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THE ASSOCIATION OF WASHINGTON CITIES MAGAZINE



PUBLIC ADDRESS

Leadership in a time
of pandemic



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CITYVISION MAGAZINE VOL. 12 / NO. 3

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**FROM THE
PRESIDENT**



If someone were to ask me today what state I lived in, I wouldn't say Washington—I'd say the State of Emergency.

As electeds, we and our city staffs are responding urgently every day to this pandemic.

But responding is not the same as leading, and leadership is most necessary when it's most difficult. Decisive and prudent actions are called for when the stakes are high and circumstances are uniquely challenging. The past few months have been just such a time, and Washington's state, county, and city leaders have stepped up in admirable and inspiring ways—helped in no small part by the Governor's Office sharing \$300 million with cities and counties to help our communities persevere.

As readers of *Cityvision* know, our state was the first in the country to face an outbreak of Covid-19. The virus hit King County, then quickly traveled to all corners of the state. With no clear protocols in place and without the benefit of hindsight, city leaders had to make difficult decisions. How do I continue providing necessary services to my residents without putting them and staff members at risk? What can I do to help the families and individuals who are being harmed, both physically and economically, by this disease?

Here in Poulsbo, under the leadership of our mayor and council, we have created a Housing, Health & Human Services office, which developed and is carrying out a program we call Poulsbo Cares. Through the coordinated work of community volunteers and outside organizations, folks requiring assistance—be it shopping, landscaping, supplemental foods, or simple, caring human contact—can simply submit their names, and we'll step up to the plate.

In the pages of this issue, you'll hear more stories of leadership in the midst of a pandemic. While we wish we had the opportunity to tell the stories of each of Washington's cities, we know that the mayors, councilmembers, and other city leaders in our state will continue to serve their constituents admirably regardless of recognition. After all, we're not defined by a state of emergency. We're Washingtonians, and we're in this together.

Sincerely,

Ed Stern
Councilmember, Poulsbo

Cityvision

05/06.20

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In a public health crisis, local leadership has focused on connection: accessibility, expert information, attentiveness, even vulnerability. And in our popular **NOTED** feature, we parse the particulars of emergency proclamations.

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Citybeat

Crisis Communication

In an emotional public address, a novice Newcastle elected models leadership for uncertain times.

WHEN IT WAS her turn to speak at a Newcastle city council meeting in late April, Councilmember Ariana Sherlock didn't intend to bare her soul. It just sort of happened.

Admittedly, she'd been under a lot of stress. Thanks to the pandemic, for more than a month her husband had been working his Puget Sound Energy job from home, and their two children, first and third graders, were always under foot since their public school had closed.

"We're absolutely lucky to still have our jobs," says Sherlock, a personal chef who prepares and delivers packaged meals for elderly

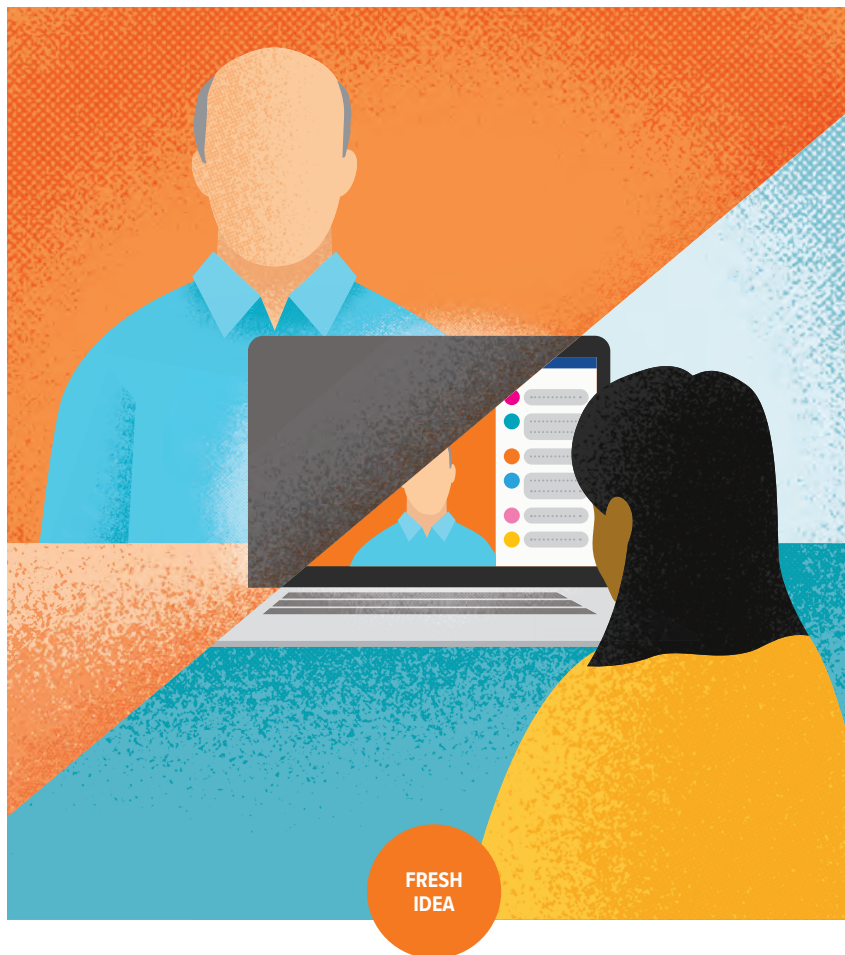
clients unable to go to the grocery store or queue for takeout. "Now that we're all in the house all the time, it's difficult, to say the least."

Sherlock had taken it upon herself to oversee her children's in-home learning program, but keeping up with the district's online lesson plans was starting to feel overwhelming. On top of that, four months into her first term as a local elected with no prior governing experience, the uncertainty of the city's financial future was beginning to weigh on her.

"I was having a hard week," she recalls.

Halfway through the April city council Zoom meeting, Mayor Linda Newing asked for

CONTINUED ON P.10 ▶



Network Stars

Gig Harbor makes a big impact with targeted online Q&As.

BY LAURA FURR MERICAS

WHEN THE PANDEMIC descended on Washington earlier this year, Mayor Kit Kuhn of Gig Harbor knew early on that his usual methods of keeping in touch with constituents—in-person Coffee with Kit events, Rotary talks, and public forums—wouldn't apply in a time of social distancing. Even the blog he updates every three weeks seemed not to meet the needs of his maritime community on the Kitsap Peninsula just outside Tacoma, which faced what felt like a new dilemma every few days, if not hours.

"You can't answer direct questions in a blog format, and information was changing fast," Kuhn says. "We wanted to have conversations with people."

So starting in March, Kuhn, assisted by Gig Harbor's communications director, began broadcasting Facebook Live Q&As twice a week from the mayor's office. The format was simple: Kuhn—wearing his trademark nautical button-down—began with a prepared message before opening the floor to questions, which viewers could type into the platform's comments field to be read aloud by a (properly socially distanced) city staffer.

And the community tuned in. Each 30-minute video would top out at around 500 live participants, growing to over 3,000 viewers in the hours after each segment aired, as constituents asked

questions, shared the posts, and reacted to the mayor's message on social media.


"You want people to be able to interact with you," says Laura Pettitt Roe, Gig Harbor's tourism and communications director, who helped Kuhn launch the series. "We're getting real-time interactions, and the mayor is able to have conversations that he otherwise wouldn't be able to have."

The videos are polished yet personal, tempering crucial information with messages of hope. Unlike Zoom calls, which can be crowded with competing faces and voices, the Facebook Live format gives Kuhn a comfortable platform to speak from with authority, one that many residents were already familiar with.

"VIEWERS AREN'T LOOKING FOR PERFECTION IN THE DELIVERY. THEY ARE LOOKING FOR REAL, TRANSPARENT INFORMATION AND FOR YOU TO CONNECT WITH THEM AS INDIVIDUALS."

"Viewers aren't looking for perfection in the delivery," he says. "They are looking for real, transparent information and for you to connect with them as individuals."

Before each video airs, Kuhn and staffers reach out to dozens of stakeholders in the community—nonprofits, the school district, utility companies, their local hospital—seeking updated information to share and inviting them to tune in so they can comment on questions from viewers. Many local organizations have obliged, and other officials—including State Representative Michelle Caldier and US Representative Derek Kilmer—have made guest appearances, adding a state and federal perspective.

Kuhn says he intends to continue the series after the crisis, making Facebook Live chats part of his evolving community engagement routine: "I want to continue to increase transparency and trust in the city through open conversation." 



STAFF PAPERS

Amid the coronavirus pandemic, AWC has maintained many of its accustomed education and development programs online (see page 9 for upcoming trainings). At our annual Mayors Exchange gatherings—virtual gatherings this year—we checked in on the impact to city employees.

Has your city had to lay off or furlough employees?



Source: Question posed to attendees of AWC's Virtual Mayors Exchange events in April 2020. Numbers shown above represent the average of the cumulative responses from each of the eight events.

TOOL
KIT

CONNECT FORTE

King County Library System adapts its librarian hotline to better serve its homebound communities.

BY JENNIFER KRAZIT

EVERYTHING LOOKS DIFFERENT in a pandemic. Baby showers take place via Zoom. Boutiques hawk their wares via Instagram stories. And libraries—long community hubs for gathering, learning, and escaping into other worlds—have evolved into virtual clearinghouses of information for the quarantined.

The King County Library System, for one, has rapidly adapted its offerings to meet the needs of its local community even as health guidelines forced its physical doors shut. Consider the growth of Ask KCLS, a program that lets members communicate directly with KCLS staff—via phone, email, or chat—to get answers to just about anything.

The program itself isn't new. But once the pandemic took hold, demand for the service skyrocketed. This March, Ask KCLS received 134 percent more emails than it did in March 2019. KCLS staff now answer 2,000–3,000 calls per month, prompting a shift in staff schedules to minimize wait times.

Pre-pandemic, typical queries included basic transactional questions (*How do I renew a book?*) and reference questions (*What's the capital of a certain country?*). Now, in addition to those queries, librarians working the lines from their homes have been fielding requests for the latest guidance on Covid-19, answers to financial questions, and a large increase in questions about accessing downloadable e-books, streaming services, or content from paid sites like washingtonpost.com.

THIS MARCH, ASK KCLS RECEIVED 134 PERCENT MORE EMAILS THAN IT DID IN MARCH 2019.

"Despite us always offering online books and streaming movies and audiobooks, some people have never used their library, and now they're finally discovering us," says Lisa Rosenblum, executive director of the King County Library System.

With students of all ages at home, parents and caregivers are contacting the library to help navigate their new at-home classrooms.

Every King County student already gets a free library card, but many are just now learning what to do with them. So librarians help activate cards, provide resource materials for writing reports, or refer students to the library system's tutoring program for one-on-one homework help.

KCLS, which operates 50 branches serving 35 cities, has adapted to physical closures by temporarily discontinuing its purchases of books, choosing to put that budget toward e-books and audiobooks. It has also moved popular in-person library programs, such as book clubs and weekly story times, online. And it's already looking toward the next phase of changes, perhaps making book deliveries to seniors and young children.

"Public libraries are always open in crisis," says Rosenblum. "This is hard for us because we want to be open, but we can't be."

If the last few months are any indication, libraries throughout the state will continue to serve their patrons as a portal to information, inspiration, and community—no matter how long their literal doors remain shut. [C](#)



For more information:
kcls.org

PROCLAMATION OF LOCAL EMERGENCY

Different types of cities have different authorizing statutes for emergency powers. MRS.org has samples available for all types of cities and towns.

Residents look to city elected officials and staff for leadership and stability in emergencies. They rely on you for accurate information and reassurance.

Be sure to take care of your own well-being—emergencies require you to be at your best, which means sometimes taking a break. Share the workload: ask your fellow city leaders for help.

WHEREAS, the **City is a non-charter code city** organized under Title 35A RCW; and
 WHEREAS, RCW 38.52.070 has authorized the creation of local organizations for emergency management within the City; and
 WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and
 WHEREAS, on February 29, 2020, Governor Jay Inslee signed a Proclamation declaring a State of Emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the state and directed that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented; and
 [...]

WHEREAS, the City Manager and Emergency Manager have reported to the **Mayor** that a state of emergency exists within the City based upon the spread of the novel coronavirus (COVID-19) in Washington State, especially in the County; and
 WHEREAS, the United States Centers for Disease Control and Prevention identifies the potential public health threat posed by COVID-19 as high, and has advised that person-to-person spread of COVID-19 will continue to occur; and
 WHEREAS, the Washington State Department of Health has confirmed localized person-to-person spread of COVID-19 in the County, significantly increasing the risk of exposure and infection to the general public, and creating an extreme public health risk that may spread quickly; and
 WHEREAS, in the judgment of the undersigned, extraordinary measures are required to protect the public health, safety and welfare of the city's residents and may go beyond the capability of local **resources**.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AS FOLLOWS:

- 1. Emergency Declaration.** A state of emergency, specifically covered under Chapter 38.52 RCW, exists within the City, as a result of the spread of COVID-19 in the County. The outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout Washington State and the County significantly impacts the life and health of those living and working in the City, as well as **continuity of operations** and government at the City, and is a public emergency that affects life, health, property or the public peace.
- 2. Emergency Powers.** All emergency powers and authority set forth in RCW 38.52.070 are hereby invoked, including without limitation to the right to enter into contract, employ temporary workers and incur obligations without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements).
- 3. State and Federal Assistance.** The City Manager is authorized to request all available state and federal assistance necessary to respond to this **emergency**.
- 4. Limitations.** This proclamation is not intended as a proclamation of civil "emergency" or as a finding of "public danger" under RCW 35A.13.030.

Local emergency proclamations allow officials to bypass certain requirements to respond quickly in an emergency.

Strong leaders know when to ask for help. When your city resources are overwhelmed, reach out to the county and the state for additional support.

Declaring an emergency can help open up access to state and federal emergency funds. Be sure to carefully document expenses.



THE QUESTION

WHAT WAS ONE UNEXPECTED OUTCOME OF THE COVID-19 CRISIS?



I am appreciating everything more, my life and surroundings. I planted a garden for the first time in 30 years.

—JUDY BROWN
City Clerk, Bridgeport



The stay-at-home order encouraged me to create a separate working space at home that is free from distractions. As I built my office, I quickly learned to separate work and home life, as the two can easily get intermingled. I do this by closing my office door while working and by taking breaks and eating lunch outside of my office space.

—ANGELA HOOVER, CMC
City Clerk, Bremerton



Since almost everyone is working virtually, that means managing virtually, which adds complexity to almost every aspect of managing. Managers can't pop into someone's office to ask them a question or give a passing compliment; interactions have to be purposeful and thought-out. Learning how much direction, encouragement, or correction each team member needs is crucial to a successful virtual team.

—SHAWN CAMPBELL
City Clerk, Auburn

TRAININGS

AWC ANNUAL CONFERENCE ONLINE

JUNE 23–26, 2020 | ONLINE

The in-person Annual Conference has been canceled due to ongoing social distancing, but AWC is bringing you an online option that will deliver valuable content and networking sessions. Even better, this event is free to all AWC members.

The 2020 Annual Conference Online will kick off on June 23, and educational sessions will remain available through the end of the year. AWC has several sessions planned to help cities cope with the fallout of the Covid-19 crisis, including:

- Perspectives on adjusting to the new normal of increased telecommuting, reduced traffic, and more
- A live session on how cities can engage with the Legislature right now
- Advice on how to support employee mental health and wellness
- An analysis of the current and projected economic realities for Washington
- A “survival guide” for newly elected officials focused on parliamentary procedure

EARN CML CREDITS AT THE ANNUAL CONFERENCE ONLINE

Attendees of AWC's Annual Conference Online will earn 10 credits toward their Certificate of Municipal Leadership (CML). The CML program recognizes mayors and councilmembers for accomplishing training in four core areas:

- Roles, responsibilities, and legal requirements
- Public-sector resource management
- Community planning and development
- Effective local leadership



For more information:
wacities.org



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Citybeat

Crisis Communication *continued from page 5*

councilmember comments. Sherlock, addressing the city from a webcam in her basement, started out with a broad smile, welcoming Newcastle's new clerk, then began to lose her composure as she thanked peers in local government.

"A lot of us are having a hard time, and I just want to say that's OK," she said, her voice quavering. "And, umm ..." Sherlock continued, looking up at the ceiling as she struggled to check her emotions before emitting

"IT'S A GREAT EXAMPLE OF LEADERSHIP, OF BRAVERY AND COURAGE. THAT SHE WAS SO OPEN AND SHARING THAT MESSAGE WITH HER COMMUNITY, THAT TOOK SOME GUTS."

an audible sigh and staring back into the camera. "Talk to each other and give support when you can. ... I'm just feeling really blessed to live here, with all of you, and I really appreciate everyone reaching out to me."


Watching the meeting from city hall, Christina Corrales-Toy, the city's community engagement coordinator, knew she had witnessed something special.

"It immediately resonated with me," says Corrales-Toy. "It's a great example of leadership, of bravery and courage. That she was so open and sharing that message with her community, that took some guts."

With Sherlock's permission, Corrales-Toy posted the clip on the city's Facebook page as a public service announcement linked to local mental health resources for residents, healthcare workers, first responders, and government employees. (Most municipal workers in Washington can find Covid-19 crisis counseling at compsych.com.) That message resonated with the community and beyond, landing Sherlock on Seattle's nightly news, sharing the spotlight with a therapist who noted, "I really think that the mental health side of this crisis is going to be going on for many months and maybe even years after we've found a vaccine for coronavirus."

Now that the limelight has faded, Sherlock says she's still grateful for the outpouring of support she's received from citizens, city staff, and fellow councilmembers. "As leaders during this crisis," she says, "we need to be talking to people, checking in, and giving each other the opportunity to have moments."

For Corrales-Toy, the same holds true when it comes to public outreach and engagement.

"You need to take time to find the positive moments," she says. "Between all the news posts you have to get out, don't forget those uplifting messages—letting your community know that through it all, it's going to be OK." 

—Ted Katauskas



For more information:
newcastlewa.gov

Cityscope

Q&A

Coming Together

Clarkston Mayor Monika Lawrence talks about how she brought many voices to the virtual table to help her border community of 7,200 prepare for the unknown.

INTERVIEW BY JENNIFER KRAZIT

Clarkston Mayor
Monika Lawrence

What brought you to Clarkston?

I've lived in the Northwest for most of my life. I was living in Tri-Cities, and after my second husband died, I decided to move closer to my daughter, who lives here. I've lived in Clarkston for over 25 years now.

What did you do before joining city council?

I worked for the school district in the special services department and worked with testing materials at the

district office. I've worked for school districts all my adult life in various capacities, mostly working with data and special programs.

What inspired you to get involved in local government?

As most people do, you hear or read or see something you want to change. I read something in the paper that a councilmember said and thought, "That doesn't sound right."

CONTINUED ON P.12 ►



I was on council for about two years, from 2010 to 2012. But I was taking care of my infant grandson, and it was getting harder to keep up with everything, so I bowed out of council.

You're now in your second mayoral term. Why did you decide to run for mayor?

I was recruited, and I had to think about it really hard. I believe in serving my community, and I was doing that in other capacities. But I felt that there was a need and that if I could help out, I wanted to do it. I'm happy I did. We've had some turbulent times, but my goal is always for city residents to have a better place to live and work, and I felt I could contribute to that.

What was your primary focus as mayor prior to the Covid-19 pandemic?

We are a pretty small city, but we offer a lot of services: full-time fire and EMS, police, parks, a wastewater treatment plant, streets, etc. Most cities our size don't provide that many services. So my main focus was to ensure that those services are top-notch, and that what residents pay for is fair and just.

Your city sits right on the Idaho border. How does that affect life there?

A lot of people live in one community and work in the other. There is a lot of movement back and forth. In the valley encompassing Lewiston [in Idaho], we feel like we're one community because there's so much crossover.



Mayor Lawrence
at city hall

"I BELIEVE IN EXPLORING OPTIONS AND MAKING SURE THAT WHEN YOU MAKE A DECISION, IT'S THE BEST DECISION BECAUSE YOU'VE DONE YOUR RESEARCH."

What were some of the first steps Clarkston took to respond to the Covid-19 outbreak?

We wanted to get right on board. We started meeting on March 6 and met weekly through March. Over time, we've included lots of people: our department heads, the City of Asotin, the sheriff, a representative of the county commissioner, Walla Walla Community College, the chamber, Tri-State Memorial Hospital's infection prevention manager, our jail

commander, and, since we are so connected to Lewiston, representatives from Lewis & Clark State College. All those counterparts had a stake in what Covid-19 would bring to their populations.

What about city staff?

We set guidelines for our employees, because anyone getting sick would have a huge impact on our ability to operate. I put out a mayoral proclamation on March 16 and closed city hall that day to protect our

workers. We continue to meet with department heads telephonically.

What challenges has the pandemic brought to governing?

We couldn't work from home to do things like HR, timesheets, and utility billing. We had to make sure city staff were updated on the latest information, because they were fielding a lot of phone calls. One of the biggest challenges was interpreting proclamations and understanding exactly what we were supposed to be doing according to the governor's guidelines.

What has this experience taught you about leadership during a crisis?

You have to do your homework, always, even when there isn't a crisis. I believe in exploring options and making sure that when you make a decision, it's the best decision because you've done your research. It's more difficult when it's something like Covid-19, and there are so many unknowns. But we sought out experts to make sure we were making the right decisions.

Any other lessons learned?

I'm thankful that our employees are so dedicated, whether they're a sanitation worker at city hall or police, fire, or EMS. If you have a good relationship with your staff, they're going to support whatever the council decides. Cities also need to look to our leaders at the state level, because they're at the forefront of this, and we have to support them.

Clarkston

Cityvision looks at how Covid-19 has affected this border community in rural eastern Washington's Asotin County.

POPULATION

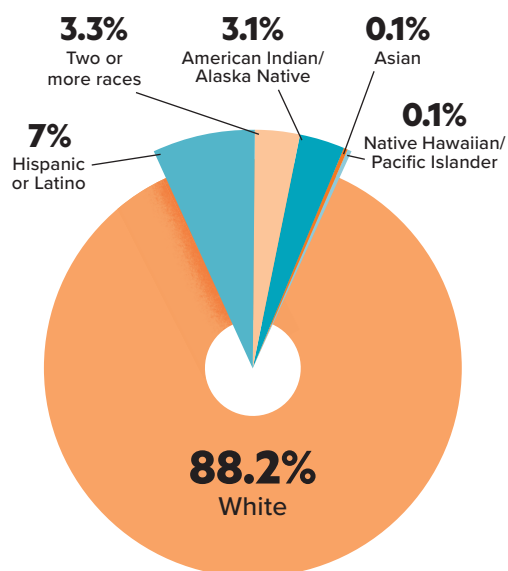
POPULATION DATA FROM THE 2010 US CENSUS, UNLESS OTHERWISE INDICATED

2010 **7,232** 

2018 SOURCE: US CENSUS BUREAU

2018 **7,407** 

DEMOGRAPHICS



SOURCE: US CENSUS BUREAU

ASOTIN COUNTY POPULATION

2010 **21,623** 

2018 **22,582** 

NEZ PERCE COUNTY (IDAHO) POPULATION


2010 **39,270** 

2018 **40,408** 

SOURCE: US CENSUS BUREAU

COVID-19 CONFIRMED CASES/DEATHS (AS OF MAY 12, 2020)

Asotin County

 18 confirmed cases

 2 deaths

Nez Perce County

 70 confirmed cases

 19 deaths

CONFIRMED COVID-19 CASES PER 100,000 RESIDENTS (AS OF MAY 13, 2020)

Asotin County

 79.7

Nez Perce County

 173.2

King County

 321.5

SOURCE: ASOTIN COUNTY PUBLIC HEALTH, IDAHO PUBLIC HEALTH NORTH CENTRAL DISTRICT, KING COUNTY



Spokane Mayor
Nadine Woodward



THEY GOT GAME

WASHINGTON'S CITY LEADERS
apply a range of finely honed skills
and tactics to help guide their
communities through a pandemic.

BY TED KATAUSKAS

THE PANDEMIC ARRIVED IN SPOKANE on February 19, a month after the first confirmed coronavirus case in the United States (a Snohomish County resident infected while visiting relatives in Wuhan, China) and a month before the first residents of Washington's second-largest city would test positive for Covid-19. A day earlier, Mayor Nadine Woodward had received a phone call from the US Department of Health & Human Services, alerting

the city that four Covid-19-positive passengers evacuated from the quarantined Diamond Princess cruise ship in Japan were being flown to her city. The patients were slated for treatment at Spokane's Providence Sacred Heart Medical Center, one of 10 hospitals in the country that had received \$2.1 million from Congress following the 2014 Ebola outbreak to create a regional special pathogens unit to treat patients with highly infectious diseases.



“That’s when it started for us,” says Spokane Communications Director Brian Coddington, one of four community members who traveled to Atlanta for pandemic response training at Emory University, across the street from the Centers for Disease Control and Prevention, after Sacred Heart was earmarked as a pandemic critical care facility for patients from Alaska, Idaho, Oregon, and Washington. “The mayor’s office started to receive questions: *What are they doing here? How will this impact our community?* That got the ball rolling for us starting to think about coronavirus and what that might mean for Spokane and the region.”

By late February, after Governor Jay Inslee had declared a state of emergency in the wake of a Covid-19 outbreak at a Kirkland nursing home that infected dozens of patients, caregivers, and first responders, Woodward quietly directed her cabinet to assemble a Covid-19 emergency response team for Spokane, led by the city’s fire chief, Brian Schaeffer. As it happens, Spokane had an unusually deep pool of crisis management talent already on staff, even beyond Coddington and the others who had received pandemic response training at the CDC. Amber Richards, the city’s civil service director and a recent hire from the City of Bainbridge Island, was a US Air Force veteran with special training and had developed that community’s emergency response plan. Eric Finch, Spokane’s chief innovation & technology officer, had nearly three decades of military experience in strategic disaster response planning and management, including multiple deployments in the aftermath of earthquakes, floods, hurricanes, riots, and wildfires.

“On the military side, we have a great capacity to plan and to structure operations centers. That’s what we do,” says Finch. “The planning aspect for an emergency is not a normal skill for a city worker. . . . Within a medium-size or a smaller city, you need to train your senior staff to help you run an emergency.”

To that end, since Richards’s arrival in 2018, Finch had been developing an emergency operations management playbook for Spokane, flowcharting the roles, policies, and procedures city staff would follow in response to a local or regional crisis. A draft of that document, published last fall, was adopted by Woodward, a former television news anchor with no prior governing experience, after she took office in January. Within six weeks, Finch’s playbook became the blueprint the city would rely on to respond to the pandemic and connect to a regional response effort. Improvisation was required, since the plan had been developed based on experience gleaned from prior emergencies, like a 2015 windstorm that knocked out power to 220 households for 15 days, and hypothetical calamities, like the downtown derailment of a freight train hauling hazardous chemicals.

“We thought that would be one of the worst-case scenarios for the city,” explains Finch. “Sadly, our paragraph on pandemic was basically, ‘Hey, we need to plan for this.’ It was highlighted in yellow, but we didn’t have the time or the resources to develop anything on pandemics.”

BY THE END OF THE FIRST WEEK of March, Spokane’s emergency response team was fully operational, establishing teams and protocols to tackle an ever-evolving suite of problems: how to shelter and feed the city’s homeless population while maintaining CDC social distancing requirements; how to provide child care, meals, and internet access for families impacted by



I REALIZED THAT AS A NEW LEADER,
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—NADINE WOODWARD SPOKANE MAYOR

school closures; how to procure personal protective gear for first responders and city staffers; and more. By March 14, schools began closing statewide by order of the governor, and Spokane’s first three cases of Covid-19 had been diagnosed.

The next day, the governor ordered a statewide closure of restaurants and bars, a body blow for Spokane, where the service, hospitality, and retail industry account for 60 percent of all jobs. Finally, on March 16, at a news conference hosted by the Spokane County Department of Emergency Management, Woodward, with county commissioners and the mayor of the City of Spokane Valley (joined later by mayors of seven other area cities), signed emergency declarations establishing a Regional Inland Covid-19 Incident Response Team (IRT) that would subsume the work and leadership of the City of Spokane’s effort.

“We stood up a management team within city hall, and within my cabinet we were ready to declare an emergency early,” says Woodward, who as a result of the declaration was given authority to cancel public events, close public spaces, and



Key players in Spokane's Covid-19 response (l-r): Chief Innovation & Technology Officer Eric Finch, Communications Director Brian Coddington, Mayor Nadine Woodward, and Civil Service Director Amber Richards

redirect city resources to respond to the crisis. “But I realized that as a new leader, I needed buy-in from the county and all the other cities in the county, so we brought them all on board.”

As command was transferred from a small room at city hall to the city’s Fire Training Center, jump-starting the multijurisdictional effort proved to be a daunting task, at least initially.

“When we tried to put ourselves together as a region, there was a bit of wailing and gnashing of teeth,” says Finch, who in addition to being the IRT’s co-incident commander also serves as Spokane’s representative on the team. “As we put together ourselves, the county, and the health district . . . it was a little painful at first.”

As was the city’s transition to a virtual workplace. Three days after Woodward and regional leaders declared an emergency, Spokane closed its city hall to the public, and 400 employees—roughly 80 percent of the administrative staff—were required to work from home. Making that happen meant suspending labyrinthine labor management rules and working with vendors to replace outdated equipment, as well as establishing protocols for file sharing and videoconferencing. After area workplaces and schools closed, city staff noticed that residents without internet access were parking outside public libraries to avail themselves and their children of free Wi-Fi, so Spokane made sure to keep those wireless networks running 24/7.

“Obviously that is not optimal, so we look at this in terms of what is it showing us about our digital divide, and how are we going to get better with that for our citizens,” says Finch. “We are learning something every day.”

When social distancing measures to deter the spread of coronavirus were enacted, potentially displacing hundreds of

Spokane’s most vulnerable citizens from crowded shelters, the city repurposed its central library, which had been closed for a scheduled renovation, into an emergency shelter, clearing the stacks of shelves and books to create dormitory space. And when the city learned it would cost \$1,900 a day to rent portable showers for the library’s new residents, a Spokane Parks & Recreation Department plumber, with help from city employees, converted a library restroom into a 4-stall shower room, a \$6,000 investment that saved the city \$50,000.

Figuring out how to feed Spokane’s homeless population, estimated at more than 1,300—along with potentially thousands of newly unemployed residents visiting food banks for the first time due to the pandemic—was a particularly thorny problem. According to Amber Richards, who assumed a role as the IRT’s operations section chief, the pandemic has affected food security unlike, say, a hurricane, which might disrupt the food supply chain. Instead, with the economic impact of Covid-19 closures, “there is a shift in how people acquire food,” she explains. “They may not have the resources to go and purchase food at the grocery store anymore, so there’s much more drain on the food banks and the food pantries. Our role in this response: we’re not in the business of distributing food to the public. Our job in the near term is to support existing systems.”

Because local restaurants that typically donated excess produce to food banks have reduced service, for example, food banks were forced to scramble to purchase inventory on the open retail market, dramatically increasing costs. To remedy that situation, Richards hopes to connect restaurant supply purveyors with food banks, creating a new market for the vendors and restocking food banks at below-market-rate prices.

The city likewise had to rethink its purchasing practices—especially when it came to restocking PPE for first responders and cleaning products to sanitize equipment and workspaces—given the potential impact on local, regional, and national supply chains.

“If we start going out and saying we have to suck in all of this supply so that we can provide for our community, that can trigger a total panic in the system,” Richards explains. “It becomes a balance of: how do we ensure that we’re providing that level of service and think far enough ahead, but also not cause an undue amount of panic that makes the problem worse?”

To answer, or even to know to ask, those kinds of questions, Richards draws on a decade of emergency response training, even though she says she’s never seen anything like this pandemic—for the first time in the nation’s history, all 50 states have simultaneously issued disaster declarations. She thought she had left her emergency management career behind two years ago when she came to Spokane, but Richards is glad to be able to add her expertise.

“The City of Bainbridge Island really invested in my training—that was taxpayer dollars,” she says. “I feel grateful for being able to contribute those skills and reinvest what another community in Washington invested in me.”

Another City of Spokane leader who is relishing the opportunity to resuscitate a longtime professional skill set is Nadine Woodward. As she steers Spokane’s pandemic response, at 3 pm every Monday, Wednesday, and Friday Woodward visits the studio at CityCable 5 to tape a Covid-19 update, a two-minute segment she reads with the poise and practiced delivery she honed over 30 years of nightly news broadcasts. The mayor recaps the latest pandemic news and



anchors of the Oak Harbor team (l-r): Public Information Officer Sabrina Combs, Fire Chief Ray Merrill, HR Director Emma House, and Mayor Bob Severns

events from the city's perspective, but she also makes a point to offer measured reassurance to the public. On April 29, Woodward opened her broadcast this way:

Let me start by acknowledging the wide range of emotions in our community and among our friends and loved ones. This is unprecedented for many generations, and although we are contributing in a meaningful way to protect our community, that push is taking a toll on our daily lives. All those feelings are understandable and expected as we navigate together a situation with many unknowns.

After outlining how the City of Spokane was working with its regional partners on a process to slowly reopen the local economy, Woodward looked resolutely into the camera before signing off:

We have made tremendous progress over the past few weeks. Now is the time to lean into that. It's the right thing to do for our friends, loved ones, and strangers, and it's the quickest way back to public life. Your resilience and commitment is extremely impressive. Thank you for being there time and time again for those who need you most. We have come too far to give up now. Your community needs you now, more than ever.

THE MAYOR AND COUNCIL OF OAK HARBOR, a Puget Sound city of 22,000 that's home to Naval Air Station Whidbey Island, have been broadcasting a similar message to the public, but in a different way, thanks to the savvy of the city's new public information officer (PIO), Sabrina Combs. In another example of pandemic kismet, her first day of work—March 16—happened to coincide with the onset of the governor's Stay Home/Stay Healthy

order, also the day the City of Oak Harbor closed city hall to the public and sent all nonessential employees home.

Upon hearing that news, Combs, a 12-year City of Bothell veteran, phoned Emma House, Oak Harbor's human resources director, double-checking whether she still had a job to show up for at all.

"I told her, 'Everyone else is being told not to come into work. We need you,'" House recalls. "Grab a computer and go. It's critical to have someone help us communicate."

Oak Harbor had never had a PIO on staff. The hire had been made to fill a perceived void in expertise, coincidentally just before the crisis hit.

"Our communication was not strong," says House. "That has been a learning point for us, to be able to communicate in ways we never thought we would. That took a strong PIO who knew all of the tools."

In her longtime role as Bothell's sustainability and projects coordinator, Combs nurtured an interest in community outreach work that led her to pursue a master's degree in strategic communications at Washington State University in 2016. At the time, she was also serving as public information officer for Bothell's emergency response team, learning how to broker information between multiple agencies, jurisdictions, and the public during fast-evolving situations that played out in realistic training scenarios, from high school shootings to natural disasters.

"I realized I loved communications," says Combs. "I liked the work of engaging with the community and helping people understand. I had worked with political campaigns before, and that fit well with this."

For Oak Harbor Mayor Bob Severns, a title insurance and escrow specialist who settled in the bucolic city 45 years ago, right out of college, and never left, Combs was a godsend.

Having just been elected to a second term, Severns had decided to take a well-earned vacation in February. He was relaxing in Waikiki late that month when he noticed something odd: people wearing medical face masks while strolling on the beach. He returned from paradise to Sea-Tac Airport just as Kirkland emerged as a national flash point in a global pandemic.

"It was a real surprise to me," says Severns. "I didn't realize the magnitude of this, and I was trying to understand it all."

Back in Oak Harbor, he was relieved that Ray Merrill, the city's fire chief and director of emergency response, had the situation under control. Ever since the MERS and Ebola outbreaks, Merrill's team had been drilling annually on infectious disease protocols, and the protocols that would be used in managing an outbreak were outlined in the city's emergency management plan. Merrill himself was relieved that the department had stored personal protective equipment for the city's first responders, and one of his captains also served as liaison between the city's health care system and Island County Health Department, and was thus receiving the latest information about the local impacts of the pandemic.

On March 12, Severns traveled to Washington, DC, for an annual meeting at the Pentagon to discuss the needs of Naval Air Station Whidbey Island. As his city prepared to put itself under lockdown to comply with the Stay Home/Stay Healthy order, at the Pentagon few people were wearing face masks or practicing

OUR COMMUNICATION WAS NOT STRONG. THAT HAS BEEN A LEARNING POINT FOR US, TO BE ABLE TO COMMUNICATE IN WAYS WE NEVER THOUGHT WE WOULD. THAT TOOK A STRONG PIO WHO KNEW ALL OF THE TOOLS.

—EMMA HOUSE OAK HARBOR HR DIRECTOR

social distancing. The sight of some 22,000 employees—roughly the population of his home city—working in an enclosed space, while a highly infectious virus raged, reinforced the need for Oak Harbor to engage with its populace about the pandemic.

BACK IN HIS OFFICE ON MARCH 16, with half of the city's 173 employees at home, the first thing Severns did was call a meeting with the city's new PIO.

"A half hour after I set up my computer, the mayor came in and said, 'I need a quick meeting,'" Combs recalls. "He talked about what we knew was going on, asked for my recommendations for communications, and what I realized right off the bat was that the city didn't have a web page or even a banner ad giving people a quick resource to go to."

Gathering information from city department heads, as well as state, county, and federal agencies, Combs created a one-page

TWO-WAY STREET

Q&A BRIAN ANDREWS

Brian Andrews, president of The News Directors, a South Florida crisis communications consulting firm that advises municipal governments, talks about lessons learned from the pandemic and ways cities can do a better job communicating during crises large and small.



In what ways has Covid-19 been different from other crises you've helped cities manage?

This started off as a health crisis, and it turned into an economic crisis. You think it's one thing and then it's another, or it's the double bang. It's horrible that people are dying and that people are ignoring the best advice from medical professionals... We have to give the people factual information so they can make their own informed decisions.

What elements have been similar?

The failure to internally communicate afflicts every organization. It happens in all types of crises: a global pandemic or a hurricane. Make sure your internal team is on the same page. Over-communicate verbally and in writing.

How did the communications strategies for the cities you advise evolve during this pandemic?

The initial data showed the pandemic was affecting mainly elderly people. We were wondering how a Facebook post or tweet

was going to reach an 87-year-old. We had to quickly reprogram the way we think. We asked our elderly residents, "How do you want to be communicated with?" We found that many don't own smartphones. Many would rather call somebody and listen. We developed something called the Senior VIP Listen Line, because our seniors are our most VIP residents in South Florida. They could call in 24/7 and listen to the information that's on the website. We also adopted telephone town-hall meetings. Zooms are fabulous, but if you're not tech savvy you might be so confused that the information doesn't get to you.... These are old-school ideas in a new-school world.

What's one thing that every city should be doing during a national crisis like the pandemic?

It's important that every city revisit their intergovernmental affairs. You would be surprised how many cities have not signed up to receive alerts from the governor's office. It's really checking to make sure that your organization is thorough.

CONTINUED ON P.20 ►



Naval Air Station
Whidbey Island

clearinghouse of Covid-19 information: updates on parks closures, impacts on city services, tips about social distancing guidelines, and links to local, state, and federal assistance programs for everything from unemployment claims to mental health providers. She began receiving daily briefings from Island County Public Health and the county emergency response team; together with other Island County PIOs, she participated in an information distribution chain. When the city's public schools closed on her second day on the job (displacing 6,200 students from 10 sites), Combs also reached out to her peer at Oak Harbor Public Schools to disseminate information about food distribution, since 40 percent of the school district's student population received free or reduced-rate lunch.

Combs made a point to temper the sober information she pushed out on the city's Facebook page with good vibes, in one post reminding people to practice handwashing and social distancing via a montage of *M*A*S*H* video clips. In early May, she created a meme with the city's light-saber-wielding mayor standing against a virtual *Star Wars* movie poster backdrop, saying, "May the Fourth be with you! Stay home, stay healthy!"

"I was using that to stay on top of the pulse of the community," Combs explains. "I was trying to add good news of the day, lighthearted stuff, because people are overwhelmed."

When, in response to orders requiring cities to limit public meetings to essential business, the city council rescheduled its weekly meetings as monthly meetings live-streamed citywide via Zoom and Ring Central, Combs was touched that for the mayor and councilmembers, "essential business" included taking time to individually address the unseen audience with messages of encouragement. After one meeting on April 7, Combs coordinated with the mayor and three councilmembers to create a video love letter to the community, broadcast on Facebook.

Mayor Severns, from his desk at city hall, talked about his budding walking habit ("I'm trying to do five miles each day") and his hope that when he returned home, a batch of treats would have been delivered by Oak Harbor's mayor pro tem, Beth Munns. Sure enough, Munns greeted locals from her kitchen while baking cookies for neighbors, as well as from her sewing machine, where she busied herself making masks for nearby Navy personnel. Seated in his backyard, Councilmember Jeff Mack discussed his progress on gardening and woodworking projects around the house. And Councilmember Jim Woessner, from his home office, echoed everyone's sentiments in thanking the entire community for doing their part, closing with, "So hang in there: we're a strong community, and together, we've got this."

All in all, Combs's skills in outreach and engagement seem to have arrived at an ideal time for Oak Harbor, and the impact of her work has been immediate and broad. Still, she says what

Are we communicating with our governor's office, our senator's office, our county commissioner's offices, our different federal agency partners? If there was a problem with the reservoir, but your drone operator is being quarantined, could you call Customs and ask them to do a flyover? We are big proponents of reaching out to state and federal partners for issues you feel you don't have the manpower and the resources for.

What role does speed of decision-making play in a crisis like this?

There's a lot to chew on, but you have to chew quickly, because the next crisis is just around the corner. No leader can do it alone, and sometimes they need to look to a neutral third party. I compare it to what's called the sterile cockpit syndrome. Whenever a commercial flight crew is going to land the plane, the pilot calls "sterile cockpit" for a period of time where nothing but conversation about landing the plane can happen. It's the same thing when you're solving a crisis. You've got to be able to say, "We're focusing on nothing more than

this, and we are going to have a solution in the next 10 to 15 minutes, and that's what we're going to live with."

Any other communications pitfalls leaders should be aware of?

There's a fatigue of seeing elected officials handing out food. Are you doing this because you want to help the community, or are you doing this because there are political points to be made? Intention is everything.


What's one major takeaway from this crisis for all city leaders?

It's all about the personal touch. It's not enough to just give out the information; it's taking the time to make sure it registered and being there a few minutes longer to answer any questions. That is the future. You can't just shout one-way information. It has to be two ways, especially when you're dealing with older constituents who process information differently than younger people. We need to be a lot more loving and a lot more understanding. Patience needs to return.

—Laura Furr Mericas

matters most to her are the regular calls she gets from the city's police chief, fire chief, mayor, department heads, and socially distant municipal government peers scattered across the city.

"People check in on me and ask, 'Are you doing OK?'" she says. "Sure, it's really stressful. I have felt honored to serve a community like this, with such a great heart, and a leadership team that takes into account what the community needs and is so supportive of the job you have to do."

While Combs is still getting adjusted to a challenging job made even more so by Covid-19, the role is one that she—like her colleagues in Oak Harbor, their peers in Spokane, and city leaders across the state—has been training for all her life. 

Citywise

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Allow flexible schedules to accommodate work-life balance, acknowledging that personal and family obligations may creep into the traditional workday during these unusual times.

—CITY 101 P.22 ►



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Wellspring

Remote workers need to care for their physical and mental health just as they did when they were in the office. Here are a few simple ideas for promoting employee wellness.

- Ask employees to share their favorite wellness apps or videos.
- Start a book or movie club. Meet by teleconference to discuss.
- Have a healthy recipe exchange, or stage a virtual cooking demonstration.
- Use Wellness Wednesdays to distribute a healthy tip, a quote, or a recipe each week.
- Invite those with similar interests to take a live-streamed class together.

CLOSING THE DISTANCE

How to create a healthy workplace while working remotely

THE AWC EMPLOYEE BENEFIT TRUST

EXPERTS AGREE THAT AN organization's leaders play a significant role in creating a healthy workplace. That role is further amplified during a time of crisis and uncertainty, especially when many people are working remotely and may feel isolated. Leaders can support employee well-being through their actions, their words, and the conditions they create to help employees thrive.

Maintain trust

Having the trust of employees is essential to ensure that operations run smoothly and that communication flows between team members and leadership. Trust helps employees feel safe and better able to manage anxiety.

To cultivate trust, be honest about what is happening and how leadership is responding. When you need to change direction on a previous decision, admit that it wasn't the solution you had hoped for. Share next steps and the plan for moving forward.

It's also important to involve employees in achieving goals and brainstorming new ideas. When people feel heard, they feel valued. Listen with an open mind, even if you don't ultimately choose to follow their suggestion.

On a practical level, help teams establish priorities and set benchmarks for the week, rather than assigning daily tasks. Allow flexible schedules to accommodate work-life balance, acknowledging that personal and family obligations may creep into the traditional workday during these unusual times.

Production will not happen without people. When you focus on valuing people, you will see increased productivity, positive morale, and better teamwork. When people feel valued, they work with more integrity and more passion.

Communicate clearly

In an office, norms are reinforced through organizational culture and peer pressure. Those cues do not exist when you're working remotely, so it's important for managers to clearly express their expectations for things like meeting deadlines, team interaction, managing conflict, electronic etiquette, and rules for communicating.

Overcommunicate to avoid misunderstandings. Without daily personal interaction, it can be difficult for managers to establish a rapport with employees. Reach out to employees often, and talk with them one-on-one or in a group as much as possible. Encourage them to do the same with their coworkers. Email and online chat are great tools, but verbal and visual clues to meaning are much more apparent in conversation and videoconferencing than in written communication.

Employees are likely being bombarded with information from multiple sources, which they may need help sifting through. Maintaining clear and focused communication will not only help them prioritize, but also let them know that their employer cares for their well-being.

Cultivate connections

The challenge with social distancing is that we are social creatures who need to be socially connected now more than ever before. Maintaining team rapport can be a challenge when many are working from home: blame it on the absence of an office water cooler.

Casual workday interactions can be vital to team building, problem-solving, and innovation, so arrange for virtual social chats and group teleconferencing. Be sure when gathering in these spaces that the atmosphere is casual enough to allow for the free flow of information,



whether the chat is about hobbies, favorite TV shows to binge-watch, or the work at hand.

With live-streaming classes popping up online, now is a great time to resurrect or start a new hobby, from art classes to cooking to learning an instrument. Virtual sing-alongs and story times for kids provide interactive activities that can simulate live gatherings and ease the feeling of isolation for employees and families.

Another great approach to inspiring connection is to come together for the common good. Form teams to support community efforts to help those affected by the pandemic, whether it be raising money to support a local business, sewing face masks, donating blood, or helping the local food bank.


Offer support

Keep your intranet current with relevant resources and information for employees to access 24/7. Be responsive to their questions, and be sure they have the resources they need to be productive while working remotely.

Provide the guidance and equipment needed for employees to create an ergonomically designed workspace at home. The dining room table may work as a desk in the short term, but fatigue and muscle strain may begin to set in after a while.

Many employees are juggling child care, directing school activities, and working alongside a spouse at home, so make sure they know how to access the services of the Employee Assistance Program. Many people are not aware that the EAP provides more than counseling; EAPs can also help with financial and legal questions, and they are a great resource for many health, well-being, and family issues that may emerge when your employees are working from home.

Familiarize yourself with the telemedicine options available in your health plans, and make sure employees know how to access them. Many nonemergency health issues can be addressed through a virtual visit with a doctor.

Work with your wellness committee to create healthy activities. Make use of app-based programs and activity trackers that offer a shared experience or create wellness challenges that employees can do together (see "Wellspring," at left, for some ideas). Be an active participant in these wellness activities, share what you are doing to stay healthy while working from home, and invite others to share their favorites as well. 

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Utility Belt

In a time of widespread economic turmoil, several utilities are implementing strategies to ease the financial burden on customers. Each of these strategies has an upside for customers but comes at a cost for utilities.

- **Payment deferrals:** Offering customers extra time to pay their utility bill
- **Rate holidays:** Providing customers with a “holiday” from paying utility bills for a billing period
- **“No shutoff” policies:** Enacting a temporary moratorium on shutoffs for nonpayment
- **Prohibitions on late fees and penalties:** Removing the extra financial burden that comes with late payments
- **Delays to planned rate increases:** Postponing the implementation of scheduled rate increases for a defined period of time

STANDARDS OF SERVICE

How utilities can respond to the impact of Covid-19

FCS GROUP

UTILITY SERVICES ARE vital to the health and well-being of our communities. Healthy utilities generate predictable, consistent revenue and are largely self-sufficient. Time and again, it has been proven that fiscally sound utilities can weather operational impacts.

Still, the Covid-19 pandemic has stretched utilities in unpredicted ways. Here are a few of the observed impacts of the global pandemic and some of the actions utilities can take to prepare for future challenges.

Reserve sufficiency

The pandemic has threatened the stable user-fee revenue that supports utility systems. In an effort to be sensitive to the financial impact consumers are experiencing, from forced business closures to record high unemployment, utilities have taken action in a variety of ways, including payment deferrals, rate holidays, “no shutoff” policies, prohibitions on late fees and penalties, and delays to planned rate increases (see “Utility Belt,” at left). Because of these goodwill strategies, however, utilities are tapping reserves to make up for losses. Many utilities are examining how long funds will last if they continue with their scheduled capital program and running scenarios at different revenue and expense ranges to help inform decision making.

Revenue impacts

Understanding the sources and variability of utility revenue is critical. As we have seen, when commercial and manufacturing sectors are shut down during a global pandemic, demand shifts to residential. If a utility’s residential class has an increase in demand but stops paying their bills, the losses in

revenue are magnified. Several Northwest utilities have already started delving deeper into understanding how their mix of residential, commercial, and industrial customers—and their utility rate structure—will translate into changes in revenue. They’re also taking a closer look at their mix of fixed revenue (base charges) and variable revenue (volumetric charges).

Expense reductions

Many utilities have maintained lean operating budgets since the Great Recession, yet are again feeling the pressure to reduce or defer expenses. One area receiving the most scrutiny is capital projects, a common approach for reducing costs when revenues shrink. Not all capital is created equal, however, and care should be taken to assess the urgency of projects. Other managers have observed that having “shovel ready” projects can improve the likelihood of qualifying for any federal infrastructure funding that may become available. In some cases, it can literally pay to keep your capital program moving.

Short-term vs long-term solutions

The headwinds utilities face now are unprecedented, but no one solution is right for every utility. Those utilities that previously implemented sound financial policies are better positioned to weather the storm; those who have not will face bigger challenges in the short term, but they will still have the opportunity to address those policies as they prepare for the future. **C**

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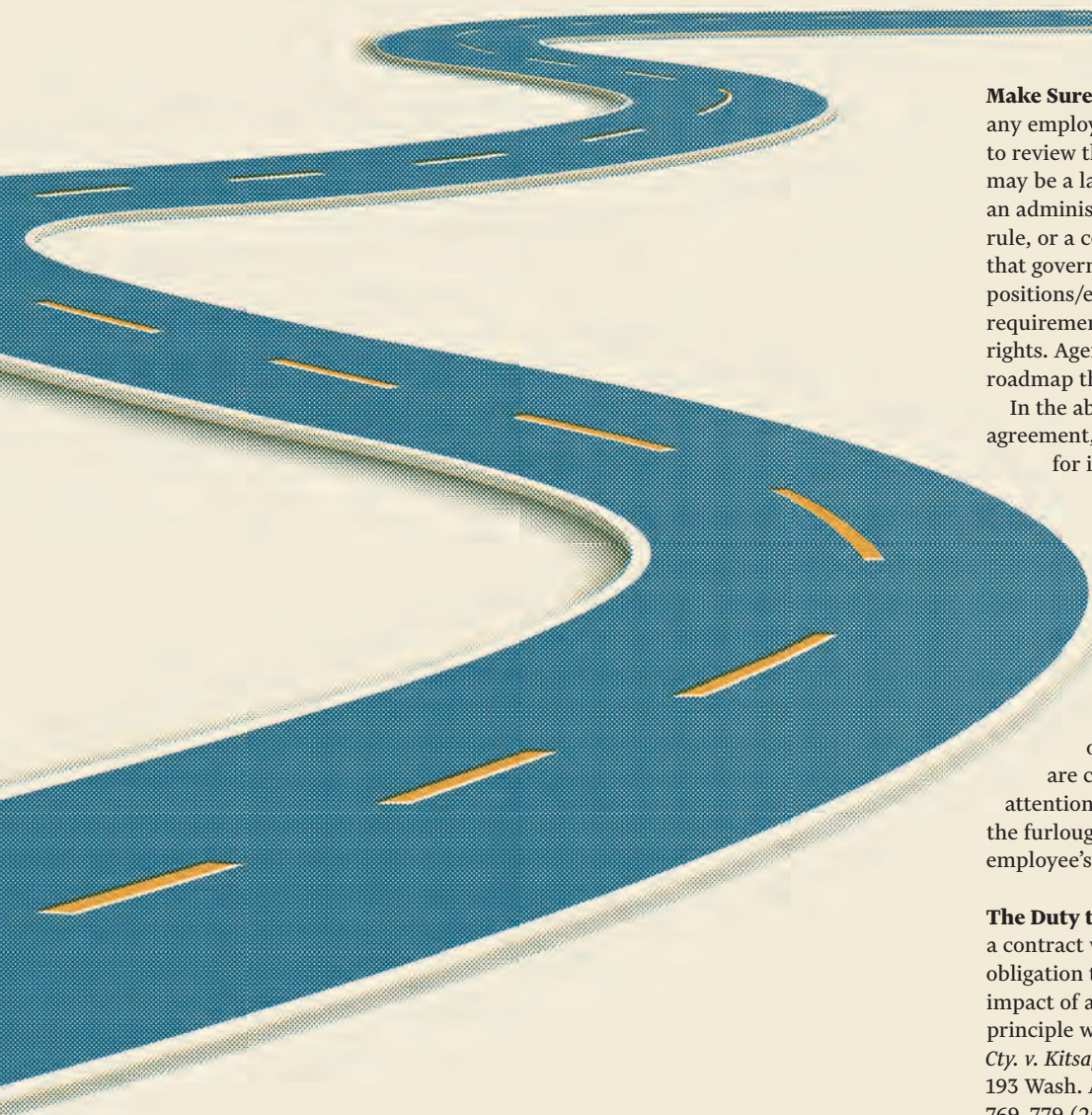
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WORKER ESSENTIALS

Notes on staffing management in a pandemic-inflected world

BETH KENNAH SUMMIT LAW GROUP

OVER THE LAST SEVERAL weeks, public employers have diligently transitioned employees to alternative work arrangements and implemented necessary safety protocols for employees working on site and in the field. As Governor Inslee begins to “turn the dial”

and progressively lift the Stay Home, Stay Healthy restrictions, the focus now turns to the staggering financial impact caused by this global health pandemic. In this context, it is important to keep in mind some of the fundamental principles governing employment decisions such as layoffs and furloughs.

Make Sure There Is a Roadmap. As with any employment decision, it is important to review the governing documents. This may be a layoff policy, a furlough policy, an administrative order, a civil service rule, or a collective bargaining agreement that governs the selection of impacted positions/employees for a layoff, notice requirements, and any bumping or recall rights. Agencies must strictly follow the roadmap they have set forth in writing.

In the absence of a governing policy or agreement, it is critical that the process for identifying impacted positions and employees be developed and thoroughly reviewed to ensure that it serves the legitimate business interests of the organization, and that there is no adverse impact on any protected class or status. If overtime-exempt employees are chosen for a furlough, careful attention should be given to ensure that the furlough does not compromise the employee’s overtime-exempt status.

The Duty to Bargain. In the absence of a contract waiver, an employer has an obligation to bargain the decision and impact of any layoff or furlough. This principle was recently affirmed in *Kitsap Cty. v. Kitsap Cty. Corr. Officers’ Guild, Inc.*, 193 Wash. App. 40, 61-62, 372 P.3d 769, 779 (2016). The county brought a declaratory judgment action following the union’s demand for collective bargaining on the county’s decision to lay off two corrections officers for budgetary reasons. In evaluating the guild’s demand to bargain the layoff decision, the court explained that the layoff decision was not forced by an outside entity or made as a policy decision reflecting a change in services but was instead made purely for economic reasons. The court further concluded: “Although the county’s need to achieve budgetary savings was a legitimate interest, the county’s interest in the method by which the savings would be achieved was not at the core of its management prerogatives. The





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As you manage staffing changes amid the current upheaval, from force reductions to telework, consulting or creating the following kinds of official documents can help both you and your employees.

- Layoff policies
- Furlough policies
- Administrative orders
- Civil service rules
- Collective bargaining agreements
- Separation agreements
- Severance agreements
- Reassignment agreements
- Benefits policies
- Safety policies
- IT policies

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decision to achieve budget savings by laying off the officers was suitable for collective bargaining, and it so substantially impacted wages, hours, and working conditions in the bargaining unit that the decision was a mandatory subject of bargaining.”


The issues of business necessity and employer choice were also addressed by the Public Employee Relations Commission in *King County*, Decision 10547-A (PECB, 2010). In that case, the county negotiated with a coalition of unions to close certain offices as part of an agreed-to furlough plan; the complainant in that case, ATU Local 587, was not part of the coalition, even though the offices to be closed would impact 65 ATU-represented employees. Despite the lack of an agreement with this specific union, the employer continued with its planned office closures, which resulted in furlough days for the ATU members. The commission found that “although outside forces may have impacted the employer’s budget, no outside force compelled the employer to choose furloughs as the means by which to reduce its budget.”

When cities are faced with the duty to bargain, it is important to be proactive, transparent, and creative in identifying cost-saving measures necessary to address what may be an evolving financial landscape. Employers are encouraged to consult with their employment and labor lawyers to navigate these issues.

Avoid the Last-Minute Frenzy. In addition to evaluating the duty to bargain and any notice requirements that may exist by policy or contract, it is important to provide sufficient time to carefully vet the legitimate business decision as to why a certain position or employee is being selected for layoff as opposed to another position or employee. For seniority-driven layoffs, the analysis may be

clear. However, when subjective criteria are relied upon, the layoff decision must be carefully vetted to ensure that the decision is based upon legitimate nondiscriminatory and nonretaliatory reasons that are consistent with the organization’s documentation.

Additionally, it is important to evaluate whether the impacted employees are entitled to a Loudermill hearing (or opportunity to be heard) before a layoff decision is implemented. Employees with cause protection generally should be offered an opportunity to respond to the preliminary decision to lay them off (i.e., an opportunity to be heard) before a final decision is made. Finally, taking the time to produce a thoughtful written explanation for the layoff and any benefits offered (including any offer of severance or benefit continuation in exchange for release of claims) goes a long way toward demonstrating respect and compassion for a difficult transition. Wrongful claims sometimes arise because an individual did not feel respected or treated fairly throughout the process. Avoiding the last-minute rush mitigates this risk.

Protecting Employees Who Are Working or Return to Work Following a Furlough or Layoff. As employees transition back to work or return from a furlough or layoff, there are likely to be several questions as to the measures implemented to ensure their safety at work and what may happen in the event that further restrictions are implemented again in the future. It is recommended that employers regularly communicate and update appropriate safety policies (to include teleworking where appropriate) to ensure that employees are aware of the employer’s safety expectations and new protocols in light of this evolving pandemic. 

Beth Kennar’s practice involves a range of labor and employment law matters for both public and private sector employers, including compliance with legal obligations, training, workplace investigations, and collective bargaining negotiations.

Cityscape

Seattle police officers wear “flu masks”
sewn by volunteers for the American
Red Cross in December 1918.



Time and Again

Then, as now, responsive leadership in a global public health crisis helps bring out the best in people and their communities.


NEARLY THREE DECADES AGO, the Spokane Westerners Corral, a civic organization devoted to the preservation of western history, published a prophetic essay in its biannual journal, *The Pacific Northwesterner*. In a memoir, “When the Plague Hit Spokane,” local octogenarian Kenneth Knoll wrote that his life changed on October 8, 1918, when the city declared a state of emergency amid a global outbreak of influenza. Like Seattle, which made spitting in the streets a cause for arrest, Spokane adopted strict rules regarding sanitation, prohibited public gatherings, and closed theaters, dance halls, churches, and schools.

“I remember that day very well,” recalled Knoll, who was 12 at the time of the outbreak. “To us boys, it was an unexpected vacation that allowed us to play war all day long.”

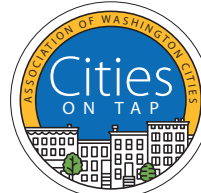
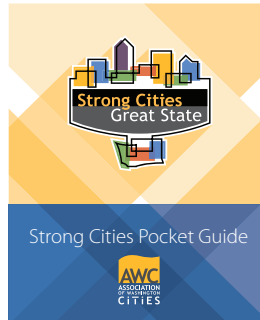
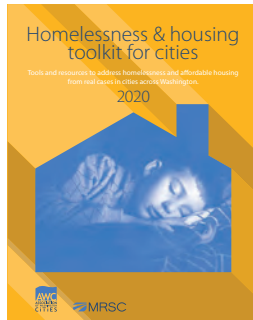
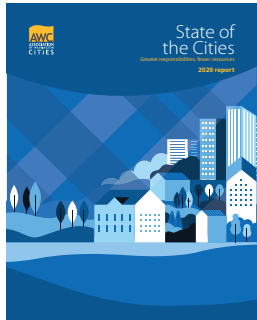
But as the evolving strictures of life under quarantine stretched into weeks, then months, Knoll wrote, “the sense of fear and helplessness bred by the situation led to feelings of anger and frustration.”

It also led to moments of grace. American Red Cross sewing circles stitched protective masks for Army soldiers; good Samaritans transported entire families to Spokane’s influenza hospital, which, by the time it closed on January 13, 1919, had recorded 617 cases and 68 deaths. In all, some 11 percent of the city’s population fell ill with the virus during the outbreak’s worst five months, but only about 0.5 percent of Spokane’s citizens perished as a result.

“The citizenry reacted well toward the problems produced by the epidemic,” Knoll concluded. “People rallied with volunteer efforts to relieve the suffering. . . . City and county governments furnished money and supplies to the needy. A sense of personal responsibility for helping in an emergency was evident.”

It makes for a lesson that spans centuries: in times of crisis, people look to community leaders to provide guidance and resources—and to learn how they can pitch in for the common good. 

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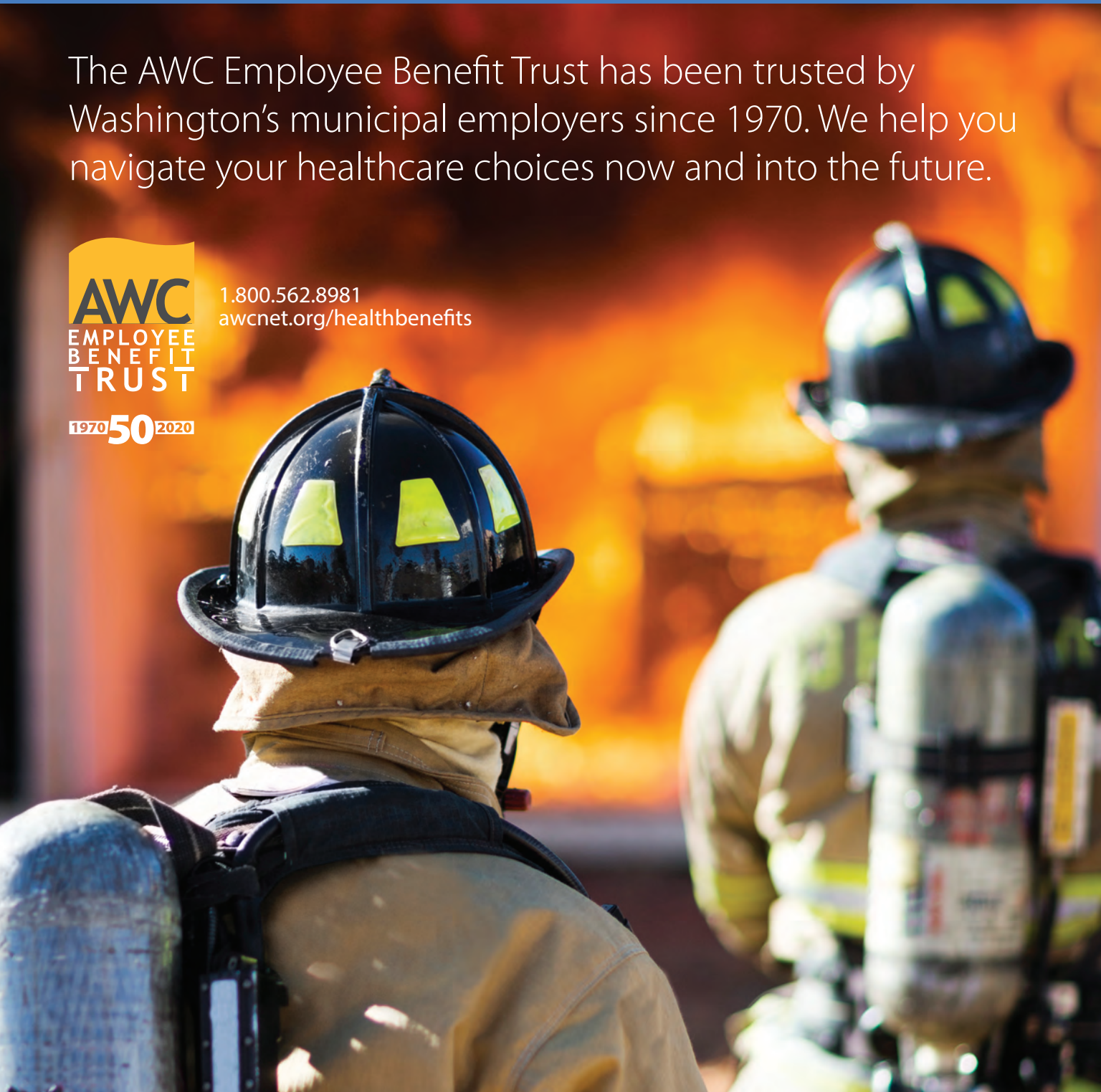
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