

# Willis Consulting Pandemic H1N1

Are You Asking the Right Questions?

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# Deana Allen

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## Deana Allen

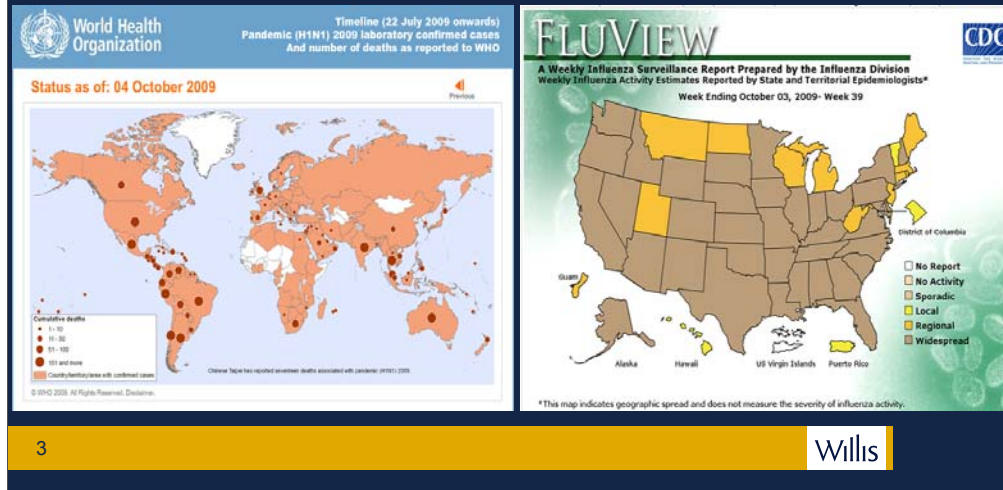
Deana has over 30 years in the healthcare industry including holding the position of director of Risk Services for a large, integrated-teaching healthcare system. She has an extensive nursing background and maintains active nursing licenses, she holds Associate in Claims and is a Certified Professional in Healthcare Risk Management

Deana recvd a Bachelors Degree in Nursing (Summa Cum Laude) and holds an MBA in Human Resources.

# Pandemic – What you should ask

The only thing certain ... is uncertainty

## Update on the current H1N1 pandemic and seasonal flu status



Hello, and let's get straight to the point about the pandemic flu and that is:  
*The only thing certain is uncertainty.*

- Readiness is important.
  - A response plan is NOT something you can pull together at the last minute.
1. October 4th was the “official” start of this year's flu season. Earlier this year the U.S. government declared a public health emergency in response to the H1N1 pandemic.
  2. Before we begin addressing the issues we will provide a brief update on the current flu status:
    - a. Be aware that the data and statistics I share with you today, the numbers are NOT absolute. Individual cases of flu are no longer reported. Instead, a traditional flu surveillance system is in place that gathers specific information such as spread of a disease, resistance to antiviral medications, and lab confirmed flu deaths among children. Multiple sources of data are evaluated to come up with these statistics.
    - b. MAP 1– This first map is from the World Health Organization (the best site for world wide information). This most recent update shows laboratory confirmed cases of H1N1 and Cumulative Deaths reported to the W.H.O. The larger the red dot the higher number of deaths. Shaded areas have confirmed cases. You can see the Americas have been hardest hit so far.
    - c. MAP 2 – United States – the CDC (Centers for Disease Control and Prevention) is one of your best sources of information
      - i. According to the CDC 99% of influenza being reported is H1N1.
      - ii. The proportion of **deaths** attributed to pneumonia and influenza has increased and now exceeds what is normally expected at this time of year.
      - iii. In addition, 19 flu-related pediatric deaths were reported this week; and a total of 76 H1N1 pediatric deaths have been reported since April. Many of these children had other health conditions but many were also healthy children.
      - iv. Vaccine efforts have started and more are being released.
      - v. It is interesting that a recent poll by the Harvard Public School of Health found only about 50% of American adults plan to get vaccinated.
        1. Hoping this number will significantly increase.
        2. Pregnant women are particularly at risk and significant numbers are on ventilators and have died.
        3. Pneumonia associated with this flu is also impacting severity, complications and death. There are recommendations for also receiving the pneumonia vaccine.
        4. With the recent announcements of a “BOY BAND” member and an NFL player contracting H1N1 – one hopes people will pay more attention and evaluate valid information on the vaccines so they can make informed choices.

# Pandemic – What you should know

- **What questions should we ask our own organizations?**
  - Who is “responsible”?
  - Do they know you, where to find you and why you need to be informed?
  
- **What are two critical things that should be in place – now?**
  - Mission Critical Operations
  - Business Essential Employees
  
- **What should we say to our employees, customers and vendors?**
  - Monitoring situation
  - Methods to communicate

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## **What questions should we ask within our own organization?**

### Who is responsible?

•There needs to be someone identified within the organization as the “go to person” regarding the H1N1 pandemic- many call this person the Pandemic Coordinator. It does not mean they are solely responsible for the process (*this should be a multidisciplinary effort including senior leadership, HR, legal, risk management and Finance amongst others*).

### Do they know why you need to be kept informed?

•Explain there is the potential for claims to be asserted related to pandemic issues. You need to have knowledge of significant incidents, affects on operations, media involvement, etc. so you can remain proactive in your risk management approach and carry out your obligations.

## **What are the two critical components that should be in place now?**

### The first - Mission Critical Operations

•Ask yourself “*Are we able to sustain our operations if ½ of our workforce is absent for 2 weeks, a month or longer?*”

•What have we done to minimize the affects on business interruption, revenue generation and expense costs?

•this can include modified work schedules and locations, changing operating hours, and temporarily ceasing non-essential functions

•Do we have contingency suppliers and vendors that are also prepared – Have you asked? (shipping and temporary staffing services)

•Have we reviewed our contractual obligations if we can not deliver goods or services? Are there fines or penalties involved if we can not meet those obligations?

### The next is -Business Essential Employees

•*Think about that person in your organization that people hate to hear is on vacation or out sick – that is probably an essential person*

•Have you crossed trained employees? Especially in leaner staffed areas.

•Key ones to evaluate are media relations, risk management, Human Resources (they will probably get many calls related to sick pay, absenteeism, benefits, FMLA, etc.), payroll – *everyone still wants that check deposited*, accounts payable, PBX operators and IT staff

•Have you performed real-time testing of employees who plan to work remotely to see if they can connect and your systems can handle the load?

•Do supervisors know how to manage a dispersed workforce? *To ensure the work is being done?*

•Have contingency signatory authorizations been put in to place for dispersing funds, etc. *CFO’s get sick too.*

## **Next, What should we be saying to our employees, customers and vendors?**

### We are monitoring the situation

•*“Communicating something is better than communicating nothing”*

•Remember “*employees that feel safe and feel their employer is prepared are more likely to be at work*” -*Apprehensive or scared employees may not show up*

•Share with customers that you have a plan in place and intend for *business to continue as usual and that they should contact you if at any anytime they perceive anything different*

•Ask tough questions of suppliers and vendors regarding their supply chains and their own accessibility

### Methods to Communicate and Educate

•Posters, email blasts, daily updates on intranet site, link CDC/flu.gov widgets to your home pages

# Pandemic – What you should do

- What are the HR issues we should be most concerned about?
  - Flexibility with HR policies
  - Promoting wellness and prevention
  
- What are best practices and best resources for accurate information?
  - Education
  - Preparedness with testing
  - Access to experts
  - Evaluation process after event

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## What are the HR issues we should be most concerned about?

### Flexibility with HR policies and Promoting wellness and prevention in the workplace

- “Your goal is to keep a healthy workforce working” and prevent spread if possible in the workplace
- Know your sick pay and absenteeism policies – *not just the HR professionals but supervisors as well*
- A team should have already determined responses for the most frequently asked HR questions so as consistent as possible message is delivered – *send a list of these responses to managers*
- Know your company’s normal seasonal absenteeism rates – monitor it- and be alert when it starts to climb – *this could be a signal of a significant outbreak in your facility*
- Know how to handle employees who show up sick at work and how best to send them home
- Have alternative child care/elder care solutions been explored?
- Do you have employees that may be considered at higher risk such as pregnant women? Have you considered a potential plan for addressing social distancing or working remotely for them?
- Have policies for non-essential travel been formulated and have staff been educated on them?
- Have you considered or met with Occupational Health or Corporate Medicine service providers?
  - *Some have turn key operations, screening, vaccines, antivirals, education & medical supplies*
- Have costs associated with vaccines been evaluated (*vaccines are free but getting the shot is not*)
- Most physicians are not providing *return to work notes* – *do you require them?* Docs do not want potentially contagious people in the offices – *some hospitals have “drive-through” Flu screening set up in their parking garages to cut back on non emergent ER visits.*
- A word of caution on extended time out as FMLA issues may apply, *especially if an employee or family member has complications or extended illness*
- Also there is potential for ADA, OSHA & WC legal issues. *Be very cautious with private medical information- you can not say “We sent Susie Q home because she has H1N1” or “Jonathon is in ICU because he got pneumonia d/t the flu ”*
- Remember OSHA’s general duty clause requires employers to provide “safe and healthful working conditions”. *Be prepared to show you did and you do.*

## What are the best practices and resources for accurate information?

- If you haven’t visited the CDC website do so – they have specific guidelines for the workplace, posters and educational material available as downloads.
- Flu.gov also has some of the best and most accurate information out there
- Consider acquiring access to a corporate medicine expert
- Also, consider a hotline or email link where employees can leave questions *and get answers back to them*
- Put a FAQ’s page on your intranet and include widgets(which are links) to the CDC and flu.gov
- Consider recognition for team play, and awarding those who go above expectations to help keep your operation going

And when all is over and you can reflect back on things –  
pull a group together and evaluate your own performance  
and tweak your pandemic plan

# Dave Gluckman

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## David Gluckman

David Gluckman brings 20 years of experience in Risk Control serving a wide range of industries.

Dave holds a Bachelor of Science Degree in Fire Safety Administration and an MBA in Risk Management from the College of Insurance. He is a Certified Business Continuity Professional designated by the Disaster Recovery Institute International and a Certified Fire Protection Specialist designated by the National Fire Protection Association and holds the Associate in Risk Management

As Jeff mentioned, I am a Senior Risk Control Consultant with the Strategic Outcomes Practice and have been with Willis for almost 12 years. While on the subject of longevity, I have been a member of a volunteer fire department for over 25 years, so I can unequivocally state that the only way to handle any event or crisis is with pre-incident planning. The goal is to create a strategy that will ultimately develop policies and procedures that will enable you to quickly and efficiently respond to an event, recover your operations, and identify the internal and the external resources you will need in order to effectively manage the crisis.

So how does planning for an H1N1 pandemic differ from other events?

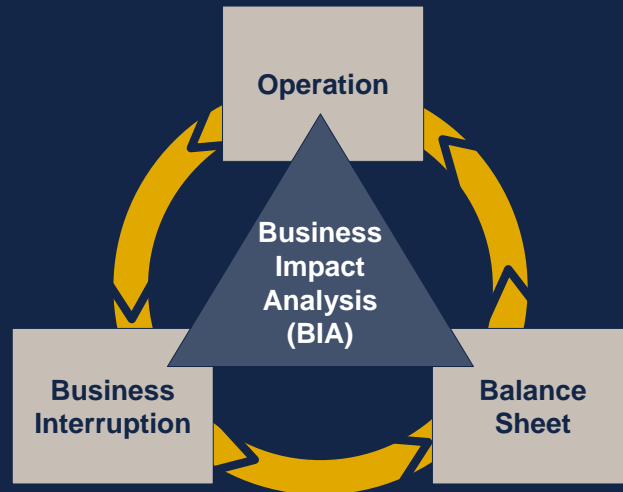
# Pandemic and Continuity

## What you should know

- Pandemic will not be geographically or temporally bounded
- Requires specialized business continuity planning
- Will significantly affect planning considerations

While the traditional approach is to develop a business continuity plan that focuses on more common catastrophes which often result in physical damage to property and assets, pandemic influenza requires specialized consideration. Unlike other events, a pandemic will not be geographically or temporally bounded and will significantly affect planning considerations. For example, a fire may impact only a single location and strike without warning. A hurricane or flood may impact a specific region. However, a pandemic outbreak will occur at different times, have variable duration and may vary in severity throughout the world. The good news is, if you have already established a business continuity management (BCM) program you can build upon existing plans and incorporate considerations that specifically address the pandemic threat. The next few slides will review the key concepts in business continuity plan development to assist you with updating existing plans or with initial plan development.

# Essential Functions



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A few minutes ago, Deana mentioned mission critical operations. So how do we identify what those mission critical operations or business functions actually are? In most cases this is going to vary from business to business or even from person to person within the same organization. Everyone within the organization is going to feel that what they do is most important. But in reality, a formalized method is needed to identify the essential business functions and the non-essential functions that can be suspended during a pandemic. If we compare business continuity plan development to building a house, the foundation is the business impact analysis. The BIA is the process used to determine the affect an interruption or disruption of systems, equipment, services or personnel will have to the organization. Furthermore, when performing a BIA, you must identify the maximum time before an interruption or disruption of a function or process causes significant harm to the business. This timeframe is called the recovery time objective. In some cases, the recovery time objective can range from seconds, to hours to days. In addition, when determining recovery time objectives, you want to take into consideration the time before a disaster is declared and the time required to perform the tasks documented in the business continuity plan. For example, in certain industries, the manufacturing process that is performed requires certification from a governmental agency before operations resume. So if your recovery strategy is to use outside contractors or even another facility within your own organization, the timeframe needed for this certification process needs to be taken into consideration when determining the RTO.

When preparing for an H1N1 pandemic, FEMA suggests you establish continuity plans to ensure the performance of essential functions beyond 30 days. Also, there is no standardized format for completing the BIA and I have seen many different approaches from the use of commercial software to an excel spreadsheet where simple equations have been developed so a weighting system can be calculated to a few columns in a table on a Word document. However, the common thread throughout all these approaches is that you clearly identify the functions or processes performed by the business unit or department, obtain specific information that is needed to perform these functions such as data, raw materials, and customer instructions, summarize the internal and external customers receiving the product or service, determine critical systems and infrastructure that is needed, note both internal and external dependencies, consider cycle timing or how frequently and at what time of the year this business or function is performed, and staffing requirements. If 50% of your workforce is absent, how many back-up personnel for one function is needed? To assist you in developing a BIA, the next slide offers some questions to consider. For example:

# Sample BIA Questions

- How important is a particular function to your overall business?
- Who is dependent upon this service or product?
- Could you lose clients/customers?
- Could there be a significant revenue loss?
- How long can a function or customer service be delayed?
- Do you rely on outside providers? What if they had a failure?
- Is there a risk of a fine or penalty if the function is not completed?
- Could there be a loss of client confidence?
- Would your business' reputation be harmed?

- How important is a particular function to your overall business? Who are the clients or other business units that are dependent upon this service?
- Could you lose clients because this service was not provided in a timely manner?
- Could there be a significant revenue loss if this service was not performed?
- How long can a business function or customer service be delayed before there is an adverse impact to the company?
- Do you rely on outside service providers for vital information or products or services?
- What would be the impact to your business if they had a failure?
- Is there a risk of a substantial fine or penalty if the function is not completed?
- Could there be a loss of client confidence that may result in the loss of future customers?
- Could your business' reputation be harmed because of a prolonged business interruption?

# BIA Lessons Learned

- Diagram your workflow
- Priorities Change
- Tangible and intangible losses
- Impacts are realized at different time intervals
- Identify interdependency
- Think *impact* of loss vs loss itself

When developing your BIA, which usually consists of a detailed interview with senior management in charge of each business unit within the organization, here are some useful tips:

It would be helpful to diagram your workflow so you can visualize all the dependencies and components of a particular function. Then you can determine what would be the impact if losing one of these dependencies or components.

As the outage time increases, a function or service that may have been deemed a low priority, may become a higher priority.

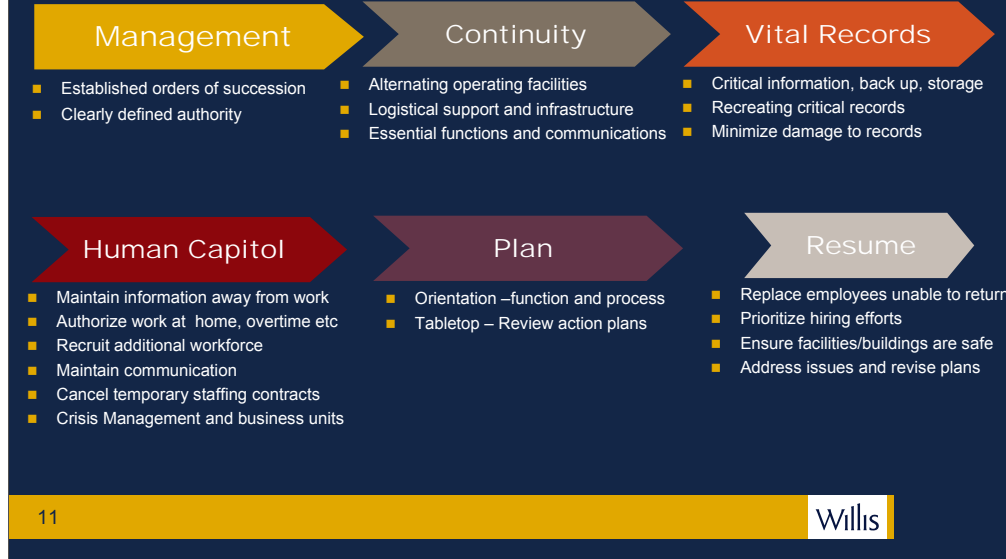
When considering the impact of a business interruption, there are tangible losses such as loss of revenue, customers and potential fines. But there are also intangible losses such as loss of reputation and company image.

Impacts are realized at different time intervals. Some functions or services may be adversely impacted within minutes while others may take hours or days.

Throughout the company, there are organizations that depend upon each other to complete their own work. Identify each dependency to know what impact you may have on others and they may have on you.

In this stage of the process, the concern is not for the event that occurred we need to focus on the impact it has on the business.

# Business Continuity Core Considerations



So now that our BIA is complete and our recovery time objectives are set, we can start developing our response and recovery procedures.

Let's start with Management structure - Orders of succession to key positions within the organization should be of sufficient depth to ensure the organization's ability to manage and direct its essential functions and operations. It is suggested that leadership positions are at least three deep for each position. Also, we want to have documented delegations of authority prior to a pandemic that specify limits of authority. Who is the person within your organization who has the authority to declare a disaster? This disaster declaration is going to set everything into motion so you want to be absolutely sure that your definition or criteria has been met.

Continuity – Conventional thought process is to have one command center or EOC. During a pandemic, you may need to use multiple continuity facilities and they will all need to include necessary support, services and infrastructure. This may include items such as food and water, laptops, phones, and other items.

Regarding Vital records, we want to have the information available to sustain operations for at least 30 days. If not already developed and maintained, a current list of vital records, systems and databases should be developed. Also you will want to ensure that hard copies of vital records are current at each facility.

The most important asset to any organization is it's people - Although a pandemic will not directly affect the physical infrastructure of an organization, a pandemic will ultimately threaten all operations by the impact on an organization's human resources. Since Human Resources works on behalf of the organization to ensure the health, safety and welfare of its employees, in a crisis situation, this team will need to focus on obtaining adequate staffing, and monitoring employee response to a disaster. Corporate policies such as Employee Practices, Pay Practices, Time Off Benefits, Standards of Conduct, New Associate Orientation and Communications should all be coordinated with HR to determine the impact of Pandemic Influenza on workforce capabilities. Communication is critical to ensure everyone knows what is going on. Information and advisories via hotlines, web sites and voice message system alerts (like a reverse 911 system) is crucial.

Once the plan is developed, you should perform an exercise so everyone assigned a specific task is aware of the role they play. I prefer to refer to this as a plan exercise and not a test since a test implies something you either pass or fail. Here we are trying to practice and have a learning experience. Several types of exercises include: An orientation that lasts about an hour where an informal session takes place to educate personnel on the function and process within a portion of the plan. An exercise that is a little more involved is a tabletop exercise where staff reviews and discuss the actions they would take, but do not actually perform any of these actions. This may take 2-4 hours. A functional exercise simulates a scenario as realistically as possible without moving personnel, equipment and resources to the actual back-up sites. This may take 4-6 hours and the final exercise is a full scale exercise where personnel, equipment and resources are deployed to a specific location for a real time simulation of a scenario. This may take at least 6-8 hours to complete.

Finally, once the event has been declared under control and public health officials say it is okay to return plans should be established to replace employees unable to resume work, prioritize hiring, ensure everything is safe and use the event as an opportunity to critique the plan and the actions performed so you can get prepared for the next disaster.

# Benefits of BCP

- ✓ Facility personnel respond more rapidly and effectively
- ✓ Promotes an understanding of the issues involved
- ✓ Ensures development of complex responses to complex situations
- ✓ Provides an examination of difficult and controversial issues
- ✓ Identifies critical information to respond to an emergency
- ✓ Recognizes preparations that must be made for a response

Finally, even if a plan has gaps and things do not go exactly as thought, without a doubt, facility personnel respond more rapidly and effectively than if nothing is pre-planned and practiced.

The entire process of building a plan will clearly promote an understanding of the issues involved.

Creating a BCP ensures development of complex responses to complex situations. A wait and see type approach will not work.

Since everyone in the organization becomes intimately involved in the process, an examination of difficult and controversial issues takes place. For example, the time to work out the logistics of who is in charge, what authority they have and other political issues that exist is before the event actually occurs. You mean a member of the BCM steering committee can tell senior management what to do? The answer is maybe.

Finally, a BC plan identifies critical information needed to effectively respond to an event and recognizes the preparations that are required ahead of time.

In summary, it is imperative that all organizations are prepared. There must be a strategy in place where effective action can occur that will insure the well being of employees, minimize the extent of disruption, establish alternative means of operation, minimize the economic impact, train and educate personnel so they are familiar with emergency operations and functions, and provide for a smooth a rapid transition of services.

At this time, I would like to turn our presentation over to Matt Kelly.

# Matt Kelly

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## **Matthew C. Kelly**

Matt leads our global security consulting and investigative services. Before entering the insurance industry Matt worked in private industry as a security expert and also for the (FBI) as a member of the Special Operations Group assisting in a number of covert surveillance operations. Matt has professional credentials both in the insurance and security consulting fields.

Matt holds a B.A. in Economics and attended the FBI Academy in Quantico and the John Jay School of Criminal Justice in NY. He is a member of ASIS (American Society of Industrial Security).

# Pandemic and Security – What you should know

- What security issues could arise that impact my business?
- What measures can be taken to mitigate those threats?
- What can an organization do prior to such an event?
- What external resources are available to mitigate?
- What industries would be most adversely affected?

# Pandemic and Security – What you should know

## H1N1 may:

- Threaten the organization
- Create an element of surprise
- Force quick decision making

# Pandemic and Security – What you should know

H1N1 may expose vulnerabilities in:

- Data Protection
- Physical Security
- Travel Safety

# Pandemic and Security – What you should know

## How can an organization best prepare for H1N1:

- Do we have proper policies, procedures and protocols for our areas of potential vulnerability
- Have we assessed our exposure properly
- Do we have a crisis management team that is empowered to make decisions

# Resources

## WEBSITES

<http://www.cdc.gov>

Centers for Disease Control and Prevention - general information, information specific groups, guidance and situational updates

<http://ecdc.europa.eu>

European Centre for Disease Prevention and Control

<http://www.who.int/en>

World Health Organization

Frequently asked questions, guidance documents, recent updates

<http://www.flu.gov>

One-stop access to US Government H1N1, avian and pandemic *flu* information

[www.cidrap.umn.edu/index.html](http://www.cidrap.umn.edu/index.html)

Univ. of Minnesota. The CIDRAP overviews are the best regularly updated technical summaries.

## WILLIS PUBLICATIONS

Pandemic Flu Alert: Time for Preparation, Not Panic 11/09

Pandemic Flu Alert: - The Risk Management Reality 5/09

Risk Bytes: Pandemic Flu response by Health Care Risk Managers 5/09

Pandemic Flu Alert: Business Continuity 6/06

Pandemic Flu Alert: Insurance Coverage Issues 5/06

Pandemic Flu Alert: An Overview 4/06

[http://www.willis.com/What\\_We\\_Think/Publications/Pandemic\\_Flu](http://www.willis.com/What_We_Think/Publications/Pandemic_Flu)

## DOCUMENTS

<http://www.osha.gov/dsg/topics/pandemicflu/index.html> Guidance on preparing workplaces

<http://www.cdc.gov/h1n1flu/business/guidance> Business Workplace Guidance

# Questions & Answers

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1. If you give an award to folks for taking a vaccine aren't you promoting the vaccine? Isn't there a potential liability for promoting the flu vaccine especially if the employee becomes ill from the vaccine?
  - Many industries have been identified as critical infrastructures by the Department of Homeland Security (examples: transportation, energy and healthcare) and if they were unable to provide services it could have a devastating impact throughout our country and the world. The way most employers (who do not already provide some form of occupational health services) address this is by providing flu prevention information or discounted/free access to vaccination programs and/or locations. Many states and healthcare organizations mandate vaccines for healthcare workers and also may have an "opt out" option. This is a litigious society and employers need to be prudent and seek the advice of their specific legal counsel when contemplating this type of program.
2. As part of recruiting employees, are we allowed to ask our prospective employees whether or not they have some kind of communicable diseases such as H1N1? What about current employees that may be infected?
  - This is an employment law question (ADA related) and should be referred to your employment attorney. Timing of an inquiry is crucial to compliance with the regulations. Two resources you may want to review in addition to your legal counsel are: Guidance on Preparing Workplaces for an Influenza Pandemic available on the OSHA website and The 2009 Influenza Pandemic: Selected Legal Issues, Congressional Research Services report prepared for Members and Committees of Congress [www.crs.gov](http://www.crs.gov)
3. Is there a business interruption coverage that covers an office shutdown in case of a flu outbreak?
  - Please direct your questions related to coverage to your Willis Client Advocate, as they will need to review your policy and respond.
4. For companies that are able to accommodate employees working from home - how do they deal with the potential worker's compensation claims - how do you prevent an employee working no core hours from home and falling or injuring themselves turning into a nightmare.
  - An accident of this nature requires a thorough initial investigation by your carrier or third-party administrator. They must determine through their investigation, whether the claim is compensable under the applicable state statutes. Each accident of this nature is very fact specific, and therefore each will be decided on its own merits.
5. Where do we get information that describes the nature of the illness including infectious stages, symptoms, etc?
  - There are many resources with this information including the CDC, Flu.gov and OSHA. Their websites all have downloadable brochures.

## Questions & Answers continued...

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1. I think our CEO has a slightly different perspective of the threat from H1N1 because of his global travel, and he seems to be overly concerned at this time, Do you think there is a greater risk of a pandemic in Europe, Asia and South America than we do in the US and Canada? (Specifically because of cleanliness issues in these areas as opposed to the US?)
  - It is refreshing to hear someone may be "overly concerned", to me that means they are taking the situation seriously. The pandemic is already worldwide and from the World Health Organization map you can see it has spread almost everywhere. The severity with which this affects each location will be driven by prevention efforts including hygiene, access to vaccines, anti-virals, general health of the population and medical care. Educating the people of the world, especially our leaders, is paramount to prevention and control efforts and lessening the severity and loss of lives.
2. Does a pandemic qualify as "force majeure"?
  - Definition: Standard clause found in construction and supply contracts, it exempts the contracting parties from fulfilling their contractual obligations for causes that could not be anticipated and/or are beyond their control. These causes usually include act of God, act of man, act of parliament, and other impersonal events or occurrences. This is a legal question that must be answered by your legal counsel.
3. What have you seen, so far, as to the level of preparedness across industries?
  - Most plans are developed for an "all hazards" approach so they do not focus on one particular event. However, there are exceptions. For example, if you are located in South Florida it is safe to say that a hurricane is the biggest concern. Business continuity planning is becoming more and more important as events such as this one and others become more prevalent. It is eventually going to be part of doing business not only to protect the organization but to do business with other organizations. As a result, the level of preparedness has increased significantly in the past 5 to 10 years.
4. Once an organization has business continuity plans in place, how often is a formal review conducted?
  - A formal review is needed at least annually. However, if there is a significant change within the organization such as a new acquisition, changes in critical equipment or manufacturing processes, and key personnel changes, that would be the time to conduct a formal review as well.
5. What is the primary role and propose of a business continuity planning steering committee in the event of a pandemic?
  - The steering committee is a group of people, usually one person from each business unit or department, who discusses the strategy for plan development and are responsible for implementation, testing and updating.
6. Are there any "best practices" when it comes to assuming employees are at the designated meeting site after a disaster?
  - If card key access is used at the back up sites, a printout may be available that can track attendance. A simpler approach is to have a roster of people who should be on site and their names are checked off as they enter the building or attendance is taken.