

July 22, 2020

Warren Oliveri, Chairman,
Board of Directors
Maryland Legal Aid Bureau
1487 Chain Bridge Road, Suite 205
McClean, Virginia 22101
Sent by electronic mail to
wsoliveri@oandtlaw.com

Maryland Legal Aid Reopening Committee
500 E. Lexington Street
Baltimore, Maryland 21202
Sent by electronic mail to reopening@mdlaborg

Dear Mr. Oliveri, Members of the Maryland Legal Aid Board of Directors, and Maryland Legal Aid Reopening Committee:

On behalf of the Maryland Legal Aid Workers Union, NOLSW, UAW, Local 2320, I am writing to express the Union members' overwhelming concern about the decision to reopen Maryland Legal Aid offices beginning July 20, 2020, for staff and July 27, 2020, to walk-in clients. We are proud of our members and of all Maryland Legal Aid staff who carried on the work of Maryland Legal Aid representing, defending and protecting clients, taking intake calls, going to court, filing lawsuits, and performing trainings during these extraordinary times. However, given the increasing number of Coronavirus cases in Maryland and around the country, the requests to roll back the State's reopening plans by certain County Executives, the decision of state school districts to have remote learning in the Fall, we feel this move to reopen at this time jeopardizes the health and welfare of our clients, our families and ourselves. As a Union we request that Maryland Legal Aid maintain the status quo that has allowed us to continue to serve clients throughout this pandemic until it is safe to return to work and bargain with us over the impact and implementation of the return to work in offices when it is safe.

We understand the difficult balance the Executive Unit and the Reopening Committee are trying to strike between most effectively providing representation to clients and protecting the health and safety of those same clients and all the employees who make that representation possible. As legal services workers we are used to working in challenging environments, but we never agreed to risk our lives or the lives of our clients, our co-workers or our families to accomplish our work. It is incumbent on Maryland Legal Aid to protect the health and safety of clients and employees by minimizing the risk of exposure by not imposing unnecessary risks by establishing artificial targets for staff's physical presence in offices, especially as the numbers of new Coronavirus cases have spiked over the last week in Maryland and across the nation.

The Union believes these concerns can be remedied by the following:

1. Staff should not be required to come into the office to meet an artificial attendance requirement if they are able to complete their work remotely;
2. Staff who are able to work from home should not be forced to use paid leave or sick time;
3. Staff should be provided with the flexibility to manage their work in a way that allows them to meet childcare and other responsibilities rather than forcing them to take FMLA leave when they are able to continue serving clients;
4. All clients meetings, including intake and appointments, should be scheduled in advance.

We love our work, value our clients, and will continue to provide the high quality legal representation that our clients deserve as we have throughout this extraordinary crisis. However, we now feel that Maryland Legal Aid is forcing us to choose between continuing to do this important work and the health and welfare of our clients, our families and ourselves. We all long for a return to some sense of normalcy, but it is simply not safe for us to do that right now. Rather than forcing staff to unwillingly face possibly life-ending risk, we are asking you to allow staff to make those decisions for themselves while we are still transitioning to a post-Coronavirus world.

In closing, it is important to remember that this is not a “re-opening” for Maryland Legal Aid staff but a return to brick and mortar. We have persevered through shifting personal and professional circumstances to continue delivering assistance to clients remotely. It is important to accurately capture this reality for clients—we should widely advertise that we have been and will continue to be accessible over the phone and online, even when in-person visits are unsafe. It is important to convey our adaptability to outside stakeholders, because we do not and cannot know the extent to which this pandemic or others like it could be our new normal. We should not send a message that we were closed; we want future clients to know they can and should depend on us to also provide quality services remotely. Maryland Legal Aid should highlight the ways in which we have been and will be responsive in times of crisis.

Sincerely,

Victoria R. Robinson, President of MDLAW

&

Pamela L. Smith, President, NOLSW, UAW Local 2320