

NEW YORK LAW SCHOOL

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New Partnership Expands Legal Services for Low-Wage, Immigrant, and Unemployed Workers in Lower Manhattan

NEW YORK, August 25, 2004—With a \$30,000 grant from the New York City Council, New York Law School has launched an Employment Law Clinic to expand legal services for low-wage, immigrant, and unemployed workers in Lower Manhattan.

The clinic is a product of the school's partnership with MFY Legal Services, which has provided legal services to poor and working-class New Yorkers for more than forty years.

The Employment Law Clinic will involve New York Law School students in MFY Legal Services' Workplace Justice Project which represents low-wage and unemployed workers in unpaid-wage claims, unemployment insurance hearings and others matters. The Workplace Justice Project provides its legal services in conjunction with worker centers throughout New York City that organize and support immigrant and other vulnerable workers.

“The Workplace Justice Project gives low-wage and unemployed workers a fighting chance in court to collect what is rightfully theirs,” said Council Member David Yassky (D-Brooklyn). “Without this initiative, many working families would be unable to seek justice.”

Alan Jay Gerson (D-WFP, Lower Manhattan) added: “I am delighted that the Council has been able to help make this important project a reality. This project will help make certain that under and unemployed New Yorkers know their rights and have assistance in making their cases. Together we will make a difference in protecting the most vulnerable among us.”

Students will be involved in the direct representation of low-wage, immigrant, and unemployed workers, and perhaps other workers being squeezed by changes in the economy, says Seth Harris, associate professor of law and director of Labor & Employment Law Program at New York Law School. Students in the Employment Law Clinic will represent workers when they have been unfairly deprived of wages by their employers and when they have been denied unemployment benefits.

“We're deeply grateful to speaker Gifford Miller and Council members David Yassky and Alan Jay Gerson for their essential contribution to our efforts to expand legal representation of low-wage and immigrant workers in Lower Manhattan,” Harris says. “Having the clinic allows us to provide a much greater level of service to that under-served community. Our expectation is that with our students participating we may be

able to garner as much as \$150,000 in lost wages and lost benefits. So we think the city's investment is going to be paid back and then some."

The Clinic will be sited in Lower Manhattan and primarily benefit workers living and/or working there, although workers from other parts of New York City may also benefit.

"We're thrilled to have the partnership with New York Law School," said Lynn Kelly, executive director of MFY Legal Services. "We have heard from so many low-income, working New Yorkers, that they don't get the wages that are due them, they need help navigating the unemployment insurance program, they have problems with language access. And for all kinds of cases for hard-working people that need a little help with the legal technicalities, having law students involved in MFY's Workplace Justice Clinic is going to permit us to help more clients in need and expand the pool of attorneys who understand the problems of low wage workers."

Students enrolled in the clinic will spend at least twelve hours each week representing clients. Students will interview and counsel low-wage, immigrant, and unemployed workers regarding their workplace problems, and will also assist workers who have not been paid wages in violation of the Fair Labor Standards Act and applicable state laws.

Specifically, students will engage in the full range of litigation activities necessary to represent clients seeing unemployment insurance benefits at hearings before administrative law judges, Harris says. This includes interviewing, pre-trial investigation, counseling, trial preparation, direct- and cross-examination, and opening and closing statements.

All of these activities will be supervised by lawyers at MFY Legal Services and faculty members from New York Law School including Professors Richard Marsico, who has supervised students representing clients on diverse issues including discrimination, community reinvestment, not-for-profit law, and political asylum, and Isabelle Katz Pinzler, former acting assistant attorney general in the U.S. Department of Justice's Civil Rights Division.

Students will receive skills instruction and substantive law training from faculty members at New York Law School. Skills instruction will include interviewing and counseling, pre-trial and trial advocacy, and negotiating, and other relevant lawyering skills. Substantive instruction will focus on the Fair Labor Standards Act, the unemployment insurance laws, and other applicable statutes.

The Employment Law Clinic will bring both immediate and potential long-term benefits to workers generally, Harris explains.

"Low-wage and working-class families spend virtually everything they earn; therefore, depriving these families of the wages and unemployment benefits to which they are entitled risks putting them into crisis," he says. "Assuring that working families receive

the wages and benefits to which they are entitled decreases the likelihood that these families will be forced to turn to public assistance to support themselves.”

Expanded legal services for vulnerable workers can help prevent irresponsible employers from shifting the economic burden of supporting these families onto New York’s taxpayers and the families themselves. Harris estimates that the Employment Law Clinic would represent sixty to eighty individual clients each year, including potential class actions and group representation or those individuals provided with free information at the University Settlement House clinics.

“Over the long term, we hope that immersing law students in the representation of vulnerable workers through the Employment Law Clinic will stimulate a desire to dedicate themselves to this kind of legal career after they graduate and earn admission to the bar,” Harris explains. “Law school is often a testing ground for the large majority of students uncertain of their career paths. In particular, clinical courses often lead students to specific, sometimes unexpected, career paths. The Employment Law Clinic may have the same effect.”

ABOUT NEW YORK LAW SCHOOL

Located near the centers of law, government, and finance in New York City, New York Law School is one of the oldest independent law schools in the United States. Its faculty of noted and prolific scholars has built the school’s curricular strength in the areas of tax law, labor and employment law, civil and human rights law, media and information law, urban legal studies, international and comparative law, and interdisciplinary fields such as legal history and legal ethics. The Law School enrolls 1,500 students and has more than 11,000 graduates.

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