



Pandemic Preparedness – Are You Ready?

Employers need to adopt pandemic preparedness plans in order to minimize the impact of the H1N1 influenza virus (more commonly known as the swine flu) on their employees and business operations.

Background

The first case of the H1N1 influenza virus was identified in Mexico on April 13, 2009. By the end of the month, over 300 cases of the virus were confirmed in 11 countries across the globe. Governments and public health leaders have taken steps to contain the spread of the virus. For example, the U.S. Department of Education reported that nearly 300 schools with confirmed or possible swine flu cases were closed on April 30, affecting about 169,000 students.

Actions such as school closures can have a profound impact on businesses as affected employees scramble to find child care. The impact of current or future outbreaks could be even greater if large numbers of employees also become ill. Employers will need to take action to protect the health of their employees, to manage their workforce effectively, to ensure business continuity, and to minimize the disruption and financial consequences of the outbreak on their businesses. Even if this strain of flu proves to be less deadly than originally envisioned, historical precedent for subsequent waves (e.g., in the fall), or for unpredictable mutation of these types of viruses, underscores the importance of contingency planning.

What Employers Should Do

Although at this time it is not clear how severe any outbreak might be, employers who have not yet done so should be developing or updating their preparedness plans. At a minimum, employers should –

- establish a senior crisis management team with members from critical departments such as human resources, operations, communications, finance and legal. This team can evaluate and prioritize the risks and develop alternative scenarios and how to address them. A clinical professional should also participate.
- establish a budget for pandemic preparedness
- review general business practices, such as the following, to determine the risks posed by a pandemic
 - “just in time” inventory practices
 - “force majeure” (or “Act of God”) provisions in contracts with customers and suppliers
 - travel policies and evacuation procedures
 - call center and other client/customer-facing operations

- monitor CDC, WHO, local health organizations and other reputable websites for updates and guidance
- be wary of “scams” offering medications and products to prevent the spread of the flu
- develop remote service and delivery strategies as well as cross-training and back-up plans
- develop plans to implement expanded telecommuting, flexible work schedules and similar programs that can keep healthy employees working in a safe environment
- review and possibly modify sick pay/sick leave schedules and policies as necessary to help ill employees avoid financial difficulty
- review medical plans, mental health and EAP programs to ensure access to appropriate care
- provide telephone hotlines for rapid upward escalation of reported cases and, if possible, access to medical professionals for guidance
- work with community health organizations to maximize and coordinate available resources
- educate employees about the flu, how to prevent it and what to do if they become ill
- educate managers and supervisors regarding the employer’s crisis management response planning, chain of command and other operational issues likely to arise in a pandemic emergency
- consult with legal counsel to ensure that all policies and practices comply with applicable laws, such as the Family and Medical Leave Act, the Americans with Disabilities Act, etc.

It is particularly important to educate employees about the realistic risks of pandemic flu and the employer’s efforts to address them (e.g., emergency plans) in a forthright and honest manner that does not increase stress or create panic. Employers should prepare educational materials and communications specifically targeting distinct audience subgroups, such as managers and customers.

Of course, there are many other actions employers can take, such as providing hand sanitizers, gloves and masks, implementing travel restrictions, and facilitating access to Tamiflu® and Relenza® for treatment of appropriate individuals, and to vaccinations when they become available. The key at this point is to begin emergency planning efforts and to implement those plans as quickly as possible.

Conclusion

The H1N1 flu outbreak poses significant challenges for employers. Buck’s consultants have developed tools to assist employers with their pandemic planning efforts and can help you formulate and implement your preparedness plans.

This FYI is intended to provide general information. It does not offer legal advice or purport to treat all the issues surrounding any one topic.