



Labor & Employment Issues Client Alert

Pitta LLP
For Clients
July 21, 2020 Edition



**“Every record has been destroyed or falsified, every book rewritten,
every picture has been repainted, every statue and street building has been renamed,
every date has been altered.**

**And the process is continuing day by day and minute by minute. History has stopped.
Nothing exists except an endless present in which the Party is always right.”**

-George Orwell, 1984-

TEACHERS UNION SUES FLORIDA GOV OVER COVID-19 SAFETY CONCERNS

In the first of its kind lawsuit, the Florida teachers’ union filed a lawsuit against Florida governor Ron DeSantis over his emergency order pushing schools to fully reopen in August as COVID-19 surges in the state.

The Florida Education Association (“FEA”), a union representing 145,000 educators, filed a lawsuit on Monday against Governor DeSantis and the state's Department of Education in an attempt to stop schools from reopening at the end of August. The lawsuit argues Florida's plan to reopen schools is unsafe due to COVID-19, and therefore violates the state constitution.

California, Texas and other parts of the country have concluded that holding in-person classes is dangerous and will look to start schools remotely. Governor DeSantis continues to push for schools to fully reopen. Florida has 5 of the country’s 10 largest school districts.

In a statement, FEA President Fedrick Ingram said, "the governor needs to accept the reality of the situation here in Florida, where the virus is surging out of control." The FEA President also said that the Governor “needs to accept the evolving science. It now appears that kids 10 and older many pass along the coronavirus as easily as adults.”

CHIEF JUDGE: NEW YORK STATE COURTS TRANSITIONING BACK TO IN-PERSON PROCEEDINGS

New York State Chief Judge Janet DiFiore issued a statement on the state of the in-person proceedings in the New York State court system. Chief Judge DiFiore stated that during the COVID-19 pandemic, the courts have never closed and that the judges and professional staff have continued to deliver justice.

The Chief Judge noted that during the COVID-19 pandemic, in New York City Criminal Court alone, more than 19,000 defendants have been arraigned and more than 34,000 criminal proceedings have taken place. Statewide, New York judges and staff have conferenced more than 130,000 non-essential matters and settled or disposed of more than a third of the matters.

Chief Judge Difiore stated that the court system has implemented responsible measures to mitigate the spread of COVID-19 in New York courthouses. She also stated that the courts have a constitutional obligation to gradually transition to in-person operations which has already begun.

Chief Judge Difiore stated that New York City courts will soon start to move forward with in-person New York City Housing Court proceedings. As part of Phase Four of the NY Forward Plan, on August 10 hearings involving defendants being held on felony complaints; and grand jury operations will resume.

This is a link to the Chief Judge's statement: <https://www.nycourts.gov/whatsnew/pdf/July20-CJMessage.pdf>.

NYC SMALL BUSINESS SERVICES ISSUES PHASE FOUR GUIDANCE

The New York City Small Business Services ("SBS") issued new guidance for small businesses as the City enters into Phase Four of the NY Forward Plan. As part of Phase Four, low-risk outdoor arts and entertainment, media production and professional sports competitions without fans are able to re-open.

This is a link to the new guidance: <https://www1.nyc.gov/nycbusiness/article/reopening-guide>.

**“We believe in the ideas of family, mutuality,
the sharing of benefits and burdens
for the good of all, feeling one another’s pain,
sharing one another’s blessing
recognizing that at the heart of the matter
we are bound to each other.”
-Mario M. Cuomo-**

Legal Advice Disclaimer: The materials in this **Client Alert** report are provided for informational purposes only and are not intended to be a comprehensive review of legal developments, to create a client–attorney relationship, to provide legal advice, or to render a legal opinion. Readers are cautioned not to attempt to solve specific legal problems on the basis of information contained in this **Client Alert**. If legal advice is required, please consult an attorney. The information contained herein, does not necessarily reflect the opinions of Pitta LLP, or any of its attorneys or clients. Neither Pitta LLP, nor its employees make any warranty, expressed or implied, and assume no legal liability with respect to the information in this report, and do not guarantee that the information is accurate, complete, useful or current. Accordingly, Pitta LLP is not responsible for any claimed damages resulting from any alleged error, inaccuracy, or omission. This communication may be considered an advertisement or solicitation.

To Our Clients: If you have any questions regarding any of the matters addressed in this newsletter, or any other labor or employment related issues in general, please contact the Pitta LLP attorney with whom you usually work.

To Our Clients and Friends: To request that copies of this publication be sent to a new address or fax number, to unsubscribe, or to comment on its contents, please contact Aseneth Wheeler-Russell at arussell@pittalaw.com or (212) 652-3797.

