



New York State
**PUBLIC EMPLOYEES
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April 8, 2020

VIA EMAIL AND FIRST CLASS MAIL

Michael N. Volforte, Esq., Director
Governor's Office of Employee Relations
2 Empire State Plaza
Albany, New York 12223

Re: COVID-19 Information Request

Dear Mr. Volforte:

As President of the New York State Public Employees Federation, AFL-CIO, in accordance with New York State's obligations under state and federal law, including but not limited to the *Taylor Law* and policies issued by the Executive, I am writing to request the following information that is absolutely vital for the health and safety of PEF's members, the entire State workforce, and indeed all New Yorkers. The information is required to: protect the rights of PEF members as delineated in the PEF/State of New York Agreement; evaluate whether the employer has fulfilled its obligation to furnish a safe workplace; and is required to be maintained by the employer pursuant to law and policies promulgated by the Executive. Please forward the information as soon as possible and no later than April 14, 2020, close of business. Thereafter, we request the information at least weekly.

As an important starting point, I first observe that, of course, New York State must provide a safe workplace for its employees. Because of the particularly severe consequences associated with COVID-19, the State must take any and all appropriate measures to ensure the safety of employees. To this end, I note that Director of State Operations and Infrastructure, Kelly Cummings' memo dated March 15, 2020, "Employee Testing and Evaluation Protocols for COVID-19", outlines protocols to be followed when an employee has tested positive, has been exposed, or otherwise impacted. Specifically, the memo confirms that COVID-19's impact on the workforce and statistics connected thereto will be provided to GOER and DOH. GOER is also charged with tracking such information, including suspected and confirmed cases of COVID-19. Additionally, your memo of March 11, 2020 provides guidance in terms of mandatory and precautionary quarantines. Accordingly, it is essential that every step is taken to protect employees during this crisis and it is clear that your office is required to receive and track COVID-19 cases.



Michael N. Volforte, Esq., Director

April 8, 2020

Page 2

Based on the foregoing, I am requesting the following as soon as possible and no later than April 14, 2020, close of business. Thereafter, we request the information at least weekly. If GOER does not track some of the requested information, please indicate such in your response.

For each agency, please detail the following:

1. Number of employees quarantined to date, including the work location and title of each employee;
2. Number of employees presently quarantined, including the work location and title of each employee;
3. Number of COVID-19 positive employees to date, including the work location and title of each employee as well as the exposure site if known;
4. Number of Persons Under Investigation (PUI) for COVID-19 to date, including the work location and title of each employee;
5. Number of PUI presently including the work location and title of each employee;

Thank you for your prompt attention to this matter. As you know, PEF members are on the frontlines of this unprecedented challenge and are risking their lives to protect all of us. They are the real heroes and we must never lose sight of their unwavering public service. I look forward to your response by April 14, 2020 and our continued work on these important issues.

Sincerely,



Wayne Spence

President, New York State Public Employees Federation, AFL-CIO

cc: Renee L. Delgado, Esq.
John D. Svare, Esq.
Richard R. Ahl

Michael N. Volforte, Esq., Director
April 8, 2020
Page 3