

HYBRID WORK SCHEMES AND NEW WORK SCENARIOS: THE EXPERIENCE OF THE FLORIDA INTERNATIONAL UNIVERSITY LAW LIBRARY

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SUMMARY: I. *Introduction*. II. *Labor Scenario before COVID-19*. III. *Contingency and Quarantine Plans*. IV. *New Labor Scenarios*. V. *Bibliography*.

I. INTRODUCTION

Florida International University (FIU) was founded in 1965 in the city of Miami, Florida (United States), as a public institution of higher education and research. The university is part of the Florida State Universities system. It has a total of 56,592 students and 7,665 teachers (2021).¹

FIU College of Law was founded in 2000. It is the first public Faculty of Law in South Florida, beginning its academic program in August 2002. It is one of the youngest law schools in the State². It has 486 students and a total of 88 teachers.³

Law libraries in the United States are governed by the regulations and accreditation standards established by the American Bar Association (ABA) and also by the accrediting bodies of institutions of higher education in the United States that they form part of. Although the libraries are inserted within the technological and information infrastructures of the universities

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¹ Florida International University, available at: <https://www.fiu.edu/about/history/index.html>.

² The School of Law of the A&M University of Florida was approved by the State Legislative of Florida at the same time that FIU.

³ Florida International University, available at: <https://law.fiu.edu/wp-content/uploads/sites/2/2020/12/CURRENT-YEAR-2021-509-.pdf>.

to which they belong, their budget and administration is independent from the Central Library of the University and they report directly to the Dean of the Faculty of Law.

The Florida International University (FIU) Law Library occupies 42,183 square feet within the faculty building and has a capacity of 513 seats for individual or group study and research. It has 5 professional librarians who support the academic programs and the information and research needs of professors, students and administrative staff of the College of Law, FIU and the Miami community. Information resources are available in both print and electronic formats, including 95,624 titles and 276 specialized databases on US law, international law, and foreign law.⁴

In 2020, Florida International University (FIU) as a consequence of COVID-19 was forced to join the state of emergency and impose confinement to prevent the spread of the virus, which meant the closure of its facilities and as a consequence of library. Faced with this health crisis, measures and initiatives were adopted to continue work in a virtual environment. The law library had to enhance its remote services and adopt a different work style from virtuality. However, before COVID-19, changes were already being made due to the reduction of the budget and personnel.

II. LABOR SCENARIO BEFORE COVID-19

Since 2016, the library has been facing great challenges, some as a consequence of a significant decrease in its budget, and others due to the transformations in the way of access and using of legal information by the users, in addition to the changes that the information and communication technologies have brought in the media in which legal information is disseminated.

These factors had effects in various areas of the library; among them, a decrease in information professionals, a change in the collection development policy, and a reorganization of functions and organizational structure. In contrast, to face these changes there was an increase in the subscription to databases, and the adoption of new platforms for the dissemination and communication of resources and services.

The reduction in the budget and other factors resulted in the departure of several information professionals. This vacuum especially affected the reference service and bibliographic services (technical processes/cataloguing) limiting the internal capacity to create or maintain certain functions

⁴ Biblioteca de la Florida International University, AllStar Official Survey 2020-2021.

and programs, such as reference and instruction services to students and professors of the College of Law. With little staff, it became necessary to carry out an internal reorganization of tasks and functions and establish a flexible functional and organizational structure to respond to the most critical needs, and assume new challenges, responsibilities and obligations as they arose.

Likewise, as a consequence of the budget reduction, changes were being made in the development of our collections, which included the cancellation of subscriptions to serial publications, and other materials in printed format, which had their electronic equivalent in any of our databases, eliminating duplicates, not only in the acquisition of materials, but also disaffecting second copies in our collections. It was necessary to review title by title all of our collections, including federal and state judicial bulletins (Reporters), federal and state legislative codes and materials, legal journals, and serials and monographs. This process was done in a short time to adjust to the new budget and continues today in a systematic and progressive manner.

The cancellation of the subscription in paper format and the unallocating of second copies of the *reporters* made it possible to create enough space to compact the collections, eliminate entire sections of the bookshelf and increase the capacity dedicated to areas of study and research, a constant demand from users.

By March 2020, when the university closed the campus as a preventive measure due to the pandemic, 90% of subscriptions to journals in paper format, the codes of the different states, and judicial repertoires had already been cancelled. State of Florida legal materials are the exception to this policy. These materials continue to be acquired in paper and electronic format to respond to the legal information needs of internal and external users of the community.

The preference in the access and use of legal information and the increase in the amount of legal materials in electronic formats changed the policies for the development of collections, and brought as a consequence an increase in the number of databases to which the library subscribed.

The large databases for legal research and necessary for the practice of law in the United States, *Lexis*, *Westlaw*, *BloombergLaw*, *Wolters Kluwer* and *HeinOnline*, have been systematically adding more resource content to their digital platforms that were initially only offered in paper format, making physical access to the source, unnecessary. Between 2019 and 2020, the library subscribed to 12 new legal information databases, including those considered essential for academic programs, such as “study aids” (*West Academic Study Aids*, *Lexis Digital Library* and *Aspen Learning Library*), and others for

teaching skills for the practice of law or preparation for the Bar exam (*Spaced Repetition, Trial Pro*).⁵ Despite these changes there was still a preference on the part of some of our users to use printed materials.

An important factor in this pre-Covid-19 stage was the adoption and installation of the *Springshare*⁶ digital platform, with its different components: a) eResources,⁷ to identify and access legal databases; b) Ask Us,⁸ form to request interlibrary loan assistance, acquisition of bibliographic materials, or legal research assistance; c) Guides,⁹ to create guides on how to access information or library services; and d) LibAnswers, for the control and monitoring of requests and usage statistics. This tool allowed us to maximize scarce library staff resources, create content, promote services, and maintain usage statistics for our services and collections. By March 2020, when Florida began enforcing preventative measures to control the spread of the virus, users were familiar with the various components of the platform.

III. CONTINGENCY AND QUARANTINE PLANS

In January 2020, the first cases of contagion of the COVID-19 virus appeared in American territory. The university created a high-level medical and administrative team responsible for developing internal policies, preparation, monitoring and decision-making in the event of the expansion of the contagion in Florida. An information system was established with periodic reports to all staff, professors and students on the progress of the epidemic in the State of Florida and in the city of Miami, and notification of infections detected within the academic community of FIU.

On March 11, 2020, with the registration of the first cases in the state of Florida, the university ordered the transition to a remote instruction system. Students and professors left the university campus and virtual instruction began on Zoom with the infrastructure of the *Canvas LMS*¹⁰ teaching platform. The doors of the library and its collections were closed to internal

⁵ Florida International University, Law Library Statistical Report 2019-2020, available at: <https://law.fiu.edu/wp-content/uploads/sites/2/2020/12/FIU-Law-Library-2019-2020-Annual-Statistical-Report.pdf>.

⁶ Available at: <https://www.springshare.com/index.html>.

⁷ Available at: <https://libguides.law.fiu.edu/az.php>.

⁸ Available at: <https://libanswers.law.fiu.edu>.

⁹ Available at: <https://libanswers.law.fiu.edu/>.

¹⁰ Canvas LMS, Learning Management System, infrastructure platform for teaching, available at: <https://www.instructure.com/canvas>.

and external users. Access to services and information was done completely online through the library's website.¹¹

With only administrative staff on campus, the library set about preparing for the university's closure. Those functions and tasks that could be conducted remotely and which could only be performed in person were identified. Certain technical process functions such as receiving, cataloguing, and preparing physical materials, circulating and lending materials, and organizing and digitizing special collections require direct access to materials. For certain functions of original cataloguing and special collections, the technical personnel of these areas were allowed to select a sufficient quantity of materials to work remotely for six months, and to take these materials duly packed and inventoried home. All vendors were contacted and package hold was requested. In access and circulation, the interlibrary loan service in paper format was stopped. Book loan and return terms were extended and fines were lifted.

Each department identified the technological resources necessary to continue their functions remotely. A survey was made of the technological platforms of the library staff necessary to carry out the different functions from their homes (equipment, cameras, programs). For those library employees who did not have the equipment or the programs to continue their functions remotely, laptops were provided and the programs required for the specific function were installed.

Each head of department developed a teleworking program for their unit with goals to be achieved in the medium term, and projects that could be carried out from home were identified, such as updating research guides, tutorials, cleaning bibliographic records, among others. Additionally, lessons on platforms such as *LinkedIn Learning* and training videos on the new integrated library system *Exlibris* were selected for staff training. The use of the Microsoft 365 platform was expanded to use applications such as *Teams* for messages, chat, phone calls, or work meetings; and *iPlanner* for managing projects, assigning and tracking tasks, and assigning training and skills courses. All files and documents stored locally on computers were transferred to the cloud (OneDrive) and documents that needed to be accessible and shared were uploaded to *SharePoint* for remote access and backup. This contributed to a unification and greater security in the way of storing electronic documents, the development of a collaborative work culture, and greater efficiency in the way of working.

¹¹ Available at: <https://law.fiu.edu/library/>.

During the pandemic all Florida State Universities including FIU and the Law Library transitioned to a new integrated library platform (Exlibris). All the preparation, implementation and training was done remotely, with intense technical work and training meetings in which all the law library staff was involved in one way or another.

Reference services, consultations, meetings, presentations, training and other legal information services and user support by librarians would be carried out through *Zoom* and *Teams*, telephone and email. On March 15, 2020, the University closed the campus. All administrative staff, except for certain functions, moved to telecommuting.

The measures adopted by the library before the pandemic put the library in an excellent position to make the transition to a new work scenario without major difficulties, and to continue offering its services remotely. The library used its platform at *Springshare* to create help guides and link users to information and instructional resources and services. The library maintained a constant dissemination of information and communication of these services.

Five months later, in August 2020, the university began a phased opening and repopulation of the campus, which increased as the vaccination plan began to be implemented¹². Classes continued virtually, and hybrids with certain limitations. The library per university policy reopened in August 2020 with short hours, minimal staff, and limited seating capacity. Several floors and areas of the library remained closed. A hybrid work system was established for professional staff with rotations depending on the work areas and maintaining the protocols established by the CDC (*Center for Disease Control*).

In August 2021, the university re-established the Pre-Covid-19 work schemes, and adopted the three formats of instruction for the entire university: virtual; hybrid, and face-to-face.

IV. NEW LABOR SCENARIOS

The measures that the FIU Law Library had been adopting since 2015 and the preparation prior to the closure of the university campus helped make an orderly transition to remote work, and then return to a mixed, hybrid

¹² “U.S. Starts Vaccine Rollout as High-Risk Health Care Workers Go First”, *The New York Times*, december 14 de diciembre de 2020, available at: <https://www.nytimes.com/live/2020/12/14/world/covid-19-coronavirus>; see, U.S. Department of Health & Human Services, “COVID-19 Vaccines Milestones, 2022”, available at: <https://www.hhs.gov/coronavirus/covid-19-vaccines/index.html>.

and face-to-face work system. There are several aspects of this experience to highlight.

1. *Internal Communication*

During the pandemic, weekly work meetings were established in *Teams* or *Zoom*; department heads with their staff, and department heads with library management, to follow up on programs and new projects and any other requirements as they arose. Continuous internal communication and integration of all library staff was maintained, avoiding any possible isolation of any of our employees.

2. *Strength of Technological and Communication Infrastructures*

The strength of the technology and communication infrastructures (TCI) and the technical team of the university's online instruction department were essential to quickly respond and support the requirements of all classes that became virtual overnight, tomorrow, especially for law professors accustomed to using proprietary law database teaching platforms such as *TWEN* (Westlaw), and with some resistance to teaching law virtually.

The library was a pioneer within the College of Law in virtual teaching. Two of the courses offered by the library, Advanced Legal Research and Law Practice Technology, had been offered virtually/synchronously since before the pandemic. Although not all disciplines and courses for the practice of law lend themselves to a virtual teaching modality, this experience allowed professors to experiment and acquire skills in this teaching methodology.

3. *Access to Legal Information*

In the development of collections, the policy of preference in the acquisition of materials in digital format over print was consolidated, if the item is published in both media. Additionally, this period facilitated the change in habits and preferences of some of our users who privileged the printed format over the electronic one. The impossibility of accessing printed resources forced the use of electronic materials and consequently brought about a great change in habits and preferences towards the use of electronic resources.

4. *Information Services*

Most of the legal research assistance was done virtually. In fiscal year 2020-2021 there was a 42% increase in the number of presentations that law librarians gave to students, all virtually. There was a significant increase in the use of syllabus support databases, “study aids”, 71% for *West Academic Study Aids* and 161% for content in the *Lexis Digital Library*.¹³

5. *The Physical and Technological Infrastructure of the Library*

As the space dedicated to collections is reduced, the physical space for reading rooms and other types of furniture increases, with the appropriate technological and communication infrastructure for study and research. The pandemic highlighted the human component of the new work and teaching scenarios. Personal and family situations constituted a challenge for many of our users who did not have the environment or the appropriate technological platform for virtuality. In this sense, the library as a physical space for study and research is a critical element in these new scenarios, offering the facilities and adequate environments that some do not have at home.

6. *New Knowledge and Skills (Changing Landscape)*

In the last 6 years, the library has experienced internal changes that have required a flexible organizational structure to reorder functions due to the gaps produced by the departure of professional librarians and technical staff and the need to obtain new knowledge, skills and abilities to address a changing landscape (*Shifting Landscape*) of legal information, of users and in the practice of law. This has resulted in a reorganization of functions and reorganization of the library's internal structure to attract professionals to address services and initiatives in this changing environment.

In August 2021, although the university re-established the work scheme that existed Pre-Covid-19 (face-to-face), it adopted three forms of instruction in all its academic programs: virtual, hybrid, and face-to-face.

The pandemic highlighted the advantages of teleworking and demonstrated that it is possible to obtain high standards of efficiency and produc-

¹³ Florida International University, FIU Law Library Statistical Report 2020-2021.

tivity, while maintaining a professional and personal balance. Given the effectiveness of this modality, in January 2022 the University established the flexible work policy for university employees when the function allows it.¹⁴

With the progress in virus control and a new work scheme, new positions are already opening within the library to hire professional and administrative resources with the right knowledge, skills and experience to grow as an institution by reimagining new ways to reconnect with our users and meet the challenges posed by the changing needs of legal information and the practice of law and continue to serve our users in the years to come.

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¹⁴ FIU Human Resources, “Flexible Work Arrangement,” available at: <https://hr.fiu.edu/flexible-work/#:~:text=Hybrid%3A%20Employee's%20work%20is%20performed,days%20in%20one%20pay%20period.>