Esta obra forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM www.juridicas.unam.mx

Libro completo en: https://biblio.juridicas.unam.mx/bjv

https://tinyurl.com/538uxuea

# CHALLENGES OF THE NEW LABOUR CONTEXTS DERIVED FROM THE PANDEMIC: UNIVERSITY OF PUERTO RICO SCHOOL OF LAW

Samuel SERRANO MEDINA\*

SUMMARY: I. Introduction. II. Description of the Library and Historical Context. III. COVID-19 and Libraries. IV. Challenges and Solutions Related to the Pandemic. V. Conclusion. VI. Bibliography.

# I. Introduction

On March 11, 2020, the World Health Organization declared the situation of the coronavirus (COVID-19) as a global health and social emergency requiring immediate action from all governments and jurisdictions around the world. The pandemic caused by COVID-19 has caused an irreversible impact at the international level. Puerto Rico has not been the exception. The effect has lasted and has disrupted the way of life throughout the country, including recreational activities, both public and private. By executive order, a state of emergency was declared in the country on March 12, 2020. For example, executive order No. OE-2020-023 established a curfew for all citizens starting at nine at night and an almost total shutdown of commerce in Puerto Rico. Executive order OE-2020-029 established that no citizen could

<sup>\*</sup> University of Puerto Rico School of Law. Contacto: samuel.serrano1@upr.edu. ORCID: 0000-0002-7822-4798.

<sup>&</sup>lt;sup>1</sup> WHO Director-General's opening remarks at the 11 March 2020 COVID-19 press briefing, 11 March 2020, available at: https://www.who.int/es/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020.

Orden Ejecutiva OE 2020-020, Para otorgar una licencia especial a los servidores públicos que presenten síntomas sospechosos y/o diagnóstico de coronavirus (COVID-19), 12 de marzo de 2020.

<sup>&</sup>lt;sup>3</sup> Orden Ejecutiva OE 2020-023, Para viabilizar los cierres necesarios gubernamentales y privados para combatir los efectos del coronavirus (COVID-19) y controlar el riesgo

396

#### SAMUEL SERRANO MEDINA

leave their homes except for some medical, labour or emergency exceptions. This order prohibited congregations in homes and established an order for the use of motor vehicles in accordance with the car license plate.<sup>4</sup> A novel situation that had not occurred in Puerto Rico in its modern history that had to be faced both personally and at work.

Libraries around the island faced serious problems. With libraries closed and without a fully online service culture, how was the work of librarians justified? What tasks could be performed? What services could be offered? What do employees who cannot work do from their homes? How do we guarantee everyone's health in the face-to-face work environment? These are some of the questions that will be addressed in this brief essay and that should serve as an example for libraries that still have similar difficulties.

# II. DESCRIPTION OF THE LIBRARY AND HISTORICAL CONTEXT

The University of Puerto Rico (UPR) is made up of eleven campuses in different municipalities of the island. The Río Piedras campus, where the School of Law in San Juan is located, is the oldest, largest, with the highest enrolment and with the largest number of graduate programs.<sup>5</sup> Puerto Rico has three law schools and the UPR law program is the oldest and is the only public institution for teaching law on the island. With just over 600 students and over 100 years of existence, it is the only Law School accredited by the American Bar Association (ABA)<sup>6</sup> and the Association of American Law Schools (AALS)<sup>7</sup> simultaneously. As part of the School's offerings is the Law Library. The library already has 100 years of history and in the year 2000 it completed its last remodeling that turned it into the largest Law Library in the Caribbean.

de contagio en nuestra isla, 15 de marzo de 2020, available at: https://www.estado.pr.gov/es/ordenes-ejecutivas/.

<sup>&</sup>lt;sup>4</sup> Orden Ejecutiva OE 2020-029, A los fines de extender las medidas tomadas para controlar el riesgo de contagio del coronavirus (COVID-19) en Puerto Rico, 30 de marzo de 2020, available at: https://www.estado.pr.gov/es/ordenes-ejecutivas/.

<sup>&</sup>lt;sup>5</sup> Recintos de la UPR y directorio de rectores de la Universidad de Puerto Rico, available at: https://www.upr.edu/oficina-de-presidencia/recintos-upr-directorio-rectores/.

<sup>&</sup>lt;sup>6</sup> Standards," American Bar Association, accessed on January 17, 2022, available at: https://qa.americanbar.org/groups/legal\_education/resources/standards/.

<sup>&</sup>lt;sup>7</sup> "Membership Review," The Association of American Law Schools, accessed on january 17, 2022, available at: https://www.aals.org/member-schools/membership-requirements/.

The UPR Law Library has 74,275 square feet of construction, over 30 individual and group cubicles and a seating capacity of over 300 chairs. It is one of the most used libraries in the University. The library's collections are made up of: Reserve Collection, Reference, Puerto Rico, Spain, European Community, Foreign, International, Magazines, US Federal, States, Rare Books, Microforms, and the Court Documents and Special Collections Room. On its shelves are close to 107,000 volumes and over 200,000 equivalent volumes in microformats. The collection of electronic research databases is the most extensive of any law school on the island. For almost more than 20 years, the library had an annual budget between \$900,000 and \$1,200,000, which allowed an accelerated growth of its collections and staff.

The primary users of the Law Library are students and faculty of the Law School, attorneys, and students and faculty of the Río Piedras Campus. By the 1990s, the library became a repository for the Federal Depository Library Program (FDLP).<sup>8</sup> Through this program, the library receives publications in the legal part of the United States federal government and, as part of the program, is obliged to provide services to the general public and offer technological equipment and help to users. In addition, being a public institution, maintained with public funds, it has a moral function of serving any resident of the island.

Among the services to the public offered by the Law Library are: the widest opening hours of the campus that includes 24-hour opening during final exams, book loans and cubicles, interlibrary loan service, reference, photocopy service, organization of syllables through digital reservation, management of social networks, Internet page, offering workshops and conferences on information skills, acquisition and management of access to electronic resources, among others.

During the last few years, the Law Library has suffered extraordinary events that have created adjustments in its ordinary operation and have led its work team to take different actions to continue offering services to the academic community. In 2016, the United States Congress approved the PROMESA Act,<sup>9</sup> which, among other things, created a board for the fiscal control of Puerto Rico.<sup>10</sup> One of the most negative consequences of the approval of this Law was the programmed reduction of over 500 million dollars to the general budget of the University of Puerto Rico. A year

<sup>&</sup>lt;sup>8</sup> Available at: https://www.fdlp.gov/

<sup>&</sup>lt;sup>9</sup> Puerto Rico Oversight, Management and Economic Stability Act, 40 U.S.C., paragraphs 2101-2241, 2016.

Available at: https://oversightboard.pr.gov/about-us/.

later, in March 2017, the Law School received an accreditation visit from the American Bar Association (ABA) and for that month, as a result of the announcement of budget cuts, a strike broke out in the University of Puerto Rico that lasted until June of that year. As a consequence of the imposed budget reduction, the withdrawal of staff and the lack of hiring new staff, the library and its departments were reorganized.

By 2009, the library had six departments and administration. These were the departments of: Reference, Circulation and Reserve, Acquisitions, International and Foreign Law, Cataloguing, Serials and Administration. The library had over 44 employees and various special digitization, archiving, and retro-conversion projects, among others. As of January 2022, after the reorganization, it now has three departments: Administration, Resources and Information Services, and Technical Services. The total number of employees is 18. Because of the reorganization, some areas were left without staff and the library lost administrative areas that were occupied by the School administration for different projects such as: Comprehensive Victim Support Centre (CIAV), Resiliency Law Centre and the Post-Sentence DNA Project.

To complicate the picture, just after the strike ended, on September 20, 2017, Puerto Rico received the impact of Hurricane Maria, which has been catalogued by many as one of the most catastrophic natural disasters in the history of Puerto Rico. <sup>15</sup> With deep budget cuts and after the ravages of Hurricane Maria, the Library's infrastructure and its budget were severely damaged. By the end of December 2019 and the beginning of 2020, Puerto Rico faced strong episodes of earthquakes that forced the Library to review the action plans in the event of an earthquake and carry out evacuation

<sup>&</sup>lt;sup>11</sup> Meléndez García, Lyanne, "Cronología de la huelga en la UPR", *Metro*, 2017, available at: https://www.metro.pr/pr/noticias/2017/06/05/cronologia-la-huelga-la-upr.html.

<sup>12</sup> More information, available at: https://derecho.uprrp.edu/centro-integral-de-apoyo-a-victimas/.

<sup>13</sup> More information, available at: https://derecho.uprrp.edu/upr-resiliency-law-center/.

<sup>&</sup>lt;sup>14</sup> Osorio, Tiffany, "UPR, School of Law Launches New DNA Post-Conviction Project — "Freedom for Convicted Innocents" to Address Claims of Wrongful Convictions", published on web site of Escuela de Derecho de la Universidad de Puerto Rico, available at: https://derecho.uprrp.edu/blog/2020/01/30/upr-school-of-law-launches-new-dna-post-conviction-project-freedom-for-convicted-innocents-to-address-claims-of-wrongful-convictions/.

<sup>15</sup> TeleSUR ty, "Huracán María, el peor desastre natural en la historia de Puerto Rico," YouTube, 2017, available at: https://www.youtube.com/watch?v=ss7EIr6AUf4; "Huracán María: Las Aseguradoras enfrentan el mayor desastre en la historia moderna de Puerto Rico," Sin Comillas, 2017, available at: https://sincomillas.com/huracan-maria-las-aseguradoras-enfrentan-el-mayor-desastre-en-la-historia-moderan-de-puerto-rico/.

### CHALLENGES OF THE NEW LABOUR CONTEXTS DERIVED ...

exercises in the event of an emergency. Although there were many losses in Puerto Rico due to the tremors, they did not affect the library.

In 2020, the declaration of a state of emergency due to COVID-19 brought additional problems that forced the doors to be closed to the public in person. This new labour dynamics forced the library to develop products and services to serve its users.

# III. COVID-19 AND LIBRARIES

Based on the closure and social distancing order decreed by the country's government agencies, libraries suspended or reduced face-to-face services until they could implement viable health measures for both employees and users. In most cases, as in ours, the services continued to be offered virtually using electronic and remotely accessible resources. Later, taking into consideration the prevention measures recommended by the Puerto Rico Department of Health, government orders, and direct guidelines from institutions, limited face-to-face services also began to be offered.

The challenges presented because of the pandemic have been extraordinary and novel. At the beginning of the closure decreed by the government of Puerto Rico and because of the pandemic, doubts and concerns arose in many administrative and library service areas. Some of these concerns were how will service be offered? What do I do for school age children if schools and care are closed? Do you have to report to work despite the decreed closure? Who will pay for the safety equipment needed to work (masks, gloves, and hand sanitizer)? Will there be availability of equipment and Internet connection when working from home? If face-to-face service is offered: how will the administration do to prevent the spread of the virus? What will be the protocol for the loan of books? Will interlibrary loan services be provided? Will users be allowed access to the Library's facilities? who will disinfect the Library? What will happen if an employee gets sick? what will be the hours of service? There were many unanswered questions at that time. But with all the educational institutions having the same experience, they soon began to offer information services and to implement the governmental and institutional recommendations applicable to this crisis.

In response to all the questions that arose because of the closure decreed by the government, other international cases were studied. Recommendations from national and international organizations in the field and best practices from other libraries were studied to investigate what was happening in different settings. Among the documents consulted is the March

17, 2020 publication of the executive board of the most important organization of librarians in the United States, the American Library Association (ALA), where the closure of libraries until the authorities had reduced the risk of contagion. <sup>16</sup>

The International Federation of Library and Library Associations (IFLA) has also published key recommendations during the pandemic. These included recommendations in case of opening such as access to alcohol, water, soap, cleaning and distancing, establishing a limited quota, publication of regulations and creation of protocols, as well as countless examples of what other libraries were doing. Worldwide. 17 On the other hand, the United States Department of Labour through the Occupational Safety and Health Administration (OSHA) also published guidelines in preparation for work areas during the pandemic that included the use of masks, distancing and recommendations to the protocol in case of risk of contact.<sup>18</sup> The government of Puerto Rico and other academic institutions such as the University of Puerto Rico developed and distributed Coronavirus alerts and general information through circular letters and the press. The UPR, for example, prepared the Consolidated Plan for the Control of Exposure and Propagation of COVID 19 at the University of Puerto Rico, Río Piedras Campus. It offered information on the virus, prevention measures, monitoring of employees, students, and visitors, handling of probable or positive cases, cleaning, and vaccination, among other areas.<sup>19</sup> With access to the vaccine, many of these pages have been updated and offer different recommendations, although some of them have remained consistent, such as the use of masks, washing and use of hand sanitizer, and minimum distancing.

One of the positive factors noted in the research was the creation of global alliances of various private publishing houses to give users unlimited access to many of their electronic collections to support distance education and research. Proquest, EBSCO, GALE, and other companies offered new

<sup>&</sup>lt;sup>16</sup> American Library Association, "ALA Executive Board Recommends Closing Libraries to Public", ALA News, 2020, available at: https://www.ala.org/news/press-releases/2020/03/ala-executive-board-recommends-closing-libraries-public.

<sup>17 &</sup>quot;COVID-19 y el sector bibliotecario global", última actualización: 23 de septiembre de 2020, available at: https://www.ifla.org/es/covid-19-y-el-sector-bibliotecario-global/#cierre.

Occupational Safety and Health Administration, "Coronavirus Disease (COVID-19)," United States Department of Labor, accessed on January 17, 2022, available at: https://www.osha.gov/coronavirus.

<sup>19</sup> Decanato de Administración UPR-RP, Plan consolidado de control de exposición y propagación del COVID-19 en el Recinto de Río Piedras de la Universidad de Puerto Rico (UPR-RP), Puerto Rico, 8 de agosto de 2021, available at: https://www.uprrp.edu/wp-content/uploads/2021/08/Plan-Consolidado-Control\_Exposicion\_Propagacion-Covid-19-UPRRP.pdf.

products, access, and content free of charge to many academic institutions. This was helpful since the change in the teaching modality to a virtual one also represented great challenges that we will discuss later.

In the process, other institutions around the world were generating guidelines on how their libraries would operate during the crisis. On May 11, 2020, the Ministry of Health, Consumption and Social Welfare of the Spanish government published an order imposing a 14-day quarantine for documents returned or tampered with. Article 24.1 (f) of that document established the following: "Enable a space in the library to deposit, for at least fourteen days, the returned or manipulated documents and have enough cars for their transfer". The idea of this model was implemented in some libraries in Puerto Rico in the early stages of COVID-19. However, in the case of the Law Library that was closed for face-to-face service during the easing of restrictions, said model could never be applied. According to the list of resources in response to the pandemic published by IFLA (2020), a consensus prevailed for a 72-hour quarantine period to recirculate resources that have been borrowed and returned in libraries. That was the model that was used in the Law Library.

There was a large amount of information available and it was difficult to make lasting decisions since the government in Puerto Rico itself changed the instructions every one, two or three weeks. The Governor of Puerto Rico at the time, Wanda Vázquez Garced, issued around 40 executive orders related to COVID-19 in 2020. This caused great instability in both public and private services, including libraries. Each change brought modifications to the protocols that made citizens and businesses uncomfortable. Today, with the new Omicron variant, and with a new governor, the changes in the protocols through executive orders continue, although there is already greater flexibility of operation.

# IV. CHALLENGES AND SOLUTIONS RELATED TO THE PANDEMIC

There were many challenges that the University of Puerto Rico Law Library faced during the time of the pandemic caused by COVID-19. The libra-

Orden SND/399/2020, de 9 de mayo, para la flexibilización de determinadas restricciones de ámbito nacional, establecidas tras la declaración del estado de alarma en aplicación de la fase 1 del Plan para la transición hacia una nueva normalidad, España, BOE, 2020, p. 130.

<sup>&</sup>lt;sup>21</sup> International Federation of Library Associations and Institutions, op. cit.

ry is a physical entity and not an abstract one. It is a place of study, reading, research and teaching-learning. It is a place to see a person and ask him a question. The closure of the facilities changed this and resulted in the obligation of remote work, or telework as it was called at the UPR. There was little or no interaction with users, there was a novation of tasks in employment contracts, lack of technology equipment or materials for employees to be able to provide service or perform tasks from home, lack of connectivity in homes, people without employment (professional service contracts), mushrooming in the library due to closure and lack of human resources to respond to problems that arose, late payment of subscriptions and purchase of services. In addition, it produced many cancellations of printed resources and databases that were for local use, and since they could not be used from home, they were cancelled. The latter, although it reduced the access to information of the academic community, brought necessary savings to the library due to the imposed budget cuts.

The challenge with telecommuting has been greatly increased by the closure of schools and day care. The one who had remote work, but with school-age children had to have a computer for the schoolchildren and one of their own to work. He needed the Internet and keeping track of these two responsibilities simultaneously. This in turn had an economic impact due to the increase in food, electricity and water consumption caused by work in the home. Although for others it was balanced by the fact that they did not have to use the car to work and reduced food consumption outside the home.

One challenge that was quickly addressed was the teaching-learning requirement for students and faculty that librarians have. From the first week of closure in March 2020, training was offered to faculty members on distance education tools through Google Meet. If it was a challenge for librarians to work from home, for teaching teachers the challenge was even greater. They had to change the teaching modality to a completely online one in the middle of the academic semester. Librarians taught basic distance learning tools like Moodle and BigBlueButton to university law professors who had never used those platforms. Then talks were offered on Google Meet, Forms, Sites, Calendar, Microsoft Teams, Zoom, among others. It should be noted that, in Law, unlike other faculties, the accrediting agency, ABA, does not allow more than a third of distance courses to be offered.<sup>22</sup>

<sup>&</sup>lt;sup>22</sup> American Bar Association, "Standard 311. Academic Program and Academic Calendar", 2021-2022 Standards and Rules of Procedure for Approval of Law Schools, Chicago, ABA, 2022, available at: https://www.americanbar.org/groups/legal\_education/resources/standards/.

On the other hand, institutional regulations allow 25% of the total course time to be assigned with alternative teaching methods, something that was not widely used by the School's teachers. With the pandemic, the ABA authorized distance courses and forced faculty members to re-educate themselves on these topics. Later, the Campus created the necessary structure to certify the faculty in distance education.

At first, the presentations were recorded through Google Meet and saved in Google Drive to later be shared thanks to a license that Google had granted due to the pandemic for academic institutions. Then, when the period of use of these applications ended, the library began to use the YouTube channel.<sup>23</sup> Before the pandemic, there were not many activities planned by this channel. However, YouTube became a very useful dissemination tool for the School and the Library. Today, activities continue to be broadcast live on that channel. To record the activities and broadcast them simultaneously on YouTube and Facebook, the StreamYard application is used.<sup>24</sup> This application can be used for free, it allows you to make live broadcasts and transmit them simultaneously to different applications such as Facebook, Twitter, YouTube and LinkedIn. The application is easy to use and allows you to record first and upload later or do it live by broadcasting to different platforms.

Another important challenge was giving immediate attention to library users. To solve the communication problem, several modifications were made that would not have been implemented with face-to-face work. 1) A person from the library was selected to forward all incoming calls with a "call forwarding" service. 2) With the help of the Library System of the University of Puerto Rico at Río Piedras, the Springshare LibAnswer application was configured to be able to serve from the Internet page, in real time, all the people who needed to communicate with a librarian. Then a work itinerary was created so that the staff could work at different times, attending this service synchronously throughout the work day. The service adds a little box to the right side of the web page where students can click and write to a librarian in real time. This service allowed almost all of the campus libraries to coordinate and have staff to answer questions. 3) Asynchronously, although there was already a service run-

<sup>&</sup>lt;sup>23</sup> Available at: https://www.youtube.com/channel/UCBIfIdj75PKyKfVCTeuPXHw.

<sup>&</sup>lt;sup>24</sup> Stream Yard, available at: http://biblioteca.uprrp.edu/.

<sup>25</sup> Available at: http://biblioteca.uprrp.edu/.

Available at: https://springshare.com/libanswers/.

<sup>27</sup> Available at: https://www.upr.edu/biblioteca-dupr/.

ning, Ask your librarian,<sup>28</sup> the service was improved to expand the area of frequently asked questions, content and an additional person was included to collaborate with the questions received through this service.<sup>29</sup> 4) Staff were assigned to answer questions through other communication channels such as Facebook<sup>30</sup> and Twitter.<sup>31</sup> In short, a job opportunity was created through these services and communication channels were expanded so that private users could find help from the Law Library. It was easier for users since they could communicate synchronously or asynchronously through the phone, the website, email, or social networks. This process could be described as communication marketing as this is how many private providers operate.

Even with all the tools available, employees needed equipment to be able to implement these initiatives. This was another challenge as some employees expressed that they did not have multiple computers at home to attend to their children and work. To solve this problem, the loan of laptops available in the library was authorized, as well as the School of Law, acquired through funds from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act),<sup>32</sup> laptops for all employees and hotspots with portable internet for the most pressing cases.

In a second stage, for the months of July 2020, employees were authorized to attend a room to offer remote services while the alarming problem of fungal growth in the library was addressed. This allowed employees to safely justify their working hours and expand the service offer in the Law Library. The employees met in two working groups. Half attended Monday and Wednesday and the other half Tuesday and Thursday, while Fridays were days of teleworking for everyone and the days when deep cleaning was carried out in the areas. The idea of this system was that if there was a positive or suspicious case in any of the groups, the other group could continue working while the protocol was activated, which included immediate cleaning, quarantine and virus detection testing. The days that the employees were not face-to-face, they had remote work.

Available at: https://www.upr.edu/biblioteca-dupr/bd-derecho-preguntale-a-tu-bibliotecario/.

<sup>&</sup>lt;sup>29</sup> OsTicket, accessed on January 18, 2022, available at: https://osticket.com/. The platform used for asynchronous reference service through the Law Library page is called osTicket and can be used free of charge. The osTicket form found on the library page is located at: http://136.145.69.140/open.php.

<sup>&</sup>lt;sup>30</sup> Available at: https://www.facebook.com/uprlawlib.

<sup>31</sup> Available at: https://twitter.com/BibliotecaDerec.

<sup>&</sup>lt;sup>32</sup> Coronavirus Aid, Relief, and Economic Security Act, 15 U.S.C., paragraphs 9001-9141, 2020.

### CHALLENGES OF THE NEW LABOUR CONTEXTS DERIVED ...

In person, a small operation began that was of great benefit to the academic community. The first thing that was determined was the authorized digitization of materials for Library users. In order not to create distrust with copyright, the digitization rule of 10% of the resources for the applicants was used. Although the 10% rule is not in the Copyright Law,<sup>33</sup> it is recommended and used by various institutions at the national and international level.<sup>34</sup> This service became quite popular and received many requests from students and lawyers who frequented the library. Then the "My library curbside" service or the sidewalk of my library was created. This service, popularized by private companies, consisted of placing an order and then waiting on the sidewalk to pick it up. When applying it to our model, the students ordered the book, by phone or email, and when they arrived they called to receive them. The procedure was similar to return it. Another essential service was the offering of spaces for the realization of the so-called "bookpulling" of the editors of the UPR Law Review. This is the oldest and most prestigious law magazine in the country. In "bookpulling" all the references of the articles submitted by the authors are searched and examined in order to corroborate the citation and ensure the authenticity of the sources. It is also an active way to avoid plagiarism. To visit the library, you had to make an appointment, which was initially by email and then an appointment program was set up through Springshare's Libcal.<sup>35</sup> In most cases, the student reported the day, made the appointment, was shown a room, and the selected books were taken there. At the end, the student reported it and proceeded to return the books to the library.

Library staff had to apply security measures when delivering and receiving resources. The use of masks, disinfectant and hand washing was mandatory for staff and users. In the case of students who use the facilities in person by appointment, they must maintain an appropriate distance and not enter the employee areas. For this stage, the library was still closed to the public.

<sup>&</sup>lt;sup>33</sup> Copyright Act of 1976, 17 U.S.C., paragraphs 101-1401, 2021.

More information at the web site of the Austrlian Copyright Agency, "Copyright under the Education Licence", available at: https://www.copyright.com.au/licences-permission/educational-licences/copying-under-education-licence/; or Canadian Association of University Teachers, CAUT Guidelines for the Use of Copyrighted Material, 2013, available at: https://www.caut.ca/docs/default-source/copyright/revised-caut-guidelines-for-the-use-of-copyrighted-material-(feb-2013). pdf. The 10% rule is still recommended in Australia, Canada, and several universities in the United States. The application of the 10% rule together with the rules of fair use (fair use) can balance copyright in the reproduction tasks that are carried out in libraries.

However, it might be necessary in the future again depending on the situation.

Another challenge we faced was using databases that did not have remote access configured. As the confinement time was extended due to the pandemic, the databases were reviewed to determine which of them did not have access from home (remote access). We then contact the providers to set it up. Some of them could not be configured, as was the case with Cheetah,<sup>36</sup> and were not hired again. Others, such as Microjuris,<sup>37</sup> were configured after over seventeen years of entering by username and password. This was a significant achievement in the aftermath of the pandemic. Another of the services offered by librarians during the pandemic was aimed at the maintenance and administration of database accounts with individual access of the Lexis and Westlaw companies. Access was provided and issues resolved for faculty members and law students. Remote database access services were maintained always during the pandemic. The tool used to offer remote access is OCLC's EZproxy provided and configured by the general library, José M. Lázaro.<sup>38</sup>

The library's website, as well as the social networks of Facebook, Twitter and Instagram, played an important role in the communication and access to the library's communications and services while it was closed. Not only in the pandemic, but in the face of all the disasters that have caused temporary closures in recent years. The promotion of any service is the key to its success. The constant maintenance of these tools allowed us to be present in the academic community. A web or Facebook page that is not updated loses its validity and disappears over time. It is important to keep them alive because through them information, services, events and news are communicated to the entire community.

When the library opened its doors to the public, with most of the staff already vaccinated, there was a long list of impositions as part of the protocol that had to be followed. Visitors had to take their temperature, they had to use hand sanitizer, wear a mask always, keep a minimum distance of six feet and later the requirement of vaccination was added to enter. Those requirements remain in effect at the time of this publication. It was determined, using six-foot distancing, that the seating space was reduced

<sup>&</sup>lt;sup>36</sup> Available at: https://www.wolterskluwer.com/en/solutions/vitallaw-law-firms. Now known as VitalLaw. This Wolters Kluwer and Aspen database has undergone several name changes in recent years. It was first called Intelliconnect, then Cheetah, and now VitalLaw. It is a major database of full-text content from those two great and important publishing houses. It was one of the most expensive databases the Law Library has had.

Available at: http://pr.microjuris.com/, accessed on January 27, 2022.

<sup>&</sup>lt;sup>38</sup> Available at: https://www.oclc.org/en/ezproxy.html. To configure this platform requires more technical knowledge than other platforms presented here.

from three hundred seats to one hundred. Being so few spaces, of the one hundred, it was decided to leave only twenty spaces for visitors and eighty for law students. This lack of space for students from the rest of the campus brought great discomfort that was later included as part of the demands of the University students in a strike.<sup>39</sup> With vaccination now available and the distancing reduced to three feet, an unrestricted agreement was achieved for students. This is an important example that libraries are transparent while they are available, and when they are missing, they become necessary and more visible than ever.

# V. CONCLUSION

Creativity and innovation in libraries cannot be stopped. Libraries are dynamic and changing environments that can be a great challenge for any administration. Changes in administration, government and budget can have a profound impact on the operation of libraries. Generational and technological changes impact services, the way of acquiring, organization, preservation, access, teaching strategies and social work. Each of these changes is accompanied by new tasks and different work realities that managers have to face.

No administration, institution or library is perfect. There is always an opportunity to learn from other institutions and update practices and procedures. The case of the University of Puerto Rico Law Library is no different. As things return to normal, remote work remains challenging insofar as it is temporary and contingent. The return to face-to-face classes will be of benefit to restore ordinary library services and relax restrictions on use. Similarly, the eventual elimination of distancing can bring back face-to-face activities that were eliminated or reduced due to the pandemic.

The extension of the offer on the YouTube channel is necessary. The inclusion of training and activities in the channel has been of great benefit to the academic community. The development of information skills through videos available synchronously and asynchronously, whether on YouTube or any other platform, is a recommended practice for any library. It is a way of teaching and being present in the academy.

There is a duty to create plans for remote work that include training for people who work in this mode. The lack of a protocol, plan, or strategy for remote work made the early stages of the shutdown difficult. Future

<sup>&</sup>lt;sup>39</sup> Vick Saurí, Stephanie, "Se levanta huelga indefinida en la IUPI," *Pulso Estudiantil*, 2021, available at: https://pulsoestudiantil.com/se-levanta-huelga-indefinida-en-la-iupi/.

408

purchases of work equipment must take into account the mobility of employees. The replacement of personal computers for laptops, transportable printing equipment and scanners, alternative meeting places, use of portable Internet equipment, among others. Although the novation of the tasks is accepted, an effective training is necessary to avoid falling into the illegality of the hiring. A librarian hired to catalog who is removed from her area, given a laptop, sent home, and assigned to reference, is in principle an inappropriate, reckless, and even illegal novation. On this occasion, the emergency justified the changes, but in the future, orderly planning is recommended.

The virtual reference service must be strengthened in times of remote work. More personnel should be dedicated to the task of serving users and faculty to facilitate research processes in the academy. Access to electronic resources, strategies for the use of databases, the preparation of bibliographies and the use of different technology tools are just some of the components that must be strengthened in this area. None of these efforts alone achieves significant impact without effective promotion of services and communication channels. When visitors and users know about the services, only then can they use them. It remains for the libraries to open communication channels and make all services known to increase their coverage and usefulness.

The demand for the services offered by the libraries at the University of Puerto Rico is significant. Both in Puerto Rico and in other countries of the world, libraries are part of the academic projects of educational institutions. They can shrink, they can change, they can adapt, but the role of librarians and libraries is strong and will last for a long time.

# VI. BIBLIOGRAPHY

AMERICAN BAR ASSOCIATION, "Standard 311. Academic Program and Academic Calendar", 2021-2022 Standards and Rules of Procedure for Approval of Law Schools, Chicago, ABA, 2022, available at: https://www.americanbar.org/groups/legal\_education/resources/standards/.

AMERICAN LIBRARY ASSOCIATION, "ALA Executive Board Recommends Closing Libraries to Public", ALA News, 2020, available at: https://www.ala.org/news/press-releases/2020/03/ala-executive-board-recommends-closing-libraries-public.

DECANATO DE ADMINISTRACIÓN UPR-RP, Plan consolidado de control de ex-

DR © 2023. Universidad Nacional Autónoma de México - Instituto de Investigaciones Jurídicas
Universidad de Arizona Facultad de Derecho

- posición y propagación del COVID-19 en el Recinto de Río Piedras de la Universidad de Puerto Rico (UPR-RP), Puerto Rico, 2021, available at: https://www.uprrp.edu/wp-content/uploads/2021/08/Plan-Consolidado-Control\_Exposicion\_Propagacion-Covid-19-UPRRP.pdf.
- "HURACÁN María: Las Aseguradoras enfrentan el mayor desastre en la historia moderna de Puerto Rico," Sin Comillas, 2017, available at: https://sincomillas.com/huracan-maria-las-aseguradoras-enfrentan-el-mayor-desastre-en-la-historia-moderan-de-puerto-rico/.
- INTERNATIONAL FEDERATION OF LIBRARY ASSOCIATIONS AND INSTITUTIONS, "COVID-19 y el sector bibliotecario global", available at: https://www.ifla.org/es/covid-19-y-el-sector-bibliotecario-global/#cierre.
- MELÉNDEZ GARCÍA, Lyanne, "Cronología de la huelga en la UPR", Metro, 2017, available at: https://www.metro.pr/pr/noticias/2017/06/05/cronologia-la-huelga-la-upr.html
- OSORIO, Tiffany, "UPR, School of Law Launches New DNA Post-Conviction Project «Freedom for Convicted Innocents» to Address Claims of Wrongful Convictions", Escuela de Derecho de la Universidad de Puerto Rico, available at: <a href="https://derecho.uprrp.edu/blog/2020/01/30/upr-school-of-law-launches-new-dna-post-conviction-project-freedom-for-convicted-innocents-to-ad-dress-claims-of-wrongful-convictions/">https://derecho.uprrp.edu/blog/2020/01/30/upr-school-of-law-launches-new-dna-post-conviction-project-freedom-for-convicted-innocents-to-ad-dress-claims-of-wrongful-convictions/</a>.
- TELESUR TV, "Huracán María, el peor desastre natural en la historia de Puerto Rico," YouTube, 2017, available at: https://www.youtube.com/watch?v=ss7EIr6AUf4.
- VICK SAURÍ, Stephanie, "Se levanta huelga indefinida en la IUPI," Pulso Estudiantil, 2021, available at: https://pulsoestudiantil.com/se-levanta-huelga-indefinida-en-la-iupi/.