

# ADMINISTRATIVE POLICY

#2020-009

FROM: Dana Smith, City Manager

RE: Operational Changes During Phases 1-3

DATE: April 27, 2020



The health and well-being of our employees and community members is our top priority. The City continues to work closely with the Flathead City-County Health Department (FCCHD) and other local partners to ensure a coordinated response to the novel coronavirus (COVID-19) that is consistent with the latest guidance from the Centers for Disease Control and Prevention (CDC), the Montana Department of Public Health and Human Services (DPHHS), and directives issued by Governor Bullock.

The City Council adopted an emergency ordinance on March 16<sup>th</sup> cancelling all non-essential meetings, waiving resort tax late fees, waiving late fees and shut-offs for utilities, closing public restrooms, approving two weeks of paid emergency sick leave for employees who are directed by the Flathead City-County Health Department or a licensed physician to be isolated or quarantined due to COVID-19, and authorizing City Hall to be closed to the public. On March 19<sup>th</sup>, Mayor Muhlfeld declared a state of emergency for the City of Whitefish. On April 6, 2020, an additional emergency ordinance was passed clarifying the authority of the City Manager, addressing the ability for remote City Council, Planning Board, and Architectural Review Committee meetings, and identifying certain deadlines tolled and held in abeyance in accordance with a directive issued by Governor Bullock.

On April 22, 2020, Governor Steve Bullock issued a directive providing guidance for the phased reopening of Montana and establishing conditions for Phase One of the “Reopening the Big Sky” (Reopening Plan). The Reopening Plan provides for three phases and contains no specific dates when the State of Montana will move into the next phase. Phase One lifts the Stay-at-Home Directive and officially commenced on April 26, 2020. Below is a summary of guidelines under the Reopening Plan for each phase:

## **All Phases:**

- Continue to practice good hygiene
  - Wash your hands with soap and water or use hand sanitizer, especially after touching frequently used items or surfaces
  - Avoid touching your face
  - Sneeze or cough into a tissue or the inside of your elbow
  - Disinfect frequently used items and surfaces as much as possible
  - Strongly consider using non-medical face coverings when in public, especially in circumstances that do not readily allow for appropriate physical distancing
- People who feel sick should stay home

- Do not go to work or school
- Contact and follow the advice of your medical provider
- Follow local health department guidance on isolation and quarantine

**Phase One:**

- Vulnerable individuals should continue to follow stay at home guidance
- Accommodations for vulnerable individuals should be considered
- All individuals when in public should maximize physical distance from others
- Limit groups to 10 people where physical distancing cannot be achieved
- Minimize non-essential travel
- Continue telecommuting/remote work when possible and feasible
- Provide alternate work schedules to meet social distancing guidelines
- Close personnel and facility common areas or enforce strict social distancing protocol

**Phase Two:**

- Vulnerable individuals continue to follow stay at home guidance
- Accommodations for vulnerable individuals should be considered
- All individuals when in public should maximize physical distance
- Limit groups to 50 people where physical distancing cannot be achieved
- Travel restrictions remain in effect for those returning to Montana when traveling from out-of-state
- Continue telecommuting/remote work when possible and feasible
- Provide alternate work schedules for social distancing guidelines

**Phase Three:**

- Vulnerable individuals practice physical distancing and continue to take precautionary measures
- All individuals should limit contact time with others and limit time in crowded spaces
- Travel can resume to normal
- Full staffing of the workplace can resume

Based on the comprehensive Reopening Plan and detailed requirements of each phase, this Administrative Policy is meant to provide employees with the City's plan moving through each Phase. It provides guidance for employees on issues related to the work environment, meetings, and protective measures for employees and customers.

With the rapidly changing information and guidelines, this policy may be updated at any time with prompt notice to all City employees. All previously issued administrative policies that are in conflict with this Policy are hereby superseded.

The following measures are applicable to all City employees and officials, unless an exception has been made by the City Manager. These policies apply until further notice.

1. **Temporary Telecommuting/Remote Work.** The City and each Department have determined which job functions can be performed at home. Administrative Policy 2020-08 provides the process and policy regarding telecommuting/remote work. During Phase One and Phase Two of the Reopening Plan, telecommuting/remote work arrangements will continue to be in effect, except for certain employees who are required to return to work to provide essential services. Positions deemed essential for in-office work will be determined by the Department Director. Department Directors must inform the Human Resources Director of the change and written notification will be provided to the employee.

All employees will work from the office during Phase Three unless otherwise approved.

2. **Alternative Work Schedules.** The City and each Department have determined which job functions can be performed through alternating or alternative work schedules. During Phase One and Phase Two of the Reopening Plan, alternating or alternative work arrangements will continue to be in effect, except for certain employees who are required to return to work to provide essential services or maintenance. Department Directors will determine when an alternating or alternative work schedule is no longer feasible due to required services or maintenance. Department Directors must inform the Human Resources Director of the change and written notification will be provided to the employee.

All employees will return to their normally scheduled hours during Phase Three.

3. **Employee Self-Check Health Assessment Stations.** In accordance with the guidance from the Governor, all employees reporting to work should complete a self-check health assessment during Phase One and Phase Two. A station or location will be setup near the entrance of each City staffed facility. The station will have a self-check questionnaire posted and a forehead infrared thermometer available for use. All employees shall maintain 6-feet of physical distance when waiting to use the station. No written documentation of temperature readings or answers to the questionnaire will be required or retained by the City.

Employees must ask themselves the following questions:

In the last 48 hours have I experienced:

- a. An elevated temperature/fever of 100.4 or higher?
- b. Coughing?
- c. Chills, feeling very warm, flushed appearance or sweating with no activity?
- d. Shortness of breath or difficulty breathing?
- e. Loss of taste or smell?
- f. Sore throat?
- g. Unexplained muscle pain?
- h. a fever and taken a medication to reduce the fever?

If an employee answers yes to any of the questions above, the employee must return to their vehicle and call their supervisor or the Human Resources Director for further instruction.

4. **Social Distancing and Common Areas.** All break and common areas will continue to be

open with social distancing (6-foot physical space) strictly enforced. Please consider alternatives or wait for other individuals to leave the area before proceeding when space does not allow for proper social distancing. If the City Manager determines an area should be closed due to repeated violations of the social distancing requirements, an area will be closed.

During Phase One and Phase Two no employee potlucks will be allowed to reduce the risk of potential exposure.

5. **Travel.**

- a. **Business Travel.** During Phase One and Phase Two all non-essential business travel must be kept to a minimum. Department Directors will determine on a case-by-case basis whether work related travel is essential. During Phase Three all business related travel is permitted.
- b. **Personal Travel.** Employees and officials should minimize non-essential personal travel in accordance with the [Governor's Phase One Directive](#) while the State is under Phase One. Please inform your supervisor and Department Director of your travel plans to discuss the possible implications before you leave. We recommend you also visit the CDC's [website](#) and read the Governor's [14-day Mandatory Quarantine Directive](#) to ensure you are prepared for possible impacts from travel throughout the United States and other countries. If you are traveling to or through an area that has seen localized transmission of COVID-19 or if you come into contact with a person that has symptoms of a respiratory illness on your trip you may be asked to stay home. Use of accrued leave may be required upon return if asked to quarantine depending on the reason for travel.

Phase Two will continue to have restrictions for those traveling into Montana from out of state and the above will continue to apply. During Phase Three operations will return to normal.

6. **City Hall Operations and Protective Measures.** City Hall will reopen to the public when all protective measures are in place.

During Phase One and Phase Two the main front doors to City Hall will operate as the entrance and the Baker Avenue first floor door will remain locked and used as the exit for all customers. For emergencies, the front doors and second floor door may be used as an exit for all employees and customers. The second-floor door will remain locked as an employee only entrance and exit during Phase One and Phase Two. When the State is under Phase Three all doors will return to normal operations.

The City will provide employees working at City Hall with cloth face coverings. Those who cannot practically social distance from each other, such as those interacting with the public at the front counters or those meeting in an office, will wear a cloth face covering during those interactions unless instructed otherwise by a doctor or recommended by the CDC during Phase One. If other protective measures are in place, such as plexiglass barriers,

during Phase Two and Phase Three, masks will not be required but will be strongly recommended.

Hand sanitizer will be provided to City employees and customers when availability of the product allows. However, frequent proper hand washing is still strongly recommended as it has been determined to be more effective than hand sanitizer.

Front counters and main door handles will be disinfected every two hours or more frequently as time allows during normal business hours. Pens used by customers will be disinfected after each use. Other frequently touched surfaces will be disinfected daily.

All individuals from the public entering the building are required to wear a mask during Phase One and notice will be posted on the front doors. Disposable masks will be available for those visitors who need one in the City Hall vestibule. For those individuals who should not wear a mask in accordance with CDC guidelines, thermometers will be available as an alternative at the entrance.

A self-check health assessment station will be setup in the vestibule of City Hall for customers to complete a self-check health assessment during Phase One and Phase Two. If a customer answers yes to any of the questions or has an elevated temperature after checking with the forehead infrared thermometer, the customer will be directed to proceed no further, exit the City Hall vestibule, and to contact the department they would like to do business remotely by phone or email.

Protective plexiglass will be temporarily installed at each counter serving the public and markings will be placed on the floor indicating proper social distancing. The lobby seating area may be closed if proper social distancing is determined to be impossible or repeatedly violated. These protective measures will remain in place until the public health emergency ends.

7. **Other City Locations and Protective Measures.** Employees that cannot properly social distance themselves from other City employees or individuals, especially while in public (*e.g.* grocery stores/retail stores), must wear a mask or cloth face covering while on duty. The City will provide cloth face coverings and/or masks for use by employees.

As other locations open to the public, similar protective measures that have been implemented at City Hall, must also be implemented during Phase One and Phase Two, if feasible. Coordination with the City Manager prior to opening is required.

8. **Disinfecting of City Facilities.** Employees who are cleaning and disinfecting facilities should follow the guidance provided by the CDC for [Cleaning and Disinfecting Your Facility](#). Employees must coordinate with their supervisors to obtain the appropriate personal protective equipment and supplies.

# ADMINISTRATIVE POLICY

#2020-008

FROM: Dana Smith, City Manager

RE: Operational and Personnel Policy Changes during COVID-19

DATE: April 14, 2020



The health and well-being of our employees and community members is our top priority. The City continues to work closely with the Flathead City-County Health Department (FCCHD) and other local partners to ensure a coordinated response to the novel coronavirus (COVID-19) that is consistent with the latest guidance from the Centers for Disease Control and Prevention (CDC), the Montana Department of Public Health and Human Services (DPHHS), and directives issued by Governor Bullock.

The City Council adopted an emergency ordinance on March 16<sup>th</sup> cancelling all non-essential meetings, waiving resort tax late fees, waiving late fees and shut-offs for utilities, closing public restrooms, approving two weeks of paid emergency sick leave for employees who are directed by the Flathead City-County Health Department or a licensed physician to be isolated or quarantined due to COVID-19, and authorizing City Hall to be closed to the public. On March 19<sup>th</sup>, Mayor Muhlfeld declared a state of emergency for the City of Whitefish. On April 6, 2020, an additional emergency ordinance was passed clarifying the authority of the City Manager, addressing the ability for remote City Council, Planning Board, and Architectural Review Committee meetings, and identifying certain deadlines tolled and held in abeyance in accordance with a directive issued by Governor Bullock.

This Administrative Policy provides employees with a single document summarizing and expanding previously issued policies related to City's response to COVID-19. It provides guidance for employees on issues related to the work environment, meetings, use of leave, and instructions for tracking and reporting activities related to the COVID-19 Pandemic. With the rapidly changing information and guidelines, these policies may be updated at any time with prompt notice to all City employees. All previously issued administrative policies that are in conflict with this Policy are hereby superseded.

The following measures are applicable to all City employees and officials, unless an exception has been made by the City Manager. These policies apply until further notice.

1. **Sick employees must stay home.** Employees who have symptoms of acute respiratory illness must stay home and may not come to work until they are free of fever (defined as 100.4° F or greater using an oral thermometer per the CDC), signs of a fever, and any other symptoms for at least 48 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). It is recommended that employees who have symptoms of COVID-19 seek testing from a healthcare facility. Employees must notify their supervisor by phone, text, or email, and stay home if they are sick. Employees will be compensated in accordance with Section 7 below during the period they are home sick.
2. **Employees who appear sick will be sent home.** Employees who appear to have acute respiratory illness symptoms (i.e. cough, shortness of breath) upon arrival to work or become sick during the day will be separated from other employees and be sent home immediately. Employees may not return to work until they are free of fever (defined as 100.4° F or greater using an oral thermometer per the CDC), signs of a fever, and any other symptoms for at least 48 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). It is recommended that employees who have symptoms of COVID-19 seek testing from a healthcare facility. Employees will be compensated in accordance with Section 7 below during the period they are home sick.
3. **Essential job functions; Telecommuting/remote work.** The City and each Department have determined which job functions can be performed at home. Upon notification from your Department Director that you can work remotely either for your normally scheduled hours or on a part-time basis, you will be required to temporarily work from home.

The City and each Department will create a plan detailing which essential job functions must reasonably be performed at the employee's usual workplace. Employees working from home will be notified of their temporary telecommuting work arrangement in writing with the agreed upon duration, schedule, general work plan, and technology requirements specified. During telecommuting arrangements, employees may be required to detail on their timesheets the work completed during the hours reported and communicate frequently with his or her supervisor. It is expected that all employees accurately report hours worked and coordinate interruptions with his or her supervisor. Telecommuting brings with it unique responsibilities and advantages that should not be abused or misused. At any time, the City may revoke the telecommuting arrangement and require the employee to return to the workplace.

The City will not reimburse an employee for the use of the remote office space including personal equipment and supplies. Certain equipment and supplies will be allowed to be checked out from City facilities as determined by the employee's supervisor and the Information Technology Administrator.

4. **Employees remaining in their usual workplace.** In accordance with the City's Declaration of a State of Emergency related to COVID-19, adopted emergency ordinances, individual department plans, and other administrative policies, all employees who are well and who have been identified as essential employees and whose duties cannot reasonably be performed remotely from home must continue to perform their city functions in the usual

manner. The City will work to ensure all such employees follow CDC and local health guidelines for personal hygiene, workplace sanitation, and social distancing practices wherever appropriate and feasible, including moving or reassigning work stations to minimize close contact between employees, staggering work shifts, and/or other flexible work arrangements.

5. **Employees who are well but have a sick household member must stay home.**

Employees who are well but have a household member who is diagnosed with COVID-19, or who is displaying the symptoms of COVID-19 described in section 1, should notify their supervisor. All such employees must self-quarantine for a minimum of 14 days. The self-quarantine period will be extended if the employee develops symptoms of COVID-19 during the initial self-quarantine period.

6. **Emergency paid sick leave; administrative leave; use of accrued leave; FFCRA expanded Family Medical Leave Act (FMLA).** Employees will be notified in writing how the following types of leave apply to their individual situation.

a. **Emergency paid sick leave.** In accordance with Administrative Policy 2020-06, prior to the approval of administrative leave with pay, an employee must use the two week of paid emergency sick leave.

b. **Administrative leave (with pay).** The City will pay employees their regular salary or hourly rate without the use of leave accruals **after** exhausting the full two weeks of emergency paid sick leave under the following circumstances:

i. Employees who are diagnosed with COVID-19, or who have the symptoms of COVID-19 described in Section 1, or who must provide care to a household member or dependent diagnosed with COVID-19 or who is displaying the symptoms of COVID-19 described in Section 1.

ii. Employees who are impacted by COVID-19 as described below **and** are unable to work from home. "Impacted employees" include:

1. An employee who is, or who has a dependent or household member who is diagnosed with COVID-19, or who have the symptoms of COVID-19 described in section 1; or
2. An employee who has been directed by the City to not report for work, and the City has not provided the employee the means to perform their work from home; or
3. An employee directed by a medical professional or public health authority to quarantine or self-isolate.

iii. Employees able to work remotely and who are impacted by COVID-19 as described herein must communicate with their supervisor as to their individual

capacity to continue to work remotely as their individual or household situations change. Employees shifting between working remotely and addressing impacts of COVID-19 must clearly delineate their time pursuant to Section 7.

- c. **When use of accrued leave is required.** Employees who wish to be absent from work and who do not wish to work from home, but do not meet the circumstances in Section 6(b) above, must use their leave accruals per the City's existing policies and procedures.
  - d. **Medical professional verification.** Employees may be required to provide the City with written verification of medical condition in order to take administrative leave with pay or to return to work in accordance with this policy. The Human Resources Director will coordinate with the Department Director, Supervisor, and/or employee to determine if medical verification is required.
  - e. **Family Medical Leave Act (FMLA) Expansion for COVID-19.** Applicability of the temporarily expanded FFCRA FMLA benefits in response to COVID-19 and City's policy remains in effect under Administrative Policy 2020-07. However, under this new Policy 1/3 of the normally schedule hours can be made up with administrative leave (with pay).
7. **Time keeping and COVID-19.** Regular worked hours and regular leave use will be reported and tracked as normal. Direct overtime on COVID-19 response, Emergency sick leave, Administrative leave (with pay), and FMLA will need to be recorded differently to track the costs.
- a. **Direct overtime on COVID-19 response.** Direct overtime time will need to be recorded under *Emerg Leave OT*.
  - b. **Emergency sick leave.** The two weeks of emergency sick leave shall be recorded under *Emerg Leave Reg*.
  - c. **Administrative Leave (with pay).** All approved Paid Administrative Leave shall be recorded under *Admin Leave*.
  - d. **FMLA for COVID-19.** Record 2/3 of normally scheduled hours under *2/3 Pay*. The remaining 1/3 of normally scheduled hours can be made up with *Admin Leave*. For example, an employee normally scheduled for an 8-hour day shall record 5.33 hours under *2/3 Pay* and 2.67 hours under other leave used like regular sick leave, vacation, personal time, and comp time.
8. **First responders requiring immediate quarantine.** For police officers and firefighters who come into contact with a person diagnosed with COVID-19, or a possible case of COVID-19 while on duty without the proper personal protection equipment, and the FCCHD or other medical professional determines the police officer or firefighter shall be

quarantined, the City will provide housing accommodations to protect the employee's family and household members. While staying in City- provided accommodations, household members may not visit or stay with the employee. Arrangements will be made for food and supplies to be delivered.

9. **Staff meetings/meeting with members of the public.** Employees are encouraged to limit their in-person staff meetings and Directors are encouraged to provide options for staff meetings to occur using technology. The City's Information Technology Administrator has resources to use for remote meetings. Examples include Microsoft Teams and WebEx.

In-person meetings between employees and members of the public shall only be held when deemed essential by the Department Director. Essential needs may include construction site visits, building inspections, law enforcement, and municipal court proceedings. The general public is not allowed into any City owned facilities and social distancing is required at all times.

Meetings with ten or more people, whether staff, public, or a combination, are prohibited. The meeting may be conducted using a combination of in person attendance and remote resources or scheduling to ensure gathering of 10 or more people does not occur.

10. **Travel.**

- a. **Work Travel.** All work-related non-essential travel is suspended until further notice. The City Manager will determine on a case-by-case basis whether work related travel is essential.
- b. **Personal Travel.** Employees and officials should limit personal travel in accordance with the Governor's [Stay-at-Home Directive](#) to essential travel only. Please inform your supervisor and Department Director of your travel plans to discuss the possible implications before you leave. We recommend you also visit the CDC's [website](#) and read the Governor's [14-day Mandatory Quarantine Directive](#) to ensure you are prepared for possible impacts from travel throughout the United States and other countries. If you are traveling to or through an area that has seen localized transmission of COVID-19 or if you come into contact with a person that has symptoms of a respiratory illness on your trip you may be asked to stay home. Use of accrued leave may be required upon return if asked to quarantine depending on the reason for travel during the Stay-at-Home Directive.

11. **Montana Municipal Interlocal Authority (MMIA) benefits and employee assistance.** MMIA has published information regarding coverage for testing, remote resources available to covered employees and officials (such as tele-medicine) and other useful information [here](#).

This is a stressful time for our employees and their families. Some employees may need to seek additional help. Please remember the City provides an Employee Assistance Plan (EAP) benefit to all employees and those who live in their household. More information can be found [here](#).

12. **Expenditure tracking for expenses related to COVID-19.** All expenditures related to COVID-19 response must be coded using the correct fund, account, and object code, as well as the new project code 28 (COVID-19). Ex: 1000-410500-220-28.
13. **Employee concerns.** The City is committed to ensuring a safe work environment for all employees. If you have concerns regarding COVID-19 and the City's response, please contact your direct supervisor first and then your Department Director.
14. **Confidentiality.** Information you provide about having been exposed to someone with COVID-19 or your own diagnosis will be kept confidential to the extent possible. This means that if we have to warn coworkers or take other action to protect other employees or the community, we will do our best to protect your identity, consistent with the direction of the FCCHD and applicable privacy laws.

# ADMINISTRATIVE POLICY

#2020-005

FROM: Dana Smith, City Manager

RE: Emergency Leave: Response to COVID-19

DATE: March 18, 2020



The novel coronavirus (COVID-19) outbreak has developed into a public health emergency throughout the United States and we now have ten confirmed cases in Montana. The health and well-being of our employees and community members is our top priority. While most individuals will experience mild symptoms, there are employees and members of our community who are more vulnerable to serious complications from COVID-19. Therefore, we must all take action to help prevent and slow the spread of the virus, which may in the future include the closure of certain offices and facilities.

To minimize the financial burden placed on an employee who is required to be quarantined for extended periods of time and to encourage continued use of sick leave for other illnesses or approved needs, the City Council approved emergency leave up to an equivalent of two weeks paid leave for all regular full and part-time City employees, including temporary and probationary employees, who are required to be quarantined by the Flathead City-County Health Department or a licensed physician due to COVID-19. Employees who are regularly scheduled for shifts of 40 hours per week will be eligible to receive 80 hours of paid emergency leave. Employees who are regularly scheduled for less or more than 40 hours per week will receive a prorated amount. Emergency leave does not accrue nor is it payable upon termination. In the event H.R. 6201, Families First Coronavirus Response Act, is adopted by the federal government and requires the City to provide more extensive benefits, the City will do so.

If you are required to be quarantined by Flathead City County Health Department or a licensed physician due to COVID-19, please remain at home and contact your supervisor immediately. We may require documentation supporting the quarantine requirement and anticipated duration. During a required quarantine as described, emergency leave will be paid and an employee who has arranged to work remotely will not be allowed to work during the quarantine period.

# ADMINISTRATIVE POLICY

#2020-004

FROM: Dana Smith, City Manager

RE: Use of Leave: Response to COVID-19

DATE: March 15, 2020



The novel coronavirus (COVID-19) outbreak has developed into a public health emergency throughout the United States and we now have six confirmed cases in Montana. The health and well-being of our employees and community members is our top priority. While most individuals will experience mild symptoms, there are employees and members of our community who are more vulnerable to serious complications from COVID-19. Therefore, we must all take action to help prevent and slow the spread of the virus, which may in the future include the closure of certain offices and facilities.

If the situation arises that requires an employee to remain at home to care for a child(ren) when schools close directly related to COVID-19, employees may use accrued sick leave, comp time, personal time, and vacation upon approval by his or her supervisor. Unpaid leave will be considered on a case-by-case basis and requires approval by the City Manager.

When City facilities are closed directly related to COVID-19, employees may use accrued sick leave, comp time, personal time, and vacation. Unpaid leave will be considered on a case-by-case basis and requires approval by the City Manager.

No employees will be allowed to incur a negative balance for any type of accrued leave. Administrative Policy #2020-003 clarifies the possibility of telecommuting in certain situations.