.

If you have any questions or need any further information please feel free to contact me.

Thank you,

[REDACTED]

--

From: [REDACTED] [REDACTED]

Sent: Thursday, June 25, 2020

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

Subject: work from home

Dear Mr. Mychajliw,

I understand that you are proposing that we continue to work from home. I am in support of this as I have been able to do my job effectively and efficiently from home. In my position I have direct contact with clients in their home as well as being at the Rath building. My duties with clients can be done over the phone and through webcam and email. I have great concern in regard to social distancing, cleanliness, sanitation and movement within the Rath building. I am not sure how 4 people in an elevator will maintain social distance and get the volume of people to their floors in a timely manner. I also have concerns with exposure to Covid-19 as I am in the high risk group. Sadly I have had a [REDACTED] die from Covid. The amount of stress this has caused my family in immense. They worry about my health and safely as there is no way to control the exposure from people coming in and out of the Rath Building or in the community.

We all are seeing the alarming increase in states across the country. I am grateful that the Governor and County Executive have done a tremendous job in managing the spread of this virus but this is not the time to take unnecessary risks. Please continue our work from home order for the health and safely of everyone.

Sincerely,

[REDACTED] [REDACTED]

From: [REDACTED] [REDACTED]

Sent: Thursday, June 25, 2020

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

Subject: return to work

Good morning, I am writing you today over concerns of returning to work. As I'm sure you are aware as a social service employee we have been directed to return to work effective 06/29/20. I have many concerns regarding returning so soon. First and foremost, the office that I work in has no way of setting up employees so that they are 6 feet apart. We are in cubicles that at best are 3 feet apart. Secondly, as we all know there is usually little to no cleaning ever done in the building. Even after administration claimed that they were disinfecting regularly, I rarely if ever saw any cleaning staff. We will be made to share common areas such as bathrooms that traditionally look like they have not been cleaned in months, and also rarely have any hot water or soap to properly wash our hands. There is also absolutely no ventilation in my office, and with a dinosaur of a HVAC system in the building air filtration is almost nonexistent. Lastly, I am a high risk individual as I am [REDACTED]. I have worked very hard protecting not only myself, but my family and small children, from this deadly virus by trying to limit unnecessary exposure. I cannot speak for other departments, however in [REDACTED] we have worked very hard to prove that working from home is not only doable but effective. I see no reason that we should be made to come back to work in an environment that does not allow for or provide the proper protections, that have been wildly claimed are needed. Other agencies are continuing to allow their employees to work from home and I'm baffled as to why Erie County cannot do the same. I continuously listen to the County Executive talk about all the things we should be continuing to do in order to stop the spread and keep safe, but yet it seems as if we are doing the exact opposite within our own County building? I believe that it is absolutely irresponsible of the county to mandate that we return to work so soon with little to no guidance and/or directives in place. Our administration has been almost nonexistent, and we feel very alone and concerned, during these difficult and scary times. I would appreciate any attention or advice you could give regarding this matter. Thank you for your time.

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From: [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Employee Support

Good morning. I am writing to support that county government workers workers are allowed to continue to work from home and not be required to go into the Rath building. During my division's time working from home, we have continued to successfully provide our services without interruption. We have successfully remotely provided services and support to families and children under the age of three, many of whom are at high risk or medically fragile. It is unnecessary to ask us to put the families we work with and our own families at risk. My family has been following all safety guidelines put forth by the county executive and governor and has been thankfully able to avoid contracting Covid. Asking workers who have successfully implemented their programs to go back into a highly populated and crowded Rath building is senseless and dangerous. Many of us have infants, special needs children, and elder family members living with us who will be directly put at risk if we are asked to provide our services in a building where we have no control and limited knowledge of how the people around us are or are not taking safety precautions. We are so lucky to have the technology available to keep government workers and their families safe. It is a fact that states that are opening to quickly and with little regard to their populations are seeing a spike in COVID cases. NYS and Erie County have successfully avoided this. Why not use what we have to continue successful programs and support the safety and well being of government employees?

Thank you for your time.
Respectfully,

[REDACTED]
--

From: [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Rath building

Good morning. I would like to state that remote works very well for me at this time. I am able to complete and provide all of the needed support remotely for all of the families that we service through the Early Intervention. I am trying to make sure that my family and I continue to stay healthy through exercising the distancing rule and limit contact with the community at large. My [REDACTED] is currently at high risk because [REDACTED] is over [REDACTED] and [REDACTED] is

[REDACTED]. It is important for me to make sure that I feel safe and I think at this time until we are free of the risks It would be necessary for me to continue to work remotely.

Thank you.
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From: [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Cc: Martin, Mary <Mary.Martin@erie.gov>
Subject: WORKING FROM HOME

Stefan,
I want to thank you for advocating for us, EC employees, to work from home. Through this shutdown, I did learn that I could efficiently do most of my job from home. I am concerned for my health going back into the Rath building with everyone at the same time. This Covid-19 is very scary and deadly. Again thank you for your efforts.

Well wishes,
[REDACTED]
--

From: [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: work from home

Good morning,
Our director has informed us that you will be speaking to the legislature to advocate for continued remote work. I am in complete support of this. Our division has been able to run our program remotely since March without any interruption to our services. Not only do I feel that I have been more productive simply by not having to travel in the field or back and forth to the Rath building, I also feel that we are able to keep our own families and the families we work with safe. Our program works only with [REDACTED]. Many of these [REDACTED] are medically compromised. On a person level, I have been socially distancing with my family since the pandemic began in order to keep myself and my family healthy. Following all directives and recommendations of the CDC, our governor, and our county executive. I cannot be certain that others have taken this illness as serious as the members of my household have. I am very concerned that going back to the Rath building puts everyone in my household at high risk of contracting and spreading a disease that we have been trying so hard to keep ourselves away from. Considering we are able to work effectively at home, it is an unnecessary risk to bring us back into a building that might only increase the spread of the disease. I have no control over the cleanliness of the work environment or the behavior of my coworkers or others coming to and from the building. To say that I am nervous about returning to the Rath building, despite attempts at cleaning the environment, is a HUGE understatement.

Thank you
[REDACTED]
--

From: [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Returning to Rath Building

Good morning Mr. Mychajliw,
It is my understanding that you are the person to contact regarding concerns with returning to full time in-person work at the Rath Building. I would like to express my concerns about our health and safety with regard to returning to the building. While we, as the Health Department, have been putting out all the health and safety protocols and guidance for EC businesses, organizations and individuals as we start to re-open, it appears that this very same guidance does not

apply to us, the workers. There have been no extra cleaning/disinfecting measures instituted other than wiping doorknobs; there have been no physical barriers installed for those working in open areas such as cubicles; there have been no daily health checks or temperature check procedures put into place; there have been no procedures to limit social distancing, especially at the beginning and end of the work day when everyone is entering and leaving at once; and there is no assurance there is adequate ventilation to keep the recirculated air from spreading virus/infection. These are the requirements for all other businesses to re-open, so we deserve the same health and safety measures as the general public.

Our department has been successfully working remotely with no interruption in service or workflow. We do not have the public come to our department to receive their services. There is no reason to put our health at risk at this time. I greatly appreciate you taking the time and effort to advocate for us to continue to work remotely until we can be assured we are truly safe to return to the building.

With gratitude,

██████████ ██████████

From: ██████████ ██████████

Sent: Thursday, June 25, 2020

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

Subject: Remote worker

Good morning Mr. Mychajliw,

My name is ██████████ ██████████ and I work in the ██████████ ██████████ of the Dept. of Social Services. I have been working remotely from home since March 27, 2020. Last week we received an email informing us that we are going to be required to return to onsite work effective Monday June 29, 2020. This caused a great deal of anxiety and panic within me. I am an employee who is currently immuno-compromised and do not feel comfortable with returning onsite. One of the main reasons for this is due to multiple employees who work on the ██████████ floor of the Rath Bldg. (same floor I work on) were diagnosed with Covid 19. Since being out of work I've received two separate emails informing me of this. Another reason is due to the cleanliness of the building. Since I've been home I heard absolutely nothing regarding how the building has been properly sanitized/cleaned since the outbreaks of the virus were confirmed in the building. Lastly, with regards to the social distancing with him bringing everyone back at the same time, what happens when there is not enough space to have everyone within the required parameters of 6ft?

Since I've been remotely working from home I feel like this opportunity has advanced not only myself but the County as well. My production levels have increased with regarding to the quantity of work that I have been able to produce. There are less interruptions/distractions throughout my work day. Because I am working from home I don't have the anxiety of touching a piece of work equipment or even using the restroom for that matter, like I am putting myself in danger of catching this deadly virus. I can not risk me or my family's health. My goal for this email is for the County Executive Mark Poloncarz to take a long hard look at his employees request to continue working remotely. Thank you Mr. Mychajliw for taking this opportunity to read my email.

Sincerely,

--

From: ██████████ ██████████

Sent: Thursday, June 25, 2020

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

Subject: Re:

Me again. You may already know this but the Union is in support of this. I spoke with them yesterday and was informed that because remote work is not in our contract they have nothing to legally grieve, but they are more than willing to meet with Administration to revise the contract to include remote work.

██████████

.....
From: [REDACTED], [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan
Subject:

Good Morning. I was advised that you were looking for information with regard to remote work. My Division, the [REDACTED] [REDACTED] [REDACTED], has been working remotely since March 16th. We have been able to ensure no disruption at all to any of our services and all work has continued uninterrupted. We have continued virtually to process all new referrals, conduct virtual home visits, meet virtually to develop plans for children's services, meet virtually to review and change service plans for children, communicate with staff, providers and school districts, process all payments to providers and reimbursements to parents, process our claims to NYS, process our [REDACTED] claims, complete data entry and all other ancillary duties. In essence, all of our work continued virtually with no interruption. We have technology to do so and my staff are able to access the virtual desktop to use all necessary software programs. Additionally, our State software is web-based so can be accessed remotely. I have [REDACTED] staff members. We have a procedure in place so that Supervisors are in contact daily with staff to monitor work loads, answer questions, advise, troubleshoot and ensure that all work is being completed.

I am less than confident that the Rath Building will meet the CDC recommendations to ensure our health and safety and am a strong advocate for my Division being allowed to continue remotely; particularly because we have already been so successful in doing so. I find it sad that in the 21st century this is not an option especially given the pandemic situation. The CDC recommends tele-work where possible and reduced capacity at offices...

I am glad to hear that you will advocate for this.

Sincerely,

[REDACTED] [REDACTED], [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

.....
From: [REDACTED] [REDACTED]
Sent: Thursday, June 25, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: working remotely

Good afternoon, and thank you for advocating for county employees

The COVID-19 pandemic has affected the lives of many. Members of our community experienced struggles, which led to increased hardships. These conditions, brought on by the pandemic, were never seen by those of us in the educational landscape. During this period, the [REDACTED] division were asked for ways to remove challenges and search for solutions.

One solution to address community needs was found through remote work. While this health crisis was never intended to be an experiment in working remotely, the situation demonstrated an opportunity to test this concept. With much of our work devoted to the field and community, remote methods became a seamless fit.

While the risk to public health continues, remote work may be a solution that services the community. In doing so, it also can provide a safe work environment for county employees. This new found knowledge

obtained though the pandemic demonstrated an even more efficient way of offering services and establishing a system that is even stronger now than when it was initiated several months ago.

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]

WHISTLEBLOWER TIP

June 30, 2020

As promised by the administration and the union there were to be cleaning stations in each office along with supplies. There are NONE. Room 329 has nothing, Room 394 has nothing. First floor has none for employees. Just wanted to bring this to your offices attention. Also workers are not wearing their masks in these offices when they get up to walk to the printer.

From: [REDACTED] | [REDACTED] <[REDACTED]>
Sent: Tuesday, July 7, 2020
To: Mychajliw, Stefan
Subject:

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 [REDACTED] 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]

From: [REDACTED] | [REDACTED] <[REDACTED]@[REDACTED].com>
Sent: Tuesday, July 7, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Rath Building

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 [REDACTED] while working from home. I've been back [REDACTED] and have had 3 [REDACTED]. 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] seizures and major health problems. All we need is 1 person to infect us all.
Thanks - you're doing a great job!!!!

From: [REDACTED], [REDACTED]
Sent: Wednesday, July 8, 2020 To: Mychajliw, Stefan
Subject:

Stephan:

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]

From: [REDACTED]
Sent: Monday, July 13, 2020
To: Comptroller <Comptroller@erie.gov>
Subject: Pandemic

Stefan, I don't know if you remember me, this is [REDACTED] [REDACTED] retired county employee. I have been kept up on your letters on the pandemic, employees working from home, building not clean, union president not following through with the building being sanitized as [REDACTED] has said to the news reporters. I complained many times about the building being filthy. Bathrooms smelling worse than an outhouse. I even complained to the health department about the [REDACTED] bathrooms many years ago. My [REDACTED] works currently from home for erie county and would like to stay and be healthy and not bring anything home to [REDACTED] child. This is typical erie county bull crap. You can reach me if needed at [REDACTED].

from: [REDACTED] <[\[REDACTED\]@\[REDACTED\].com](mailto:[REDACTED]@[REDACTED].com)>

to: [REDACTED] <[REDACTED]>

date: Jul 14, 2020

subject: [REDACTED]

This is the "cleaning station" for [REDACTED] [REDACTED] Floor Rath Building.. not even paper towels. Thought you'd like to see it.

Here are the cleaning supplies in our office



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

to: [REDACTED]

date: Jul 14, 2020

subject:

Great! Thank you. Hopefully we will be able to find out who is actually cleaning the building. We've asked for logs and the union ([REDACTED]) told us that only [REDACTED] [REDACTED] has access to the logs. Not members.

from: [REDACTED]

to: [REDACTED]

date: Jul 14, 2020

subject: Building Cleaning Email

Child Support Offices on the second floor in the Rath were sent this email today by Supervision .. soooo who exactly is cleaning the building?

From: [REDACTED], [REDACTED]
Sent: Tuesday, July 14, 2020 9:02 AM
To: [REDACTED]
[REDACTED]@erie.gov>
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.
Thank You [REDACTED]

.....

From: [REDACTED] <[REDACTED]>
Sent: Tuesday, July 14, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Re: Open Letter wrt reopening the Rath building

Good afternoon,

I thought you might like an update on the WFH situation. Most, if not all, of us who have gone through the County's process received identical letters denying our requests (redacted version attached). Myself and the employees I've discussed this with are 100% capable of working from home and maintaining our safety, so this is disappointing news.

Thanks for your help on this.

Best,

[REDACTED]

.....

From: [REDACTED]
Sent: Monday, July 20, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Concerned worker

Good morning,
I am writing this letter because I received an email that states we will be returning to work full staff as of August 17th. I have many concerns about returning to the Rath building. I have been diagnosed with a

condition called [REDACTED], it effects my [REDACTED] [REDACTED] [REDACTED] and leaves me vulnerable to infections. I am on medication to help control my [REDACTED] [REDACTED] [REDACTED], but I am still concerned for my health. I also have a [REDACTED] who has [REDACTED] [REDACTED] and I am one of [REDACTED] primary caregivers when needed. I do have [REDACTED] in place for both issues.

My condition does not impede me from doing my job, but the thought of putting myself and family at risk, unnecessarily, by returning to the Rath building scares me immensely.

I have been and still continue to be very careful with the places I go and the people I surround myself with. I have to be. Now I am being told after months of being careful that I have to go into a building with people who I have no idea where they have been or who they surround themselves with, or what contact they may have had with an infected person. Not everyone believes Covid is dangerous and therefore might not be taking precautions outside of the workplace. It is safer to allow those who can do their jobs effectively to continue to do them while working from home.

There are so many things we still don't know about Covid, the symptoms vary from person to person and sometimes lasting months to feel better and have the energy to work. Why are we being asked to be put ourselves at risk when we face such uncertainty. If we can effectively do our jobs form home, why are we not allowed to do so? The CDC and WHO recommend you should avoid crowed places, places of close contact with others and confined or enclosed places. The risk is higher in places where these guidelines overlap, like many of our offices including the Rath building, where I work.

I will be completely honest, I miss being with my coworkers, but my health and my family's health is so much more important to me. With the risk of sounding dramatic, boldly put, I AM SCARD.

I am scared to return to a building that has not been proven to be cleaned effectively. I am scared to put myself and my family at risk of contracting a deadly disease.

Please reconsider and allow us to continue to work from home.

Thank you for your time,

[REDACTED] [REDACTED]

.....



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

Frank Cammarata III, MPA
Executive Director

Office for People with Disabilities
716-858-6215

7/14/2020

[Redacted]

Dear [Redacted]

The Erie County Office for People with Disabilities is in receipt of the medical documentation from your physician regarding your work from home accommodation request under the Americans with Disabilities Act (ADA) or New York Human Rights Law.

Based on this information, correspondence with your department, and review by our Work from Home Panel, your request to work from home cannot be granted due to the essential functions of your job duties and the needs of Erie County. Therefore, a reasonable accommodation is not possible and your case has been closed with this office. Please report to your supervisor upon receipt of this letter.

Should you have any questions, please call 716-858-6215.

Sincerely,


Frank Cammarata
Executive Director

cc: [Redacted]
FAC:ajm

From: [Redacted]
Sent: Wednesday, July 15, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Concerns -Returning to work for ECDSS employees

Hello Mr. Mychajliw,

As an erie county employee who will begin gradually returning to work starting July 27th, I feel it is important to make my concerns known. I have also reached out to my union. I work on the [Redacted] floor at [Redacted]. My faith in proper safety and health guidelines is not high, thankfully, I do have a supervisor that mandates necessary precautions, however, this is a big building with many other employees and clients Who do not take it seriously. Due to COVID 19 my work hours have been reduced - no overtime, and my second part time job (furloughed). Even with the assistance from [Redacted] is \$ [Redacted] - [Redacted] a month. It is strange to be serving the community facing these same issues that I am now facing- struggling financially, daycare issues, protecting our children and immune compromised family members. I am reaching out to you and other state and county members in hopes of eliciting assistance for employees - daycare assistance, possible continued work from home to alleviate these worries, etc, etc. Thank you for your time.

.....
From: [REDACTED], [REDACTED]
Sent: Thursday, July 16, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Cc: [REDACTED]
Subject: working from home

Hello Mr. Mychajliw,

This is my second time contacting you and I am so thankful for you being a voice for the workers fighting to stay out of the Rath Building.

A quick reminder of my situation. *(Note: Paragraph redacted to protect identifying personal information)* [REDACTED]
(Note: Paragraph redacted to protect identifying personal information) [REDACTED]

I received an E-mail from the Head of [REDACTED] that I am to report back to work on August 17th. This terrifies me the thought of not being able to see [REDACTED] or bring something in to [REDACTED] home that could cost [REDACTED] life.

I have heard how the Rath Building is being cleaned, desks are 6 feet apart, masks are being worn, and it's "safe" to go back. I have worked at the Rath Building long enough to know that with the amount of people coming in and out there is no way to keep it clean, make sure all employees wear mask and it's impossible to social distance.....especially when it is time to swipe out!!! Elevators are packed and everyone waiting to get the clock to swipe out.

It has been shown that workers have been more productive at home without the distractions. There are workers that prefer to work on-site and I believe the building is 50% staffed right now.

The experts are saying we are going to get a second wave. I am scared, frustrated and mad that we are fighting for our lives and our family lives when we can do the work at home.

Any suggestions on this matter would be greatly appreciated.

Thank you once again,
[REDACTED]

.....
from: [REDACTED] <[REDACTED]>
to: [REDACTED] <[REDACTED]>
date: Jul 20, 2020
subject: Good Morning

The first wave of employees is set to go back a week from today. Many of us feel like we still have no resolution regarding work from home, clean work spaces, plastic dividers for desks.. etc.. employees are still not adhering to protocol. Sanitizers are not placed at copiers as promised.. the list goes on and on. What if anything can be done before the first wave of employees return next Monday then keep them working from home ?

Thanks so much
[REDACTED]

.....
From: [REDACTED], [REDACTED]
Sent: Monday, July 27, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Remote Workers

Morning Mr. Mychajliw,

I know you have been a strong advocate for us ECDSS employees that have been working remotely.

Unfortunately, our words fall on deaf ears. Poloncarz as well as his administration have shown us they do not care one way or the other. Nor does the union that should be representing us (although we pay for their services). I myself have emailed Poloncarz about some safety concerns. Advising him he to walk the lower floors. To see how crowded offices are & how desks have been moved to face each other. It's easy from him & his administration to say "We Are All in this Together", when clearly we are not. They do not

share office space as some of us ECDSS employees do. They are also not aware of what department duties are. Ex. Some do not see clients face to face. Our work is completed via phone calls, paperwork, email. So why take up unnecessary office space?

I am sure you are also aware of the Work from Home Request Form that was sent by upper administration. Which I took the opportunity to complete & returned the form 7/13. Two weeks prior to my return to work date of which was today 7/27. I have yet to receive a response. (Prior to the Pandemic I personally went through some issues in my office. My emotional well being & [REDACTED] have been improved while working remotely). Yet, the request form seems to of been set up as if we actually have an opportunity or choice when clearly we do not.

It's just unfortunate that we have people in office that are stuck in the ice ages & do not know how to adapt with the times/situations. Remote work is the future.

I want to thank you for voicing your concerns about how it makes more sense for us to remain remotely for a variety of reasons and having been the most supportive to us ECDSS remote employees during this difficult time. Your hard work is appreciated by many. Also thanks for taking the time for reading my email.

Sincerely,

[REDACTED]

From: [REDACTED], [REDACTED]

Sent: Thursday, July 30, 2020

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

Subject: concerns

Good afternoon,

I am writing you because I have a few concerns in regards to COVID-19 and returning to work full time. I've been employed with the county for [REDACTED] years, and have been in the [REDACTED] dept since [REDACTED]-present. I've been working remotely from home since April 2020 and have actually been productive while working from home. I also have a [REDACTED] year old [REDACTED] who has been out of school since the pandemic started. A few months ago, we were told by the director of [REDACTED], [REDACTED] via email that they were trying to get us to work from home on a more permanent basis. Since then, we have been told to come in at least 6 days a month. Now effective next week we are required to come in 75% of the time and 100% starting 8/17/20. This concerns me for a few reasons. First, there is STILL a pandemic and there is absolutely no social distancing in the office that I work in (Room [REDACTED] Rath). My desk partner is NOT 6 feet away from me and when I expressed my concerns to my supervisor, [REDACTED], I was told "there's nothing that I can do about that." Second, I have no child care for my [REDACTED] year old [REDACTED]. When I expressed my child care issues to [REDACTED] a few weeks ago while I was working in the office, [REDACTED] told me "I feel sorry for people like you who don't qualify for child care assistance, you'll just have to figure something out." My concern is not only putting my child in a community setting while the virus is still here, but also not being able to afford it. While we are offered 10 hours of overtime a month, we can only work overtime if we work in the office, not if we are working from home. My income has drastically changed since the pandemic started as I can not work overtime because I have refused to go into a building where there is absolutely no social distancing and no fresh air circulating. The thought of sitting in an office in a mask for 8 hours has caused me great anxiety. There are workers who have refused to work from home as well as workers who apparently haven't been productive at home who are working in the building. I am not one of those people. I AM productive at home and have been since the pandemic started. Someone needs to fight for us and realize that our safety comes first. When I am forced to go into the office full time, my [REDACTED] year old [REDACTED] has already expressed [REDACTED] concern of being around me. While [REDACTED] used to be my primary babysitter, because [REDACTED] lives in a [REDACTED] building, I can no longer take my [REDACTED] there as the management no longer allows outsiders in [REDACTED] building. I would greatly appreciate any help or suggestions that you can help in this matter and I thank you for everything that you've done thus far.

[REDACTED]

WHISTLEBLOWER TIP

July 31, 2020

We are required to return to work after successfully working from home the last several months due to covid. My job entails seeing clients face to face. We had a waiver that exempt us from face to face until next week. When asked supervision about a plan regarding the safety for us, coworkers, families, clients all we were told is no barriers between workers and clients and structurally we cannot be socially distanced at the span of 6 feet. How are we expected to accept that? We are humans and have families and are scared in this crazy world. We have done everything asked including quarantine, stay home, stay in compliance, deal with changes everyday. It is disrespectful that we have been given no plan or sense of safety or options about returning to work. I can speak for myself when I say I am losing sleep super anxious and making myself sick over this as I have a family of my own to protect. The building is not ready and not safe for this return. We are safe at home working productively.

Social Services was supplied with sanitizer and cleaning supplies within a few days after depts. were notified. Plexiglass and interviewing clients face to face has still not been addressed fully from my understanding.

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WHISTLEBLOWER TIP

July 31, 2020

The workers in the Rath building are due to return August 3rd. There is no communication with the employees on how they are going to keep use safe. There have been reports of no cleaning or sanitizing supplies provided for the workers that are already in the building. We want to know how they are going to handle sanitize the bathrooms after each use. We received an email stating there was no guarantee they would be providing barriers between us the clients. If the interview waiver is lifted we may be forced to have clients at our desks. This would be too close for proper social distancing to occur. When we have reached out to department heads, the union and even the commissioner of social services we are met with silence on this matter. We are all concerned and scared of catching Covid 19 and possibly spreading it to our families and loved ones. We think our safety should be of the utmost concern to all parties who are making these decisions on our behalf without even consulting the workers of Erie County. Please help us to have the face to face interview waiver extended and continue to have the workers who choose to work from home continue to do so for the safety of everyone involved.

.....
WHISTLEBLOWER TIP

July 31, 2020

I am writing to you as concerns of Safety at the Erie County Rath Building. I am currently a [REDACTED] [REDACTED] [REDACTED] who is working from home and will be returning on August 4.2020. As I have spoken with the people who are currently working in my office on the [REDACTED] floor I have been told that there is not anyone cleaning the area and no cleaning supplies available. Also my main concern is that we have direct client contact. Many of our clients are homeless and live a risky lifestyle. The state had suspended face to face contact until August when we will have to resume servicing clients face to face. We get no communication from the Administration on what plans they have on the protection of both the clients & the staff. I am a big client advocate and do believe that we need to address our clients needs. For the last 3 months we have been doing this from home with little to no issues, just the same amount that we would experience in the office. The response for barriers and other measures is met with there is no money available, don't you think someone should have thought of this piece of the puzzles before all the money was spent. Just a little background of me as a worker, I have [REDACTED] [REDACTED] with Erie County dealing with the public, I worked [REDACTED] years in the [REDACTED] Department and the rest has been in DSS. We have had many issues over the years but none to this point that I feel no one cares about the Worker or Clients entering the Rath. If there is anything you can do is greatly appreciated. Thank You for listening to my voice a Erie County Worker.

.....
From: [REDACTED], [REDACTED]

Sent: Friday, July 31, 2020

To: Mychajliw, Stefan

Subject: Concerned employees of the Rath building

I am writing this letter on behalf of myself and my coworkers in the Rath building. As you know the employees in the Rath building are being brought back into the office as of August 3rd. We have been told the reasoning was due to the face to face interview waivers possible expiration. We fully understand that we will need to be available to see to the needs of our clients.

We, as [REDACTED] [REDACTED] [REDACTED] know this is our job and we do our jobs with great enthusiasm, ability, and knowledge to help the residents of Erie County. If the waiver is not extended, we are being told that there is no guarantee of barriers between us and the client or a guarantee of proper social distancing. The [REDACTED] cubicles are not 6 feet apart and if a client is sitting at our desk, they would be less than 3 feet from the worker conducting the interview. I implore you to reconsider extending the face to face waiver for a longer period of time.

Please keep Erie County employees safe. The same way you are keeping the residents of Erie County safe, by enforcing proper social distancing, closing down bars and restaurants that violate your order and cancelling events where proper social distancing cannot be managed. We fear social distancing cannot be managed effectively in the building once all the workers are brought back.

With all due respect, myself and my coworkers have no faith that the building is as sanitary as you have expressed. We want assurance that the bathrooms will be sanitized after use, that surfaces will be sanitized on a scheduled basis and proper social distancing and proper mask wearing will be enforced to the fullest extent. We are also asking if the waiver is extended to allow those who choose to work from home to continue to do so. I am sure you are aware, the at home workers are doing extremely well keeping in compliance with all mandates. We are more productive working from home. mainly due to the fact that we feel safe from Covid 19. We are all aware and cannot wait for the world to open again, but until that time we are asking for you to keep us safe.

This letter is written out of sheer concern for the wellbeing of myself, my coworkers, loved ones, and anyone that should not be unnecessarily exposed to Covid 19.

Thank you for your time and taking our concerns under advisement.

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.....
From: [REDACTED]
Sent: Wednesday, August 5, 2020
To: Mychajliw, Stefan <Stefan.Mychajliw@erie.gov>
Subject: Re: [REDACTED]

Hello again,
There is a confirmed positive case of COVID in the Rath building.
Unfortunately, this is exactly what we knew what happen.
If you'd like more details, I can provide them.

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From: [REDACTED]
Date: August 12, 2020
To: [REDACTED]
Subject: FW: Current Issues

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From: [REDACTED]
Sent: Wednesday, August 12, 2020
To: [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]
Cc: [REDACTED]; [REDACTED]
Subject: Current Issues

Greetings,
I know [REDACTED] is on vacation, but I thought I'd reach out to all of you at the top for guidance. I was asked to present some staff concerns to you in a collaborative effort.

Our staff with school age children are in panic mode. As schools release their education plans, including full remote or hybrid situations, our staff is at a loss as to how to proceed. You've indicated that there was a policy in the making for work at home, yet we've heard nothing but rumor and conflicting information. No surveys, no discussion.

We can no longer be the status quo of "it's not our problem" ...this pandemic is EVERYONE'S problem, and it is not of our making. While it is comforting to read [REDACTED] [REDACTED] email saying [REDACTED] has met with community resources regarding child care issues, child care facilities are NOT the answer for school aged education. They are ill equipped to handle the various curriculum needs of multiple children in different grades and school districts in a made up "school" setting, they will not have the staff to assist students, explain lessons, provide individual instruction, etc. Many child care centers have let parents know already they are not teachers and will not be able to assist in meaningful education. Are we--are YOU--ok with our children becoming educationally disadvantaged because of an employer that COULD be flexible, but refuses to be? Limited availability and cost will also be huge factors for staff that does not qualify for assistance. For instance, school age programs are listed at costs from \$60-95 a day PER SCHOOL AGE CHILD, and only up to age 12, and enrolling no more than 10 children. This is not affordable or feasible for most staff. If our kids are going to daycare instead of school, we have actually had no effect on reducing exposure in a pandemic. We have only successful put lower paid child care workers and our children at higher risk.

Most large western NY companies are allowing remote work wherever possible. Some will reassess at the end of the year, some have announced they will be staying remote until the end of school year. These are not people who are trying NOT to work, they are trying to work AND keep their families safe. Company names can be provided if needed, but I'm sure you all pay attention to the community news outlets. Does Erie County think so little of its staff? Rhetorical question here.

Several staff members are applying for the Families First Act for the extended child care provision. The Federal Policy indicates the criteria to be met to utilize this program. The county add- in indicates the decision would be made on a "case by case" basis, which appears in direct conflict with the Federal Policy. This needs your immediate attention as the Families First Act will be the last resort for many people, and per the Federal guidance, there are only a few situations that would result in denial, and those provisions are geared to medical professionals. We need to ensure that a panel of opinions does not override the Federal mandates and cause more harm to union members.

People need solid information in order to act for the upcoming school year. The county CANNOT be the last working entity to have a plan in place...why are we always running too little too late? We need a solid plan that works for both the agency (not the personal opinions of individuals in personnel or in higher office), the staff, and for the future. I beseech you yet again to make a public statement to your members indicating what action is being taken to protect parents in the workplace, to protect our children. We need to recognize that this is not a one size fits all solution, we need flexibility and options. Flexible work shifts AND remote work. We need UPPER MANAGEMENT TO TRUST that we have good staff that will work hard and well even in various settings.

I call on you and the rest of our elected Union representatives to **ACT NOW**, before we lose valuable employees, before we lose years of experience and knowledge, before Union members children are put at further risk. We need answers NOW, not a week before school.

You have remained largely silent thus far in terms of public statements. We need you to stand and represent us, fight for MORE and provide us information. This is not the time to back down or be washed over. I would appreciate and update this week, so that I can let staff know how to proceed.

Yours in Membership,
[REDACTED]

.....
From: [REDACTED]
To: Ste <+[REDACTED]>
Sent: Thu, Aug 20, 2020
Subject: Rath building

Good morning Mr. Mychajliw,

I have written you previously regarding the social services work from home issue. When I approached the director of [REDACTED], [REDACTED], [REDACTED], [REDACTED] immediate response to me was "take a leave", even before hearing me

out. Since then I have put in a request for [REDACTED] for child care issues. I submitted the documentation from the school that programs are not being offered for my [REDACTED] with [REDACTED]. I have [REDACTED] [REDACTED] with [REDACTED] and cannot leave them alone. Now I am told that I appear to be on some exceptions list and am not eligible for this, leave. I am being denied this special leave due to covid now as well as being denied work from home. I can't understand how this can be done. I was told to submit the work from home request to the department for disability and [REDACTED] [REDACTED] refused to sign it. [REDACTED] said [REDACTED] was writing a letter. I asked for a copy of said letter and [REDACTED] sent me a rude email, no copy of the letter.

Recently a [REDACTED] in my office who is currently battling [REDACTED] [REDACTED] and going through [REDACTED] was also forced to come into this filthy building. After much of a fight [REDACTED] was finally granted work from home. This is inhumane to say the least.

Two weeks ago I entered the building on Monday and dirty tissues lay in the stairwell, and there they stayed for a week. This past Monday a dirty mask lay under the sanitizer other first floor all day! I have yet to see anyone cleaning door handles or elevator buttons.

There is no compassion for the employees and their families. This is a struggle and they keep blocking us from trying to take care of ourselves and our families.

Again, hoping you can keep fighting for us.

[REDACTED]

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