



Pandemic Response

HR, Facilities, and Legal Issues

October 31, 2006

Overview

- **Help you to understand key facts surrounding “The Avian Flu Pandemic” or any other “Pandemic”**
- **Identify key policy areas for your company’s consideration**
 - Human Resources and Employee Issues
 - Facilities and Hygiene Issues
 - Legal Issues
- **Open Discussion**



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Human Resource Planning

- **The best response to a major crises is sound planning and clear communication channels.**
 - Suggest development of a Business Continuity Planning Team to review planning and develop contingencies/policies for:
 - Business impact: Can the business run without 40 - 50% of the staff for 2-4 weeks? 90 days? One year?
 - Core Business/Essential Functions: What must be done to cross-train employees and/or staff from outside?
 - How do we manage employees at work during a crisis?



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Employee Issues - HR

- **Alternative Leadership Structure policies**
 - Succession plans in case of severe illness
 - Retired Employees
- **Benefit Plans**
 - Medical
 - Disability
 - Life
- **Communication with Employees and Independent Contractors**
- **Review HR policies for application crises planning areas:**
 - Liberalization of sick leave policy during declared crises
 - Leave Policies
- **Return To Work policies**
 - Medical review/clearance prior to return
 - Employees who refuse to return to work



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Employee Issues - HR

- **Flexible work schedules**
 - From home or other location
 - Hours of work, Telecommuting/Business Travel
- **Workforce Planning**
 - Employees Sick or Fearful
 - Dependences Sick or Schools Closed
 - Transportation Issues
 - FMLA interface
- **Workers Compensation Claims**
- **Attendance Programs and Bonus Awards**
 - Are we rewarding the wrong behavior
- **Flu Vaccines**
- **Insurance carriers are just beginning to deal with the risk elements.**



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Facility Issues

- **Isolation policies for critical personnel**
 - Consideration for off-site isolation i.e. co-location, temp space, telecommute, sterile team rooms, etc.
 - Additional consideration of on-site isolation, i.e. temp living accommodations, isolation areas, etc.
 - Sequestering of vital personnel
 - Restrict access to control room, operations support, data center, etc.
 - Stockpile supplies, i.e. maintain one month supply of food/water, office supplies
 - Social distancing
 - IAQ
- **Facility Access Policies**
 - When do you lock down facility to allow ERCOT personnel or critical staff only access?
 - Alternative pre-planned worksites, primary/backup sites.
 - Do you close a facility? Is there a staffing level that mandates closing a facility?
 - How do you secure low-staffed/vacant facilities?
- **Air Handling/Filtration Systems**
 - Ensure that AH systems are in top working order utilize most effective/efficient filters wherever possible
 - Increase fresh air beyond ASHRAE minimums...if not already. Check IAQ
 - Verify segregation of mission critical areas, i.e. control room, data center, support areas.



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Facility Issues

- **Ensure sufficient basic supplies on hand**
 - Masks, gloves, disinfectants, plastic sheeting, duct tape, etc.
- **Long term food storage**
 - Sufficient storage for frozen and can goods for up to 90 days.
- **Temporary lodging...on site/off site**
 - Utilize close by motels or secure temporary buildings/RVs
- **Service providers contracts**
 - Work with procurement/purchasing to secure guaranteed service contract...before crisis situations
 - Providers may be operating with limited staff...ensure that your facility needs are priority.
 - On site laundry and/or concierge service
- **Upgraded/enhanced cleaning service**
 - Daily disinfecting of work areas
 - Approved disinfectant spray/wipes available at all work stations



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Facilities and Health Issues

- **Support Wireless, Remote Access, and Remote Conferencing**
- **Make sure IT, Purchasing and other areas are fully supported and part of planning.**
 - Support network connections throughout facilities in support of isolation areas, etc.
 - Video/Web conferencing capabilities
 - Adequate supply of medical supplies, disinfectant wipes/solutions, and other occupational health needs.
- **Develop workplace hygiene policies, governing:**
 - Social distancing and medical surveillance
 - Closing office to public
 - Meeting cancellations
 - Use of N95 respirators for essential personnel if appropriate
 - Management/notification of employees exposed at work
 - Quarantine
 - Sequestering
 - Provisions of hygiene training, respirators and waterless hand cleanser to employee family members during crises



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Legal Issues

- **Business Partnerships**

- Contractors/Vendors/Staffing Companies
 - Ensure vendors have contingency plans and/or develop alternative supplies for critical products/supplies
 - Locate Needed Additional Health and Safety-Related Suppliers
- Governmental Resources (DHS, Homeland Security, NERC, Texas State Emergency Operations Center)

- **Premises Liability Issues and Duty to Protect**

- Obligation to provide a safe place to work in order to protect employees from recognized hazards
- Companies with 10 or more employees need a written action plan
- Hazard Assessment for potential exposures



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Legal Issues

- **External Communications**

- To customers, governmental entities, media, vendors
- Timely, Accurate and Consistent

- **Delegations of Authority**

- **Urgent Policy Decisions**

- **Travel Restrictions**

- Point at which to impose (follow governmental or NERC lead)
- Consider Additional Leave for returning travelers

- **Implications on other requirements**

- Americans with Disability Act ("ADA") – employees who return to work but are disabled by the virus
- FMLA
- Workers' Compensation



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In Summary

- **Best plan is good planning**
 - Clear and comprehensive communication of your plan is critical to its chance of success.
 - What are you doing now?
- **Senior management and Board expectations must be addressed, get appropriate buy-in prior to sponsoring a Business Continuity Planning Committee**
 - Cross-functional planning committees are the best answer to getting all the right questions asked.
- **Be Ready to Reinvent your Company**



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Questions & Discussion



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