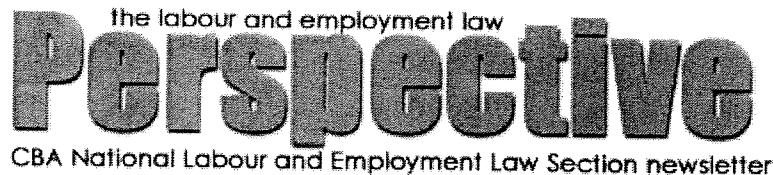




The Canadian Bar Association

## Labour and Employment Law Perspective, January 2007



January 2007

### **The importance of people-focused pandemic planning**

**By Daniel J. McKeown (counsel) and Katherine E. Ford**

*Editor's Note: This article is one that will be helpful to legal counsel advising corporate human resource professionals and/or organizations overall, and addresses an important issue that requires strategic planning and an otherwise informed response to be effective. This is an issue that you will be better prepared to advise on, and even go so far as to assist in developing a response to, based on the information in the article.*

*While the article is written with human resource professionals as the target audience – it is also relevant to their legal counsel, who can play an important role in educating their client on this issue if he or she is either not aware of it, or has limited knowledge of the subject matter. Issue identification and strategic planning are value-added services that lawyers offer their clients, which are often very much appreciated. These services allow a lawyer to engage with a client on proactive, rather than a solely reactive, basis.*

As avian flu and the threat of a global pandemic receive increasing attention around the world, organizations are considering how best to prepare for the looming crisis. Human resource professionals need to be at the forefront of crisis preparedness and planning, as it will be human capital that will be most affected if a pandemic does develop.

#### ***What is a “pandemic?”***

Pandemic refers to the spread of an illness or disease across a wide, geographic area. Recent concerns expressed in the media and in academic circles about a potential pandemic relate to a relatively new strain of the influenza virus, commonly referred to as the “avian flu.” To date, this flu has shown a tendency to be easily transmissible between birds, and sometimes between birds and humans. The possibility remains that avian flu may mutate to become transmissible through human-to-human contact, and spread quickly around the world. The World Health Organization has warned of a significant possibility of such an eventuality within the foreseeable future.

### ***How would a pandemic affect my organization?***

It has been estimated that between one-third and one-half of a given human population will become sick at some point during a pandemic. This includes your employees. Even if an employee does not become ill directly as a result of a flu virus, the employee may nevertheless be absent from work out of fear, in order to care for others, or because infrastructure breaks down and effectively prevents business and transportation systems from operating. Accordingly, employee absenteeism is anticipated to be a significant problem for all employers. Indeed, it has been estimated that organizations should expect employee absenteeism rates of approximately 30 per cent during a pandemic.

In addition to employee absenteeism within your *own* organization, each organization must consider the impact that similar absenteeism rates may have on suppliers and customers. For example, even if your organization is able to maintain a sufficient staffing level, a pandemic might result in a decrease in the supply of goods and services required by your organization, or in customers' ability to receive your products or services.

### ***Why must human resources be involved in crisis preparedness and planning?***

Experience has shown that in the face of crisis, business continuity planners and crisis responders tend to focus on the rescue and restoration of hard services, infrastructure, IT, security and business operations. In other words, getting the business up and running is emphasized at the expense of people issues.

Yet the most important asset of an organization is its human capital. Human resources professionals will therefore need to develop an effective people strategy as a component of an organization's business continuity plan. They are often the most adept at understanding an organization's demographics, culture, effective modes of communication, and in anticipating employees' motivations and needs in the face of a crisis, and the adjustment and recovery that will inevitably follow. Moreover, human resources professionals are attuned to workplace laws that may affect an employer's response to people-related aspects of business continuity planning.

### ***Why should my organization prepare now?***

Although no one can be certain that a pandemic will strike in the near future, planning for that eventuality may make all the difference in your organization's ability to respond effectively to influenza-related employee absences.

### ***Some planning considerations for organizations***

A business pandemic plan should encompass all areas of operations. Planning for labour shortages, and determining how to manage employees during a crisis, are vital components of any plan. The following is an overview of a people-focused pandemic planning checklist:

1. *How prepared is your organization currently?* Each business must evaluate its current situation to determine readiness in the event of a pandemic. How will a pandemic be identified by your organization (if not by provincial declaration)? Do employees know what to do in the event of a pandemic? Is there an early warning system to alert management of the transmission of illness in the workplace? Do you even have a plan?

2. *How might a pandemic impact your workplace?* How is work performed in your organization? What vulnerabilities exist? How will labour shortages affect operations? How might a pandemic impact your supply chain (locally and internationally) and your ability to serve your customers? How flexible is your workforce, and are there any factors that may limit flexibility (e.g., collective agreements)?
3. What types of preventative measures can you take? Each organization should take steps now to prevent or reduce the likelihood of influenza gaining a foothold in the workplace. This includes employee vaccinations (if sufficient vaccine for the influenza is available), organizing work differently to limit employee interaction, and training employees in basic, preventative measures to reduce the likelihood of transmission between individuals.
4. If a pandemic arrives, how can you mitigate its impact on the organization and its people? This is the heart of any human resource pandemic plan. How will you communicate effectively with employees, both at the workplace and at home? Can business operations be reorganized so as to continue even in the face of a pandemic? What is the minimum number of employees necessary to keep the organization functioning? In which capacities? Are employees trained to assume other roles within the organization if this becomes necessary? Are employees able to work from home or in alternative locations?
5. *What is the legal environment within which human resources will be managed in the event of a pandemic?* The recent enactment of Bill 56, *An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act 1997*, means that if an emergency is declared, such as in response to a pandemic, employees will be eligible for extended leaves of unpaid absence from work, so long as the reason for the absence is related to the emergency itself. The provincial government may also order the temporary closure of a business, and that employees remain in their homes.
6. *Is your organization a party to a collective agreement?* If so, what effect, if any, will the agreement have on your organization's ability to effectively respond to a pandemic?
7. *Implementation.* Commitment, training and communication. Is senior management committed to preparing a continuity plan that can be implemented in the event of a crisis? Has your organization's continuity plan been communicated and have employees been trained to respond to a pandemic?

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