



# ALASKA STATE EMPLOYEES ASSOCIATION

## American Federation of State, County & Municipal Employees Local 52

Press Release  
FOR IMMEDIATE RELEASE  
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Contact: Jake Metcalfe, Executive Director  
JakeM@AFSCMELocal52.org

### **ASEA/AFSCME Local 52 Continues to Urge the Dunleavy Administration to Act!** *To Protect State Employees – to Protect ALL Alaskans*

ANCHORAGE – ASEA/AFSCME Local 52 filed a complaint Tuesday, March 24, for injunctive relief and a motion for a temporary restraining order (TRO) asking the Court to enforce the State of Alaska’s own social distancing and telework policies for the benefit of state employees. ASEA seeks to require the State to approve as many telework agreements as is practical and to provide personal protective equipment and enforce social distancing for those employees that must still come in to work.

On March 27, 2020, the Court heard oral argument on ASEA’s motion for a temporary restraining order. ASEA/AFSCME Local 52 presented evidence to the court from state workers demonstrating the State has failed to apply its own policies to provide safe working conditions for public employees. These failures include non-essential state employees being denied telework agreements without explanation, failure to provide proper protective equipment and sanitizing agents to keep themselves, their co-workers, and the public safe, and evidence that state employees are unable to practice the recommended physical distancing in their offices.

While the Court sympathized with employees’ concerns, it found that the Governor had broad authority under the disaster declaration in response to the COVID-19 pandemic, that the State was operating in a constantly evolving environment with respect to the spread of the disease, and that the State had dramatically increased the number of telework agreements it had approved in the four days since ASEA filed the complaint. As a result, the Court concluded, it could not grant ASEA’s request for a temporary restraining order.

Executive Director, Jake Metcalfe shared this statement:

“Our goal in this case is and continues to be the protection of the health and safety of all Alaskans. The Court today did not say that state employees are safe. It said that the Governor has the discretion under this emergency declaration to determine who is essential and who is not – and for some reason this Governor seems to want to make sure everyone is working despite the risk of violating serious safety measures and mandates that are in place for the rest of the state. The only sure way to protect Alaskans is to make sure they are following the same guidelines as everyone else – to practice social distancing, to sanitize surfaces, to reduce interactions with people as much as possible. Regardless of the decision today, since filing for this TRO, there has been an impressive increase in telework approvals which can be attributed, at least in part, to the action taken by ASEA. Nevertheless, we are still hearing from employees that don’t feel safe. The Governor says they simply need to ask for what they need. However, what’s frustrating is that ‘asking’ does not seem to be effective. Non-essential public employees who aren’t looking out for the direct health and safety of Alaskans, who can perform their jobs with a computer and a phone, feel like they have to choose



between their job and their health and safety or the health and safety of their loved ones and that's just not right. There's been at least one identified positive case of COVID-19 from a state employee. Without the Administration taking action and adhering to the strictest measures and precautions, we risk our entire workforce for state government falling ill or becoming carriers of this novel coronavirus which could overwhelm our healthcare infrastructure and shut government down. That is not what we want.

ASEA is going to review the order and decide what it may do next. Regardless, ASEA is committed to and will continue to fight for the safety of each and every state employee in these unprecedented times.

In numerous other states, governors have ensured the safety of their employees:

*As of March 27, 2020:*

*Georgia – has granted telework for most state employees.*

*Hawaii - Provided administrative paid leave for state workers unable to telework for a 15-day period.*

*Indiana – Ordered all state workers performing non-essential services to stay home and telework where feasible.*

*Kansas - State workers were asked to telework for two weeks.*

*Maryland - The state's Motor Vehicle Administration sent workers home on March 20. They will be paid administrative leave until further notice. The state's Office of the Comptroller closed its branch office's March 19. Workers will be paid administrative leave until further notice.*

*Minnesota – non-essential state employees were instructed to stay home.*

*New Jersey – Recommended that state agencies permit workers to telework where feasible.*

*North Carolina - Recommended that state agencies permit workers to telework where feasible.*

*Vermont – Department of Administration instructed agencies to “encourage and facilitate telework” where feasible. No indication regarding paid administrative leave for those unable to telework.*

*Virginia – In the process of implementing a phased transition to teleworking for state employees.*

*Texas - Recommended that state agencies permit workers to telework where feasible*

*Kentucky – Closed all in-person government services*

*Louisiana – Closed all state office buildings to the public*

Recently, public employee union leaders have been joined by hundreds of Alaskans, coming together in press statements and petitions, urging this Administration to take action immediately. Words of support alone will not protect public employees. The Administration must demonstrate its commitment through enforced policies or the safety benefits will not appear for workers and their families and communities. To date, there is still ample evidence suggesting that the Governor's direction is not being followed in numerous government buildings due to too many non-essential employees being required to report to work in congested workplaces.

ASEA/AFSCME Local 52 is the largest union of state and municipal public service workers in Alaska with more than 8,000 hardworking public employees. ASEA members provide essential services that Alaskans rely on every day including safeguarding our water, managing our natural resources, clearing our roads, inspecting our bridges, and planning for the transportation of tomorrow. They protect consumers and promote a healthy economy. They shelter our children and connect Alaska families to vital services. ASEA members perform clerical and administrative functions that effective government requires. Our members fight fires and protect property. They take emergency calls and dispatch public safety officers for people in need. ASEA members care for people from all walks of life to ensure they have the services they need to live with dignity and respect. They work everywhere Alaska needs them and must be afforded necessary protections to help “flatten the curve” of the coronavirus.

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