



RULES AND REGULATIONS GOVERNING COVID-19 PANDEMIC
Updated August 1, 2021

1. PURPOSE: Following a Proclamation of Emergency, and pursuant to the City’s Emergency Management Policy (SMC 2.76) and the powers vested in the Mayor following a Declaration of Emergency, this policy was created to provide guidance in the event a pandemic illness is expected to or currently is taking place that may affect the operations of the City of Sumner and pose a risk to staff and the community at large. These rules are specific to this instance, are subject to revision at the Mayor’s discretion, and shall not be interpreted to set any precedent the emergency or disaster for which they are specifically implemented.

2. SCOPE: This policy applies to all City of Sumner departments and employees, irrespective of exempt or non-exempt status or membership in any union within the City of Sumner.

3. DEFINITIONS:
 - A. City Hall Public Access Restrictions: the closure of City Hall and all other City Facilities from public access but shall not mean the closure of business operations inside City Facilities or the City.
 - B. Shelter in Place Closure: Means an order by the Governor, state or local department of health, or other entity with authority, prohibiting Washingtonians from leaving their homes except for absolutely necessary purposes and where City employees are expected to work remotely if capable and continue to report to work if unable to work remotely so as to continue the provision of necessary and essential governmental services.
 - C. City Facility Complete Closure: a complete closure of all services as ordered by the Governor, state or local department of health, or other entity with authority, where City employees are not expected to work remotely, except those essential governmental services necessary for the life and safety of the City and its community members.
 - D. Epidemic: a widespread occurrence of an infectious disease in a community at a particular time.
 - E. Pandemic: a disease that is prevalent over a region, country, or the world as declared by any national, state or local health department (see 6A below).

4. REFERENCES:
 - A. Chapter 7.05 RCW – Local Health Departments
 - B. Chapter 7.08 RCW – Combined City-County Health Departments
 - C. Chapter 70.26 RCW – Pandemic Influenza Preparedness
 - D. Chapter 2.76 SMC – Emergency Management
 - E. City of Sumner Comprehensive Emergency Management Plan (2013)
 - F. City of Sumner Personnel Policies
 - G. Washington Department of Health: doh.wa.gov
 - H. Tacoma Pierce County Health Department: tpchd.org

5. POLICY: It is the policy of the City of Sumner to take all appropriate measures needed to address a pandemic. Protecting the community and City staff are the top priority and this policy establishes some of the actions that may be taken, and the authority granted to address a pandemic.
6. PROCEDURES: The following procedures are created to minimize disease exposure and maintain continuity of City operations in the event that a pandemic becomes a threat to City employees, their families, and the community at large.
 - A. Declaration of Pandemic: Public health professionals at organizations such as the Centers for Disease Control and Prevention (CDC), Washington State Public Health Department, and/or Tacoma/Pierce County Health Department may declare that a pandemic or related public health emergency exists. Such declarations may contain instructions to both private and public sector entities which will be followed by the City as applicable.
 - B. Procedures to help minimize the spread of germs: Employees are urged to practice standard Non-Pharmaceutical Interventions (“NPI’s”), including wearing a face covering, covering coughs by coughing into their elbows or into a tissue, regular hand washing, regular use of alcohol hand sanitizer, and avoiding touching eyes, nose, or mouth. Hands and work surfaces should be disinfected frequently. Employees are also urged to utilize physical distancing such as maintaining a distance of six feet from others when practical to do so. In the event that it is not possible to physically distance, employees are required to wear PPE when interacting with other employees, citizens and customers. All employees will be required to comply with any personal protective equipment requirements as outlined by any federal, state or local health official or authority. Employees who do not feel comfortable following requirements should request a medical accommodation through Human Resources which will require a doctor’s certification per City of Sumner Personnel Policy sections 2.2.1 – 2.2.3.
 - C. During times of Declaration of Pandemic:
 - i. Employees who have a communicable illness or are experiencing flu-like symptoms are encouraged to stay home, take accrued leave and consult their physician.
 - ii. Employees reporting to work who exhibit symptoms of a communicable illness will be sent home by a supervisor after consultation with the HR Department, and encouraged to consult their physician. The employee shall be required to utilize accrued leave, if any, pursuant to the Personnel Policies or applicable collective bargaining agreement if they are sent home due to symptoms of an illness.
 - iii. If the illness of an employee or member of an employee’s household interferes with reporting to work in a timely manner, the employee is responsible for notifying their supervisor pursuant to the provisions of the Personnel Policies or applicable collective bargaining agreement. Employees must not return to work until they have been free of illness symptoms (fever, chills, sore throat, loss of taste or smell etc.) following the current CDC or Health Department guidelines, or deemed no longer infectious by a medical professional (i.e. negative test result).

- iv. Employees are required to utilize their accrued sick or vacation leave, compensatory time, floating holidays, management leave, banked holiday leave or any other paid leave accrued by the employee while recovering from or caring for a spouse, dependent, or any other covered person recovering from illness, consistent with Section 8.3 of the Personnel Policy.
- v. When traveling internationally, employees are required to follow any local, state, or federal quarantine guidelines before returning to in person work. Employees are required to utilize their accrued sick or vacation leave, compensatory time, floating holidays, management leave, banked holiday leave or any other paid leave accrued by the employee while on travel related quarantine.
- vi. When quarantine of an employee is ordered by State or County Health Officials due to a pandemic illness, any accrued leave may be taken for the period of quarantine
- vii. Employees who stay home due to the closure of a dependent's school for a health reason shall be permitted to use any accrued leave consistent with Section 8.3 of the Personnel Policy).
- viii. Employees who have exhausted all accrued leave of any type to cover their pandemic related absence may be eligible for Shared Leave as outlined in Section 8.6 of the Personnel Policy. Alternatively, employees who have exhausted all accrued leave may elect to take leave without pay (LWP) for a pandemic related absence with pre-approval from the City Administrator consistent with Section 8.12 of the Personnel Policy.
- ix. At the Discretion of the Mayor, City Administrator or their designee, City Hall may alter its business practices, hours of business, and services provided. Examples of potential measures that could be taken include but are not limited to:
 - a. The City may implement temporary emergency procedures to minimize in-person contact between employees. Such measures may include greater use of e-mail, phone, and teleconferences as opposed to in-person meetings and contact.
 - b. Reduced Counter Service: The City may alter how it conducts business with the public by limiting or halting services at counters/areas of the City Hall and other facilities where front-line services are typically provided.
 - c. Telecommuting: Some staff, with the ability and technical capability to work from home, may be pre-authorized or assigned by their supervisor to work from home on a partial or full-time basis. The Mayor, City Administrator or their designee shall have the authority to set the minimum and maximum number of weekly telework shifts. All

~~other provisions of the City's Telework Policy shall remain in place including the requirement to complete a Telework Authorization and Agreement form. Employees who are authorized or encouraged to telecommute shall not be required to use their accrued leave except as would otherwise be applicable for absences (appointments, vacations, etc) from normal working hours. If an employee is unable to telecommute due to loss of power, internet outage etc, they will be required to use accrued leave when not working.~~

7. City Service Levels

A. City Hall Public Access Restrictions

- i. **Purpose:** To maintain the provision of services and operations while ensuring proper physical distancing. During this response level, all normal city services are provided, but may be provided by phone, e-mail or by appointment.
- ii. **Staffing:** Most City Hall employees will continue to work from home, including answering their desk lines and public lines that are routed to them. If someone comes to City Hall and needs service that can't be provided over the phone or online, a staff member, after determining that the customer's request is not something that can be handled by means other than in-person, may greet and escort them into the building for service. Employees should doorway triage—if the customer is exhibiting cold/flu symptoms ask them to leave and provide services in some other manner and maintain proper physical distancing techniques while providing service. Additionally, the employees at work are a resource for the employees working from home and should be utilized to provide in person services if needed.

While a City Hall Public Access Restriction is in place, employees may come into City Hall to pick up additional work, drop off work product, get IT services, etc, but while in City Hall, employees are required to limit all in-person contact, wear a face covering if mandated and be sure to practice good hygiene.

Typical staffing during City Hall Public Access Restriction, should include:

- 1 Police Records Specialist
- 1 Employee capable of issuing a permit and answering permit questions (as determined by Development Services Director)
- 1 Employee capable of taking payments (as determined by Administrative Services Director)
- 1 Engineer (as determined by PW Director)
- 2 Engineer Technicians¹
- 1 Building Official²

¹ Work cannot be done from home

² May work partially from home

- 1 IT Employee
- 2 Department Directors per day (as determined by the City Administrator)
- The Police Chief or Deputy Chief will rotate days
- The City Administrator and Communications Director will work 2 days in the office

Staffing can be adjusted as necessary based on current health department guidance or community spread of the virus.

- iii. **Supervision:** Directors (either directly or through first line supervisors) need to be checking in with their employees daily to discuss workload and understand what challenges (if any) they are having.
- iv. **Compensation:** During a public access restriction there is no additional compensation provided. Use of accrued leave or emergency sick leave are the same as those outlined in section 6.C.
- v. **Signage:** A City Hall Public Access Restricted sign should be placed on the main door. Services provided by appointment only. Sign should include a main number that routes through the City phone tree and provide information about online services. Deliveries should be instructed to press the call button Monday - Friday 8:00am – 5:00pm. *When possible, staff should ship Amazon.com deliveries to the locker or personal items to your home.*
- vi. **Modifications:** During a public access restriction, these procedures and staffing requirements will be reviewed weekly and adjusted as necessary. Employees will need to monitor email communication from Executive staff or HR regarding any procedure adjustments to ensure they are following required procedures.

B. Shelter in Place Closure:

- i. **Purpose:** To maintain the provision of services and operations while ensuring proper physical distancing. During this response level, all normal city services are provided, but may be provided by phone, e-mail and by appointment only.
- ii. **Staffing:** All City Hall employees, capable of performing their job function remotely will be required to work remotely. Employees who cannot work remotely and are thus asked to report to work but *choose not* to report to work will be required to use accrued leave (any form).

Staff who are unable to perform their job functions remotely (determined and pre-authorized by a Department Director or City Administrator) or who are asked to report to City Hall shall be expected to report to work and will receive additional compensation as listed in section B(iii).

Non-City Hall Staff (Shops, Parks, Cemetery, Facilities, WWTF) shall continue to report to work as normal and will receive additional compensation as listed in

section B(iii). Employees who choose not to report to work will be required to use accrued leave (any form).

- iii. **Compensation:** During a shelter in place closure, employees required to physically report to work shall be paid an additional 5% of the employee's regular pay for essential work performed. The 5% shall be paid in full day increments.
- iv. **Signage:** A City Hall Public Access Restricted sign on main door. Services provided by appointment only. Sign should include a main number that routes through the City phone tree and provide information about online services. Deliveries should be instructed to press the call button Monday - Friday 8:00am – 5:00pm. *When possible, staff should ship Amazon.com deliveries to the locker or personal items to your home.*

C. City Facility Complete Closure:

- i. **Purpose:** To maintain only essential and emergency services.

- ii. **Staffing:**

Situation non-essential employees will be required to stay home and shall be compensated according to section C(iii). Employees are not expected or allowed to work remotely unless pre-authorized.

Situation-Essential Staff (determined to be minimum staffing necessary to provide essential services as determined by a Department Director or City Administrator) will be required to work and shall be compensated according to section C(iii).

- iii. **Compensation:**

Situation non-essential employees will receive closure pay (regular wages). Closure pay will only be made available to staff who are scheduled to work on the day(s) on which the City Facilities are closed. Those who are on a planned absence, such as vacation leave and were not recalled back to work will not receive Closure Pay. Any employee already on sick leave shall be eligible for Closure Pay in lieu of continued use of sick leave once closure pay is in effect. If an employee is using emergency sick leave under the Families First Coronavirus Response Act (FFCRA), that leave shall be used first prior to moving in a closure pay status.

Situation-Essential Staff (determined to be minimum staffing necessary to provide essential services as determined by the Department Director) will be paid an additional ½ of the employee's regular hourly rate of pay for work carried out during a City Facility Complete Closure.

Situation-Essential Director and Deputy Director staff will receive a 5% (five percent) salary increase for hours worked during a City Facility Full Closure in 40-hour increments.

8. Safe Start and Re-Opening of City Hall

Purpose: To maintain the provision of services and operations while ensuring proper physical distancing between both employees and the public and ensure compliance with any phased re-opening restrictions implemented by any federal, state or local health official or authority. During this response level, City Hall will slowly be increasing staffing levels and customer access based on the Safe Start reopening phases outlined by the Washington State Governor. The City Hall reopening plan will begin when the county enters Phase II of the Safe Start plan. During Phase I, the City will follow the Shelter in Place provisions.

- i. **Staffing:** As the Washington State Governor transitions the state through the various stages of the Safe Start program, the staffing levels at City facilities will be permitted to gradually increase. While the state or county may move to a particular phase on a specific day, the Mayor will determine what day City Staff move to the same phase to ensure that all health department guidance can adequately be met. During any phase of a City Hall Reopening Restriction, City Hall and any field staff previously identified as being unable to work remotely will continue to work at their assigned location/facility, working their regular schedule. Any employees who are unable or unwilling to report to their designated work location will generally be required to use accrued leave, unless pre-approved to telework by their department director.

For Phase II and III, in an effort to reduce the number of staff in the building on any given day while still providing appropriate levels of service, the City Administrator will divide City Hall Staff into two work teams (Daffodil and Rhubarb). Employees will continue to work their normal schedule (including alternative work schedules if applicable) but will only work on-site in City Hall on the days their team is assigned. Team Daffodil will be responsible for staffing City Hall on Mondays and Tuesdays, Team Rhubarb will be responsible for staffing City Hall on Wednesdays and Thursdays. Friday will be reserved for deep cleaning and only those City Hall employees who cannot work from home will be allowed in the building. City Hall staff shall only be allowed in City Hall on their assigned workdays based upon their assigned team, whether the entry into City Hall is for work or otherwise. Once assigned to a work group, employees will not be able to switch work groups without approval of the City Administrator. Employees who are unable or unwilling to report to their designated work location on their scheduled day will generally be required to use accrued leave, unless pre-approved to telework by their department director.

Employees who are not stationed at City Hall may be required to report to a different work location in order to assist with physical distancing.

- a. Phase II - When the Governor formally announces that the state has transitioned into Phase II, most staff will continue to work remotely. City Hall will be staffed based on the assigned team/day of the week at levels listed in the public access restricted (section 7.A).
- b. Phase III³ –When the Governor formally announces that the state has transitioned into Phase III, City Hall on-site staffing will increase beyond the staffing levels set forth in phase II. City Hall Staff will continue to work their regular schedule but will only be allowed to work in-person at City Hall on their assigned days according to the above-identified teams with a required minimum staffing level equal to Phase II. Employees who choose not to physically report to work on their team’s assigned day(s) will be required to use accrued leave, unless pre-approved to telework by their department director.
- c. Phase IV – This is the final phase of the City Hall Reopening Restriction. When the Governor formally announces that the state has transitioned to Phase IV, City Hall in-person staffing will be at roughly half of normal staffing levels. Employees will continue to work their normal schedules but will only work in-person at City Hall on their team’s assigned days, consistent with Phase III. Employees will now be required to be in the office on their teams’ assigned days. Employees who choose not to physically report to work on their team’s assigned day(s) will be required to use accrued leave.

To increase physical distancing, customers will continue to be encouraged to conduct city business over the phone or online. If a customer is exhibiting cold/flu symptoms they will be asked to leave, and services will be provided in some other manner. Customers allowed into City facilities will be required to maintain proper physical distancing techniques while receiving service, and will be required to comply with any personal protective equipment requirements as outlined by any federal, state or local health official or authority.

During any phase, while a City Hall Re-Opening Restriction is in place, employees shall not come into City Hall to pick up additional work, drop off work product, get IT services, etc, on a day that their team is not assigned to be working on-site, except with prior authorization from the City Administrator.

- ii. **Supervision:** During any phase of the City Hall Re-Opening restriction, Directors (either directly or through first line supervisors) need to be checking in with their employees daily to discuss workload and understand what challenges (if any) they are having.

³ At the time of adoption Roadmap to Recovery Phase III and Phase IV guidelines have not been released. Phase III and Phase IV is based on the original Safe Start Program. The policy will be updated if necessary.

- iii. **Compensation:** During any phase of the City Hall Re-Opening restriction, no employee shall receive additional compensation beyond their normal rate of pay or authorized overtime. Use of accrued leave or emergency sick leave are the same as those outlined in section 6.C.

- iv. **Public Access:**

Phase I: Closed. Public assistance for permitting by appointment only.

Phase II: Closed. Public assistance by appointment only—only for services not available online.

Phase III: Open four days a week, Monday-Thursday, hours determined by Mayor.

Phase IV: No restrictions, open five days a week.

- v. **Workplace Modifications:**

- a. Signage will be placed throughout city facilities reminding employees and citizens to follow proper physical distancing guidelines.
- b. Temporary “occupancy” restrictions will be established for common areas such as conference rooms and the employee breakroom.
- c. Employees will be encouraged to hold meetings virtually and eat lunch at their own workspaces.
- d. Outside travel will be restricted without prior approval.
- e. Hallways will be designated as one way only to provide proper physical distancing.
- f. Temporary protective barriers will be installed at customer facing counters to provide an additional level of safety for those employees dealing directly with the public.
- g. A six-foot physical distancing mark will be placed on the floor for citizens to stand behind when waiting to be helped at public counters.
- h. Employees will be encouraged to wash their hands throughout the workday.
- i. Employees will be responsible for wiping down their workplace at least once per day.
- j. Employees using “pooled” vehicles will be required to wipe down touched surfaces with provided disinfectant wipes or spray.
- k. Additional sanitization services will occur on Fridays at all city facilities, focusing on “high touch” surfaces such as banisters, door handles and countertops.
- l. All employees, regardless of work location will be subject to health screenings and PPE use as required by the State Department of Health, Labor and Industries or any federal, state or local health official or authority.


- vi. **Modifications:** During a City Hall Re-Opening restriction, these procedures and staffing requirements will be reviewed weekly and adjusted as necessary based on federal, state or local health official or authority.

9. Miscellaneous Provisions

- i. **Special Event Permits:** Staff is authorized to deny a request for a special event permit if the event for which the permit is requested is (1) contrary to public health guidance, (2) in violation of a Governor's order, or (3) when the City or applicant cannot safely accommodate or manage the event, in the sole discretion of the Mayor.
- ii. **Temporary Use Permits:** Temporary uses permitted per SMC 18.36.020 for existing eating and drinking establishments shall be allowed to exceed the 3-week limit (SMC 18.36.020.C.) during the scope of the City's pandemic emergency declaration to accommodate new or expanded outdoor seating. All building and fire code requirements must be met. Temporary uses may be allowed in off-street parking areas, provided all established parklet ROW use regulations are met. Temporary uses related to outdoor restaurant seating shall be on the same legal lot as the existing business or may be located offsite only upon proof of authorization of an abutting parcel owner.
- iii. **Late Fee/Penalty Waivers:**
 - a. **Property Leases:** The City currently leases City-owned property to a number of small businesses that may be negatively impacted by the loss of income associated with the Covid-19 pandemic. The City's Finance Department shall not enforce or attempt to collect late fees imposed by any lease agreement of City-owned property incurred between the effective date of the City's Proclamation of Emergency (March 11, 2020) and the earlier of: (1) Termination of the City's Proclamation of Emergency; or (2) September 30, 2021.
 - b. **Gambling Taxes:** The City collects Gambling Tax from a number of small businesses that may be negatively impacted by the loss of income associated with the Covid-19 pandemic. The City's Finance Department shall not enforce or attempt to collect late fees imposed by SMC 3.08.060 for Gambling Taxes owed to the City incurred between the effective date of the City's Proclamation of Emergency (March 11, 2020) and the earlier of: (1) Termination of the City's Proclamation of Emergency; or (2) September 30, 2021.
 - c. **Commercial Parking Taxes:** The City collects Commercial Parking Tax from a number of small businesses that may be negatively impacted by the loss of income associated with the Covid-19 pandemic. The City's Finance Department shall not enforce or attempt to collect late fees imposed by SMC 3.26.060 for Commercial Parking Taxes owed to the City incurred between the effective date of the City's Proclamation of Emergency (March 11, 2020) and the earlier of: (1) Termination of the City's Proclamation of Emergency; or (2) September 30, 2021.
- iv. **Vaccinations:** The City will not require, but highly encourages employees to receive the coronavirus vaccine. Employees should use the Washington State Department of Health Phase Finder Tool to determine their vaccine eligibility. To incentivize employee vaccinations, any employee who provides Human Resources proof of an initial dose will

receive one additional eight (8) hour floating holiday. Part-time employees would receive a prorated portion of eight (8) hours. The floating holiday must be used by the end of 2021. Unused floating holiday time will be forfeited to the City. Upon separation the floating holiday shall not be paid out. Use should be scheduled in advance and is subject to approval by the employee's supervisor.

Approved by:

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Mayor William L. Pugh