



STAFF REPORT/RESOLUTION

TO: Southwest Washington Regional Transportation Council Board of Directors
FROM: Matt Ransom, Executive Director
DATE: March 31, 2020 
SUBJECT: **RTC Personnel Policy Manual - Amendments, Resolution 04-20-11**

AT A GLANCE - ACTION

The purpose of this resolution is to adopt emergency amendments to the RTC Personnel Policy Manual.

BACKGROUND

In July 1992, RTC was formed by Interlocal Agreement (ILA) among member agencies. At that time, RTC entered into a Memorandum of Understanding (MOU) with Clark County to put in place a series of business relationships covering the topics of Personnel, Purchasing, Payroll, and Accounting Services.

The 1992 ILA and implementing MOU, established that RTC would adopt substantively equal personnel policies and benefit programs to mirror Clark County's. Since that time, RTC has utilized the County's personnel and payroll systems and has purchased a complete employee benefit program package from the County.

The RTC Board has taken periodic steps to promote continuity in personnel policies. The most recent review of RTC's Personnel Policy Manual was completed in July 2019 and adopted by Resolution 07-19-17.

PRESENT SITUATION

Beginning in February and through March 2020, the State of Washington and local agencies have declared Emergency Proclamations, Declarations and Orders regarding the Pandemic Illness COVID-19. On March 16, the Clark County Council adopted updates to the Clark County HR Policy 11 and 19, providing clarification of benefits and procedures in response to the COVID-19 emergency.

The RTC Personnel Policy Manual is used by the Council and the Executive Director to administer all personnel related matters. The RTC Personnel Policy Manual does not address specific policies pertaining to the administration of RTC actions at the time of a publicly declared emergency in conjunction with an Infectious Community Disease.

As proposed, Resolution 04-20-11 is in the public's, Council's and RTC personnel's interest in promoting community health, safety, and welfare to state specific policies and terms within RTC's Personnel Policy Manual for administration of RTC actions related to Benefits (RTC Personnel Policy 11) and Other Policies (RTC Personnel Policy 19).

POLICY IMPLICATION

Resolution 04-20-11 will set in place personnel policies for administration of Benefits (RTC Personnel Policy 11) and Other Policies (RTC Personnel Policy 19) in response to a publicly declared Infectious Community Disease.

BUDGET IMPLICATION

None. Implications would relate only to application of the RTC Indirect Cost Plan and personnel time billed to state and federal grants.

ACTION REQUESTED

Adoption of Resolution 04-20-11.

Attachment: Resolution 04-20-11

RESOLUTION 04-20-11

A RESOLUTION

A RESOLUTION amending the Southwest Washington Regional Transportation Council Personnel Policy Manual.

WHEREAS, the Southwest Washington Regional Transportation Council (Council) adopted the current RTC Personnel Policy Manual by Resolution 07-19-17, on July 2, 2019; and,

WHEREAS, the RTC Personnel Policy Manual is used by the Council and the RTC Executive Director to administer all personnel and employment related matters; and,

WHEREAS, the RTC Personnel Policy Manual does not address specific policies pertaining to the administration of the business office and employment benefits at the time of a publicly declared Infectious Community Disease (i.e. Pandemic, Epidemic); and,

WHEREAS, the State of Washington and local agencies have declared Emergency Proclamations, Declarations and Orders regarding the Pandemic of Coronavirus COVID-19; and,

WHEREAS, it is in the public's, Council's and RTC personnel's interest in promoting community health, safety, and welfare to provide specific terms and guidance within the RTC Personnel Policy Manual in regards to administering RTC's actions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL:

SECTION 1. Provides emergency amendments to the RTC Personnel Policy Manual as follows:

NEW SECTION: 11.12 INFECTIOUS COMMUNITY DISEASE

Scope of Policy. This policy sets forth the policies and terms RTC will utilize to administer employment and business office actions in regards to an Infectious Community Disease (i.e. Pandemic, Epidemic) as defined and declared by a relevant County, State or Federal official.

The scope of this policy addresses actions that RTC may take to ensure appropriate decision-making and that screening, work assignments and arrangements, and RTC employee (Employees) benefits are appropriately applied to certain situations where an Infectious Community Disease is present or suspected illness may arise.

General Principles. It is the policy of RTC to review, evaluate, and respond to any suspected or confirmed instances of certain Infectious Community Disease among members of RTC staff which may be transmitted in normal business settings. Such individual review, evaluation, and response will attempt to take into consideration applicable federal and state laws and guidelines; and recommendations of the Clark County Board of Health and/or Health Official, and circumstances are known and information is available. The expressed desires and opinions of the individual with such illness and the individual's personal health care provider will also be

taken into consideration. RTC is committed to the protection of both public health and individual rights to the extent possible in each case.

Employees with certain acute Infectious Community Disease transmitted by airborne, droplet or direct contact (or other methods of community transmission as defined by a designated public health official) are not permitted to work until they are no longer contagious as confirmed by an attending health care provider, in order to minimize the risk of disease transmission in the workplace. In the setting of an Infectious Community Disease, case-by-case evaluation may not be possible under all circumstances, and broad restrictions may be implemented until additional information is available.

Responsibilities of RTC and Employees. RTC will address issues involving Infectious Community Disease in a sensitive and responsible manner, with concern for the rights and welfare of all parties involved.

1. **Notification.** Any Employee who believes he or she has contracted an Infectious Community Disease, and which may be transmitted in a business setting, must contact the Executive Director to report the symptoms or confirmed illness.

All Employees who know they have an Infectious Community Disease or who have a reasonable basis for believing that they have been exposed to an Infectious Community Disease have an obligation to conduct themselves responsibly for their own protection and the protection of the RTC Community. Employees with Infectious Community Disease must not knowingly engage in any activity that creates a material risk of transmission to others.

2. **Medical Care.** Employees with suspected or confirmed Infectious Community Disease should seek proper medical care, counseling, and education. At any time, RTC may require an individual to provide written documentation of fitness for duty by an attending health care provider, or other licensed professional, who is able to determine fitness for duty.
3. **Confidentiality.** RTC recognizes the importance of protecting the confidentiality and privacy interests of all persons suspected of having, or who have, an Infectious Community Disease. RTC will disclose sensitive medical information of Employees no further than is necessary to ensure the health and safety of all members of the RTC Community, and in a manner consistent with applicable law.
4. **Work from Home.** Employees may be directed at any time to remain home based on business and safety needs. Where feasible and the nature of the work allows it, the Executive Director may permit work to be performed from home under the provisions of the RTC's telecommuting policy (Policy 19.2). Regular pay will apply for hours worked under those agreements.
5. **Periods of Illness or Quarantine.** Certain Infectious Community Disease may require a period of time away from the workplace in order to protect the health of others. In order to encourage Employees to stay home to care for themselves, time off will be granted and an Employee will not be penalized for requesting time away.

6. Pay Policy for Periods of Illness or Quarantine

The Pay Policy for Period of Illness or Quarantine shall be established on a case by case basis, with the advice and consultation of any of the following: Clark County Health Official; State of Washington public health official; or subject to County, State or Federal regulation or law.

Specific Case(s):

Novel Coronavirus (COVID-19)

The following Pay Policy for Period of Illness of Quarantine has been established for the publicly declared pandemic for Novel Coronavirus (COVID-19). (Washington, Proclamation by the Governor 20-05; and Clark County, Declaration of Emergency, Resolution 2020-03-09)

Specific policy and terms to be in effect until December 31, 2020. Extensions or revisions of specific policy and terms may be considered by separate amendment.

- Employees, who test positive for COVID-19, will be on paid Administrative Leave for up to three (3) weeks.
- Employees who have been exposed to someone who has tested positive for a COVID-19 and is in mandatory quarantine, will be on paid Administrative Leave for up to two (2) weeks.
- Any Employee who has symptoms consistent with COVID-19, will be on paid Administrative Leave up to seventy-two (72) hours after their symptoms resolved, or up to three (3) weeks, whichever comes first.
- Employees may be required to submit a health care provider release and statement of fitness for duty, before returning to work.

NEW SECTION: 19.1 EMERGENCY CLOSURES AND RESPONSE

(g). If the Executive Director closes in its entirety or in part the RTC business offices due to: 1) a complete closure of the RTC business offices mandated by the building owner/landlord in response to a publicly declared Infectious Community Disease emergency; or 2) the Executive Director's finding of an RTC business office exposure to an Infectious Community Disease, then the following policies may be applied on a case by case basis:

- Policy 19.2. Telecommuting; subject to the policy's applicable terms and conditions; and,
- Policy 11.12. Infectious Community Disease Policy; Section (6) Pay Policy for Periods of Illness or Quarantine; if applicable and eligible.

ADOPTED this 7th day of April 2020, by the Southwest Washington Regional Transportation Council.

SOUTHWEST WASHINGTON
REGIONAL TRANSPORTATION COUNCIL

ATTEST:

Scott Hughes
Chair of the Board

Matt Ransom
Executive Director