

# Office and Professional Employees International Union, AFL-CIO, Local 6



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AFFILIATIONS  
American Federation of Labor and Congress of Industrial Organization • Massachusetts State Labor Council (AFL-CIO)

October 26, 2022

Chief Justice Jeffrey Locke  
Executive Office of the Trial Court  
1 Pemberton Sq.  
Boston, MA 02108

Dear Chief Justice Locke,

We are writing concerning the Trial Court's decision to require that employees submit information concerning their vaccination status by 11/4/2022. Local 6 opposes the Trial Court's decision to mandate the upload of this information for a number of reasons.

When we first discussed your voluntary implementation of the vaccine reporting tool, we did not agree to this mandatory requirement. We believed that we would have additional input as the court's labor partner, not the heavy-handed unilateral implementation that you decided to initiate. We asked for relevant and necessary information. The Court led us to believe that your so-called epidemiologist was going answer our questions. We thought that we would have the opportunity to bargain over this prior to you taking this action and were disturbed when we received notice of its implementation only hours before the Court broadcast the rule to the all employees of the court.

Over the past day we have received an outpouring of responses from employees questioning the rationale behind this action. The Trial Court's decision comes at a time where most other employers have loosened or eliminated their COVID-19 protocols. The CDC has drastically scaled back their guidelines concerning the virus. Major government officials, including the President, have declared that the public health crisis caused by the virus is over. Just this week your counterparts in major state agencies have decided to roll back their decision to terminate noncompliant employees during the period where vaccination or testing was mandated. At present, none of our other signatory contractors, which include the Secretary of State's Office, City of Boston, numerous other municipalities, and several healthcare providers have initiated such requirements.

The concerns that we have heard have come employees across many departments throughout the Court. Many are hesitant to provide this personal information, and with good cause, as last year a significant number of employees' identities were released by the Court in an email concerning compliance with the testing policy in place at the time. Many Local 6 members entrusted the Trial Court vaccine information are wondering what happened to it. While you provided some information on the security of the system and vendor you are using, this has not assuaged our fears of the Court making a similar mistake with this information.

We question the need for this policy at this time. We requested information concerning what level of response the Court's epidemiologist wanted to see from the voluntary reporting process, and how they would advise the court in the event of increased cases. We do not feel that we have received satisfactory answers. Further, the court has a gone through a significant portion of the pandemic without this information and was able to respond to increases in cases in the past. We don't understand the Court's urgency at this time. By focusing only on employees, the policy looks at just a portion of people in the courts each day. There are no similar requirements for the myriad of court users including,

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litigants, their families, attorneys, law enforcement, media members, vendors, contractors, and others that come to the courts each day.

We demand that the Court reconsider this useless mandate.

Sincerely,

A handwritten signature in black ink that reads "Mary Mahoney". The signature is written in a cursive, flowing style.

Mary Mahoney  
President

A handwritten signature in black ink that reads "George E. Noel". The signature is written in a cursive, flowing style.

George Noel  
Business Manager

CC:  
John Bello, Court Administrator  
Paul Dietl, Chief Human Resource Officer  
Jim McDonagh, ACHRO for Labor Relations