



Leadership During Crisis: Lessons from the COVID-19 Pandemic

PRO ACTION OF STEUBEN AND YATES, INC.

Service Area	Steuben and Yates, two rural counties in upstate New York
Main Office Locations	Bath and Penn Yan, New York
Leadership	Laura Rossman, Chief Executive Officer Debbi Deats, Board President
Staff Size	324
Annual Budget	\$16.2 million
Clients Served	13,986 in 2019
Board Size	15
Major Program Areas	<p>Resilient Children and Families</p> <ul style="list-style-type: none"> Early Childhood Learning and Development Early Head Start Head Start Women, Infants and Children (WIC) Family Literacy and Education Home-Based Services <p>Thriving Seniors</p> <ul style="list-style-type: none"> Referral Programs Wellness Programs In-Home Services Nutrition Programs <p>Prosperous Futures</p> <ul style="list-style-type: none"> Adult Literacy Services Youth Empowerment Program American Job Center Network / Workforce NY Senior Community Service & Employment Wheels for Work Child Care <p>Basic Needs Support</p> <ul style="list-style-type: none"> LIHEAP WAP Community Action Angels (formerly CHAMP) WIC Food Pantry SNAP Application Assistance Nutrition Classes



INTRODUCTION

When the board of directors of Pro Action of Steuben and Yates, Inc. gathered for their monthly meeting at the organization's offices in Bath, New York on February 18, 2020, they had no idea that it would be the last time they would sit in the same room for over half a year. Fortunately, CEO Laura Rossman had been keeping an eye on the news and was concerned about the spread of coronavirus disease 2019 (COVID-19), which had been declared a national emergency just days earlier. With the story developing at breakneck speed, she thought it was time for the board to consider Pro Action's options for adjusting its policies and operations during a pandemic.

The process began with dusting off the agency's contingency plan, but it certainly didn't end there. Like countless other Community Action Agencies (CAAs) across the country that have adjusted their operations in light of COVID-19, Pro Action had to consider the unique needs and issues of the area it serves. Over the ensuing months, Laura and the board revised other policies and adopted new practices that allowed them to continue helping the low-income population in their community.

CAPLAW and the National Community Action Partnership have put together this case study to discuss some of the ways that Pro Action has adapted, which we hope will inspire and encourage other CAAs considering similar measures. In addition to describing some specific changes the agency made, we identify key aspects of Pro Action's governance practices that allowed it to respond efficiently and effectively to the COVID-19 emergency. Together, these highlights demonstrate how a CAA's organizational capacity and culture of good governance equip its leaders to better navigate the transition into a new phase of operations and mitigate the impact of an unexpected hardship.

A SURPRISE SHUTDOWN

Pro Action of Steuben and Yates, Inc. is a 501(c)(3) nonprofit CAA serving Steuben and Yates Counties in upstate New York. It is governed by a tripartite board of 15 members who, Board President Debbi Deats says, are never shy to ask questions or share their opinions. The agency's CEO, Laura Rossman, has been in her position for six years, and she previously served for twelve years as Associate Executive Director. According to Debbi, Laura's wealth of experience and meticulous nature have given the board complete faith in her. "When we get something from Laura, it's explained," Debbi says. Laura usually consults with her CFO, COO, Associate Executive Director and outside counsel, if necessary, before bringing matters to the board. She credits the practice of continual communication between the board and management for the success of her agency's response to COVID-19.

As news of the pandemic was first developing, Laura checked to see if Pro Action had any policies that might address an outbreak of infectious disease. She found a Business Contingency Plan that the board had adopted a few years earlier, which laid out certain steps for responding to emergency scenarios such as flood, fire, a utility

outage, a systems failure and, fortunately, a pandemic. The policy anticipated that such an event could last for weeks and might result in shortages of certain items. It also described the ways that influenza is spread and delegated authority to the CEO to decide whether to close the building, what procedures should be followed in the event of staff shortages and process interruptions, and how to maintain communication between staff and senior management. Laura reviewed the plan with her team and decided that in addition to updating the Succession Plan—which was already up for review—they would expand on the provisions in the Business Contingency Plan, creating a separate, COVID-19-specific plan to be discussed at the following board meeting in March.

Laura and her staff set to work, creating a comprehensive Continuity of Operations Plan, or COOP, specific to the evolving COVID-19 situation. Using the latest guidance from the Centers for Disease Control and Prevention (CDC), the World Health Organization (WHO), New York State and Pro Action's human resource management consultant, they created a plan that identified the actions and operational adjustments that would be

necessary during each phase of a pandemic. This included hygiene and sanitation protocols, absenteeism projections, recommendations and screening questions for use in modifying service delivery, and a commitment to clearly and continually communicate with staff, volunteers, and local government authorities.

The COOP was sent around to board members and discussed in detail when the board convened virtually on March 18, 2020. Even with this comprehensive plan, Laura and the board knew that additional adjustments and policy changes would be necessary. They decided that the best way to provide Pro Action with the flexibility to respond to the pandemic was to grant Laura the authority to change the agency's policies without going to the full board. At the March 18 meeting, the board passed the following resolution:

In an effort to respond and manage rapidly developing guidance from federal, state, and local government authorities relevant to the COVID-19 response, the board adopts and activates the Pro Action Continuity of Operations Plan (COOP), and further authorizes the CEO or designee as named in the succession plan to modify and/or set aside Agency policies as necessary to accommodate such guidance. During the time of activation of the COOP, deviations from established policy will be summarized and reported to the board at the next regular meeting. This motion authority will only be provided during the COVID-19 pandemic.

This resolution uses specific language and references to reliable outside sources to limit the CEO's powers to what the board considered reasonable under the circumstances. It only allows the CEO to make changes necessary to accommodate guidance from federal, state, and local governments, and it limits the time period for which the CEO can make such changes to the duration of the pandemic. It also requires ongoing disclosure and reporting to the full board. Despite their great trust in Laura's discretion and stewardship of the agency's resources, the Pro Action board was careful in its delegation in

order to ensure that its role as the ultimate legal authority for the CAA would not be compromised. This resolution balances the need for flexibility in the CAA's day-to-day operations with the board's fiduciary duty of care, which requires each member to act as an ordinarily prudent person would under similar circumstances.



ADAPTING POLICIES TO THE NEW REALITY

Within a week after the March 18 board meeting, Pro Action was operating at 25% in-person capacity pursuant to a statewide shut-down order from New York's governor. In order to support the agency's workforce of over 300 employees with the transition, Laura and her team made targeted changes to their personnel policies. They added clauses to their employee leave policy providing Emergency Paid Sick Leave and Emergency Family and Medical Leave under the Families First Coronavirus Response Act (a federal law that created two weeks of paid sick leave or Family and Medical Leave for certain qualifying reasons related to COVID-19 and allowed employers to seek reimbursement for leave wages paid out to qualifying employees). The CAA also enacted an emergency personal travel policy requiring employees traveling to "high risk areas", as defined in state guidance, to quarantine for 14 days at home upon their return. They also put together an infectious disease policy to help minimize exposure in the workplace and sustain essential functions until operations could resume. In each case, the changes took effect immediately, but were subsequently reported to the board for final approval in accordance with the emergency delegation of authority to the CEO.

The six-member Executive Committee of Pro Action's board also made themselves available to the CEO for purchasing approval and other discussions in between regular board meetings. Laura says that in her six years as CEO before COVID-19, she only worked with the Executive Committee a handful of times. Now, she's lost track of the number of meetings they've had since the pandemic began. In accordance with Pro Action's Bylaws, the Executive Committee may take formal action on behalf of the full board in between board meetings via unanimous written consent using email.

Laura and her team drew from many different sources as they created and revised policies in response to the pandemic. They utilized their human resource management consultant, their local counsel, other nonprofits in their area, CAPLAW news flashes and online resources, and the weekly national partner COVID-19 update calls organized by the National Community Action Partnership. Laura paid it forward by sharing what her agency enacted with other New York CAAs.



MAKING REMOTE WORK, WORK

One of the biggest challenges Pro Action faced in connection with the pandemic was getting their staff set up to work from home. Before COVID-19, Laura says that some staff were working on CAA-issued laptops, and a Virtual Private Network was established to allow for secure remote access to Pro Action's servers, but it wasn't being employed to its full capacity. She was already taking steps to change that, but didn't expect to have to do it so quickly, especially since Steuben and Yates are rural counties. The shutdown reinforced that

information technology is a critical tool for a large portion of Pro Action's workforce. As the leaders of a nonprofit trying to stretch resources as far as they would go, Laura's team had to work creatively to reallocate funding and adjust policies to ensure that technology was made available to all staff.

As soon as employees were required to vacate their workspaces and begin working from home, management ran into questions related to personal device usage. The agency loaned out as much equipment as it could, but some employees still had to use their own computers and cell phones to communicate with coworkers and supervisors. Pro Action's existing IT Policy, which prohibited employees from using their personal devices for work-related tasks, had to be amended to allow for work-related use. The revised policy contained new restrictions, such as a provision that prohibited non-exempt employees from using their personal device for work matters outside of work hours (such use could create overtime liability for the agency). It also created a stipend for staff using their personal devices for work purposes. Laura consulted with the CAA's IT provider to implement additional measures to protect customer information stored on employee personal devices and to delete such information when it was no longer needed.

Even with the right equipment to conduct their work remotely, some of Pro Action's employees required a bit of additional help to make the transition. Some struggled with connecting to video meetings on Zoom, while others lacked basic proficiency in Microsoft Office programs like Office 365. Laura says that she and her team will be looking into additional training in those areas for the future.

Laura reflects on the shift to remote work positively, since it has made Pro Action's services more accessible to its community. In the early days of the shutdown, agency staff sent intake and program enrollment forms to customers by mail, including a pre-stamped envelope for returning them. Now, Laura is working with her IT provider to set up an online customer portal integrated with the agency's database. She sees online enrollment as a key adaptation for keeping her CAA's services accessible in the future.

OPERATIONS IN THE TIME OF COVID-19

Unlike some other states, New York does not subject nonprofit CAAs to an Open Meetings Law that requires board meetings to be held in person or to be open to the public. Before the COVID-19 pandemic, Pro Action's board of directors met monthly at the agency's main office, but its bylaws also permitted meetings by video or audio conference. Since the agency does not have a space big enough to hold a board meeting while complying with social distancing requirements, the board has conducted its monthly meetings using video conference (Zoom) since March 2020. Board President Debbi Deats says that the board has made progress when it comes to using video conferencing technology, but they have also had to adjust to the additional time that is needed to hold board meetings virtually.

As a matter of routine procedure, Pro Action's CEO, administrative team, and departments provide detailed monthly reports to the board that review accomplishments, outcomes, finances, and challenges. Prior to the pandemic, each department head would also give an annual interactive presentation on their department's operations as a way to enhance the board's knowledge and understanding of agency programs and services. Maintaining this practice has been challenging during the pandemic, since the administrative team and the board have been prioritizing the immediate needs of pandemic response and planning. Since the board has switched to meeting remotely, it usually receives these annual reports in written or PowerPoint form. To maintain a sense of camaraderie and support between the board and staff, Laura encouraged each of Pro Action's departments to create a video showing what their operations looked like during the shutdown. She shared these in her weekly agency-wide emails, which also contained updates and words of hope and encouragement.

REOPENING FACILITIES IN SAFETY

Throughout the pandemic, Pro Action staff and board members have kept up with federal, state and local guidance on preparedness and response. Pursuant to New York State guidance, the agency created a Reopening Safety Plan that includes requirements for customers and staff

related to physical distancing, personal protective equipment, hygiene, cleaning, communications, screening, and contact tracing. Laura also worked with her department directors to create tools to assess each program's readiness to reopen safely, and compiled an agency-wide action plan based on those tools. The action plan was reviewed and approved by the board, and Laura says that she has used the plan regularly as a checklist for how to maintain safe and compliant operations.

Though it sometimes feels like the crisis has abated and the CAA has adjusted to a new normalcy in operations, Laura knows that her work isn't done. New York State has seen a relatively low and stable number of infections in recent months, but with schools reopening and flu season approaching, a spike in the infection rate seems inevitable. The path forward may still be unclear, but Laura has faith. Given all that her organization has been through this year, and how it performed under pressure, she knows that Pro Action is up to the task. The policies and response efforts that Pro Action's board and executive management undertook in the early months of the pandemic have set a good foundation and provided invaluable experience for the CAA in pivoting quickly to adjust to changes in the pandemic.



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