

**NEWS ALERT: What Employers Need To Do To Prepare For
A Potential Flu Pandemic Beginning this Autumn:
*This Flu Season Will Be Nothing To “Sneeze” About
As The Return Of The Swine Flu Raises Its Ugly Head.***

United States health officials are preparing intensively to combat an anticipated wave of outbreaks of the Swine or H1N1 flu this coming autumn. At present, the number of confirmed swine flu cases in this country is now over 40,000 and is responsible for 263 deaths nationwide. The Center for Disease Control believes that more than 1,000,000 people have been infected with the disease at present and that the disease will lay dormant during the warm weather and return with a vengeance before the cold weather is upon us. Such symptoms of this flu range from lethargy, coughing to related stomach illness, among other symptoms. The presence of this strain of flu and the concomitant cost of containing it will be a major challenge for corporate America during this coming fall and winter. Our federal government has now considered the outbreak to be classified as a pandemic and is planning accordingly. As of now, only 27% of companies report that they have a plan in place in the event that a large percentage of employees become ill. This is almost a 100 percent increase, since 2006, when only 14 percent of companies surveyed had such plans. Notwithstanding, the present number of companies with pandemic plans reflect coverage for only 25 percent of all companies, leaving the remainder of corporate America in a very risky position.

The swine flu outbreak should serve as a stark reminder to employers about the importance of having a pandemic influenza response plan, particularly considering the fact that employers are legally obligated to provide a safe, disease-free workplace for employees. Consequently, corporations need to take proactive steps to prevent the potential spread of any contagious disease, including swine flu. When sick employees show up for work, known as “presenteeism” there is a significant and costly impact on a company, not only in terms of risking the spread of the disease, but also in terms of diminished productivity, quality and attention to safety. If your company has not already developed a policy for dealing with a pandemic situation, you should begin this process immediately. The end game of such a policy should be the continuity of corporate operations. Having said this, your organization must consider the following items in developing an operations plan for a pandemic influenza:

- > Anticipating increased or decreased needs from customers and making the appropriate financial preparations accordingly.
- > Reviewing the company’s supply chain to determine where and how it might be vulnerable during a pandemic.
- > Preparing for potential interruptions to infrastructure.
- > Establishing procedures for activating the company’s pandemic influenza response plan.
- > Consider whether and how to distribute anti-virals for employees and family members.
- > Determine how to coordinate communications to employees about the flu, the current threat level and the company’s pandemic influenza response plan and
- > Determine how to coordinate with local and federal health and disaster response agencies. The plan should include the monitoring of websites of both state and federal public health agencies, international agencies and industry groups for recent information regarding the pandemic. Additionally, some state health departments have already set up telephone conference call centers. The progress of the pandemic can be tracked by obtaining information directly from either the Center for Disease Control (cdc.gov) or through the World Health Organization (who.int)

Employers should also be prepared for a forty percent employee absenteeism rate during peak outbreak periods. This will result from a number of factors, including caring for family members who themselves may have the flu, the employee's own health circumstances, need to care for children when schools are closed. The company should identify critical functions within each business unit or department and to determine how to keep those functions operational. A pandemic is not a short duration event. The planning must take into account that this crisis will last several months. Thus, establishing certain contingency plans as suggested by the Occupational Health and Safety Administration that include, for example, cross-training employees, increasing the ability of employees to telecommute whenever possible and creating teams of employees who can rotate into performing critical tasks and altering business operations (e.g. shutting down or limiting operations in certain affected areas). As well, management needs to undertake similar efforts to prepare for any potential widespread outbreak, including identifying support for management who will otherwise be making key decisions during a pandemic. For those employees in both management and non-management consider bonuses, rewards or extra recognition for taking the extra steps to do extra work for ill colleagues.

Companies should also review their existing compensation, benefits, sick leave and family and medical leave policies, including how their policies adhere to the requirements of The Family and Medical Leave Act and the Americans with Disabilities Act to consider how they should be modified to deter sick employees from continuing to come to work while encouraging healthy employees to report to work. Some employers may decide to provide enhanced or lengthened sick time for employees during a pandemic, because they want to prevent employees from coming to work while they are infectious due to financial concerns or concerns that they will lose their jobs if they are absent.

There is no time like the present to begin to take steps to ensure a safe and healthy workplace for both your employees and the corporation. Further alerts will be posted on our new firm website as this health crisis emerges in full bloom over the next few months. For further information regarding what steps you can take to give your company a jump on the pandemic, please call us for further information.