

State of Iowa CIO Council

Avian Influenza BCP Planning

Legal/Human Resource Issues

- **Leave Policies**
 - FMLA – 12 weeks of unpaid leave for their own or family member's health condition
 - Medical Leave
 - 30-40% of workforce out sick
 - Communicable Disease Policy
 - Leave Policy
 - What happens to works that exceed sick leave limits
 - What illnesses or exposure must an employee report to employer
 - When an employee should stay at home or be sent home
 - When can employees return to work
 - What if employee can not return to work?
 - What about a quarantine
 - Communications of Leave Policies
- **Disability Discrimination**
 - State and Federal law prohibits discrimination against employees because of disability or perceived disability
 - Discrimination against those with contagious disease or perceived to have a contagious disease
 - Provide reasonable assurance to qualified disabled persons unless to do so would be undue hardship.
 - Retaliation against someone asserting their rights is prohibited
 - What questions can be asked to elicit whether the person has been exposed.
- **OSHA**
 - Required to provide a safe workplace
 - Someone that spreads the disease in the workplace
 - What preventative measures can be used
- **Contracts with labor unions**
 - Review and modify in event of pandemic
 - Compensation
 - Bonus
 - Layoffs
 - Future contracts (this is going to be an 18 + month ordeal)
 - Would *force majeure* apply
- **Contracts with suppliers/vendors**
- **Whistle Blowing**
 - Person reporting violations or sick employees
 - How to investigate
 - Hearings
 - Inquiry
 - Investigation
 - Refusal of an order to comply with work rules
- **WARN Act (Worker Adjustment and Retraining Notification) statutes**

- Rules pertaining to closings or layoffs
- Exclusions
 - Unforeseeable business circumstances
 - Natural disaster (would bird flu be a natural disaster?)
- **Wage and Hours worked**
 - Union and non-union
 - Regular pay days
- **Staffing**
 - Identification of the critical employees
 - Strategies
 - Cross-training
 - Rehire retirees
 - Use of contract employees (note about DICE)
 - Evaluate overtime policies
 - Evaluate sick leave policy
 - Voluntary and mandatory closings
- **Attendance**
 - What if employees refuse to come to work (leave their home)
 - Fear of unsafe workspace – possible contagion
 - Community containment and quarantines
 - How will absence policies be enforced
 - Violations
 - Terminate
- **Privacy**
 - ADA
 - Common law
 - HIPAA
- **Benefits**
 - Retirements
 - EAP
 - Sick leave

Business Continuity Planning

- **Governance**
 - Executive team
 - Steering committee
 - Business Unit Plan Plans
 - Disaster Recovery Plans
- **Business Impact Analysis (BIA)**
 - Identify critical functions
 - Identify the critical business functions performed by the departments
 - Recovery Time Objective
 - How soon do you need to back up
 - Identify for each function
 - Operational impacts
 - What is the impact to being “down”
 - Financial impact
 - What is impact to revenue stream if services down
 - Interdependencies
 - Internal and external things you depend on
 - Consider backups and alternatives
 - Critical systems and infrastructure
 - For each function there could be a system to plan for
 - Minimum operating requirements
 - What is the quantity of resources needed to recover the function
- **Recovery Strategy**
 - Alternate locations ^{Note:}(keep in mind this will be far reaching)
 - At other state facilities
 - Shift the work, phone call, etc
 - Other contracted facilities
 - Telecommuting
 - Plan Development
 - Initial reaction procedures
 - Surveillance
 - Employee sick leave
 - Illness clustering
 - Monitoring
 - Investigation
 - Plans to investigate sick employee reports
 - Response to identified sick
 - Isolate
 - Send home
 - Disinfect workspace
 - Education
 - Annual influenza vaccination
 - General information about influenza
 - Differences between flue and pandemic
 - Good hygiene habits
 - Location of health resources (medical-vaccine)

- Prophylaxis/Treatment
 - Personal protective equipment (PPE)
 - Masks
 - Gloves
 - Tissues
 - Hand sanitizer
 - Disinfectant wipes
 - Hazardous waste disposal
 - Environmental air
 - Consider air exchange throughout buildings
- Notification
 - Update org charts
 - Update telephone contact lists
 - Executives
 - Workers
 - Vendors/suppliers
 - Incident Command System
 - Communication capabilities
 - Dial tone
 - Instant messaging
 - Internet
 - Internal email
- Response – **Scenario is: systems/buildings okay – workers gone**
 - Security
 - Keep healthy people safe in workplace
 - Keep sick people isolated
 - Data security at alternate worksites
 - Staffing
 - Where will workers work
 - At home
 - Workplace
 - Do they have resources to do the job there
 - Where can you get workers
 - Other departments
 - Recruiters
 - Retirees
 - Travel considerations
 - How to do job (ISP, inspectors)
 - Limited or not
 - Customers / Citizens
 - Access to services
 - Interaction
 - Vendors/Suppliers –Shortage of Supplies
 - What are their plans – can they service you?
 - Backup suppliers if primary not available
 - Increase social distancing
 - Minimize contact with others
 - Utilize video conferencing

- Cancel face to face meetings
 - Meetings in open spaces
 - Minimize time exposure
 - distancing
 - Avoid shaking hands
 - Business by telephone
 - Shut down lunch rooms
 - Increase space between persons 3 + feet
 - Management of employees that get ill at work
 - Method to report illness
 - Investigate the report
 - Quarantine symptomatic employees
 - Isolate sick employees and remove from area
 - Mask and move
 - Identify contacts or exposed
 - Disinfect and clean workspace if necessary
 - **Recovery**
 - Manage the sick employees
 - They will be the second wave workers
 - Determine how long they should stay out (9 days)
 - Manage sick leave and absenteeism paperwork
 - Monitoring mechanism to let people back in facility
 - Citizens
 - Workers
 - Vendors
 - **Continue Pandemic Plan operation until ...**
- Exercise plans
 - Exercise work from home/other site strategy
 - Notification (exercise call list)
 - Functional exercise
 - Create scenario
 - Utilize alternate site
 - Tabletop exercise
 - Full-scale exercise
 - Activate actual plan responses
 - Real life scenario (like SEOC Nuclear Power Plant exercise)