

1,000 Legal Aid workers in New York City hold walkout in contract struggle

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Legal Aid and Legal Services workers, please contact us and tell us about your working conditions, what you think about the Legal Aid contract struggle and socialist Will Lehman's exposure and challenge to the UAW union election.

One thousand Association of Legal Aid Attorneys conducted a one-hour strike and informational picket for a new contract last week on Wednesday, February 8. They chanted “two percent won’t pay the rent” during lunch-hour pickets at Legal Aid Society offices in all five boroughs of New York City. The Legal Aid Society is a non-profit corporation operating in New York City, funded mostly by the city and state with some private donations. Among their responsibilities, legal aid lawyers and support staff responsible for providing legal representation to lower-income tenants facing eviction are employed by the Legal Aid Society and Legal Services, nonprofit corporations that contract with the city to provide these services.

This followed a strike authorization vote of 92 percent, with 93 percent of the eligible membership voting, announced by UAW Local 2325 on January 23. Local 2325 represents civil and public defenders employed by the Legal Aid Society. Their previous contract expired last summer.

The overwhelming strike vote was announced two days before negotiations with Legal Aid were set to begin. During the negotiations, Legal Aid proposed a derisory 2 percent wage increase amid soaring inflation and cost-of-living increases in one of the most expensive cities in the world. In the face of the overwhelming strike authorization by the members, the UAW 2325 leadership rejected the insulting offer and called for the one-hour strike on Wednesday.

The strike announcement on February 6 stated the action was being taken in opposition to the management of Legal Aid and their funders in the state and city. In addition to the paltry wage increase, Legal Aid had offered nothing in response to the demand for workload caps to control crushing caseloads and offered no adequate benefits package.

In 2017, over two years prior to the onset of the pandemic,

New York City passed the Right to Counsel law, which guarantees legal representation for low-income tenants facing eviction. The pandemic greatly exacerbated the already critical housing shortage in the city. A temporary eviction moratorium was established by the state which forestalled, but did not solve, the plight of tenants who were faced with homelessness. With the removal of all COVID-19 mitigation measures, including the eviction moratorium at the beginning of 2022, a tidal wave of eviction actions was unleashed, greatly increasing the Legal Aid caseload, without any commensurate increase in staff or resources. More than 100,000 families in New York City received eviction notices last year. That number is expected to increase in 2023.

On the Manhattan picket line, Jennvine Wong spoke to the *Chief* newspaper. Wong is an attorney with the Cop Accountability Project (CAP) in Legal Aid’s Special Litigation Unit. She also leads the training of public defenders and support staff in defending their clients by using police misconduct information in court. She explained the Legal Aid workers’ situation. “We worked our asses off and we are all struggling with making ends meet. We’re asking for funding fairness and for parity with our colleagues across the aisle who at many different steps are making substantially more than us.” She stated that lawyers in the city’s DA offices, who they face in court, often make far more than those at Legal Aid, especially those in higher ranking positions. One Legal Aid tweet cited a \$23,000 pay disparity.

Wong pointed to New York state’s Democratic Governor Kathy Hochul’s budget plan appropriating \$40 million to pay for new legal discovery rules, with all the funding going to the prosecution side. “[She] has not decided to do the same thing for us and that’s a real problem,” Wong said.

The Legal Aid Society has given raises of up to \$40,000 to management, while offering 2 percent to workers under conditions where there are 300 vacant positions in their front-line staff. Wong stressed that the workers’ strength lies in their numbers, and expressed confidence in that strength,

saying, “I think that we have a lot of power collectively and we need to continue to show management and show the city and the state that they have to really look at organizational funding fairness for us.” She concluded, “At the end of the day, so many of us just want to continue to live and work in the communities that we serve, and we’re just not able to do that if our wages remain stagnant and our caseloads and work continue to get even harder and even more all-encompassing.”

The *Queens Daily Eagle* interviewed Legal Aid pickets in Queens. Pauloma Martinez, a public defender for over 12 years said, “It’s really disgusting that we’re even being put in this situation, to be always trying to survive, scraping by with a law degree and with the amount of experience that we have. It just really goes to show the value that’s put on our work as defense attorneys—in terms of how the city, how the state and how management at Legal Aid does not value our work, does not value our labor, and actually, is just stealing our labor. That’s really what it comes down to.”

Martinez called management’s 2 percent raise offer insulting and warned that the lunchtime pickets could turn into a strike. “It’s just the beginning—we have the power as workers to shut down the entire New York City Court system.”

Claire Gavin, a four-year housing defender on the Legal Aid picket lines in Queens told the *Eagle* that she’s carrying a caseload of around 80 cases. This is a normalization of the crushing work level overload that caused Legal Aid and Legal Services to stop taking “Right to Counsel” tenant eviction cases from March through June. Gavin underscored the workload madness, “Our caseload had completely skyrocketed. We’re handling double or triple the amount of cases we’re supposed to be handling,” and concluded, “It undermines the Right to Counsel because we’re not able to properly represent folks.” The union has called for caps on caseloads which some other public defender firms have put in place, but Legal Aid has rejected them.

It is significant that UAW 2325’s rejection of Legal Aid’s 2 percent wage increase was not accompanied by the demand for pay parity with the city’s District Attorney lawyers, a commitment made by the mayor and city council in the last contract, as well as full cost-of-living raises. And in keeping with the UAW bureaucracy’s standard practice of isolating and thus weakening workers’ struggles, in Wednesday’s strike of Legal Aid attorneys, the non-attorney staff of nearly 2,000 was kept on the job by the union.

Similar divide-and-conquer tactics were employed by the UAW during recent strike struggles in New York. This includes the strike of 1,600 part-time professors at the New School, which was shut down without a pay raise that matched inflation and without any meaningful increase in

job security. The same is being done by the UAW workers at HarperCollins, now in their third month on strike.

None of these UAW members were invited to the Legal Aid picket lines. Nor were the Legal Services NYC lawyers and staff, members of the same union.

Furthermore, Local 2325 has called no mass meetings to discuss demands, thereby keeping its members in the dark. They are burying the issues of “pay parity” and destruction of tenants’ “Right to Counsel” by the understaffing and overworking of Legal Aid workers.

Token one-hour strikes will do nothing to advance workers’ demands and are used by the union merely to diffuse the anger of the membership. Legal Aid workers must break free from the collaborationist and self-serving UAW bureaucracy and join the millions of workers around the world who are struggling against the destruction of their living standards.

The way forward is shown by the campaign by Will Lehman, a socialist and Mack Trucks worker, for UAW president. Lehman’s campaign won the support of 14 percent of Legal Aid workers’ votes. This tied for the highest vote percentage among the New York UAW Locals. The socialist candidate ran to abolish the UAW bureaucracy and transfer power to the rank and file by building rank-and-file committees in every UAW local. Lehman is continuing that campaign by exposing the UAW suppression of the initial election and preparing for contract battles like the one breaking out at Legal Aid.

Lehman has filed a 122-page protest of the UAW election with the federal monitor. In it he argues the UAW suppressed the vote by not notifying workers about the election, with the result that the vote total represented barely 10 percent of the eligible members.



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