

NEWS RELEASE

FOR IMMEDIATE RELEASE
April 26, 2021

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On Friday April 23, 2021, six bus drivers and bus attendants who lost their summer jobs at Greece Central School District because of the COVID-19 pandemic filed an action, *Inzinga et al. v. New York State Department of Labor*, in the Western District of New York. All these workers received unemployment benefits during the summer months, but the Department of Labor has now demanded repayment of the money they received. They are represented by Empire Justice Center and the University at Buffalo School of Law COVID Law & Community Engagement Clinic.

This case is about the power of the state to initiate legal actions against working class people, school transit employees, who filed and received unemployment insurance as a direct result of the Covid-19 pandemic. "What happened to these workers is fundamentally unfair. Our clients played by all the rules and did nothing wrong. They filed their forms in an honest and conscientious manner, and whatever money they received went for food, shelter, and other basics," said Peter Dellinger, Senior Attorney at Empire Justice Center.

"We brought this lawsuit because New York's Department of Labor violated the rights of our clients and single handedly caused the resulting problems. The state needs to be held responsible and accountable for fixing these problems", said Maggie Robb, Senior Attorney at Empire Justice Center.

"The DOL has taken great pains to claw back funds intended to help struggling New Yorkers through this awful pandemic, pretending they have no choice. This simply is not true," said Vanessa Glushefski, Esq., the COVID clinic's co-director. "The DOL has the opportunity to do what is right. Yet, this never would have been called out had it not been for the work of our lead counsel, the Empire Justice Center, and the work we've done in our clinic. In essence, our clinic, created thanks to the foresight our clinical legal education director, Kim Diana Connolly, was made for this very moment. Therefore, I'm grateful for the opportunity to stand with our lead counsel, the Empire Justice Center, in calling out this injustice and to work with our dedicated student attorneys to right what is unequivocally wrong."

"While the Department of Labor faced unprecedented volume under the new laws passed to help people struggling to survive in the height of the pandemic, it does not excuse the arbitrary way that these matters were handled, or the additional trauma our clients face when seeking support for loss of work due entirely to COVID-related closures," said Kim Diana Connolly, the director of clinics for the University at Buffalo School of Law as well as the co-director of the COVID Law & Community

The lawsuit asserts violations of rights under Title III of the Social Security Act of 1935, 42 U.S.C. §§ 501-504, as well as Fourteenth Amendment substantive and procedural due process rights. The plaintiffs seek to bring the case as a class action, representing all summer school workers across the state who lost their jobs due to the pandemic and were later denied unemployment benefits.

A Collaboration Between:

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and

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