



SWINE INFLUENZA

Risks, Mitigation

ON THE VERGE OF A NEW PANDEMIC?

After the recent scares on SARS and Avian Flu, the world is faced with the prospect of another pandemic – Swine Influenza (“Swine Flu”). As with the previous pandemics (defined as an infectious disease which rapidly impacts populace in a large geographic area), Swine Flu threatens to be a global phenomenon. Previous pandemics have resulted in many challenges for corporations – primarily the risk to human life (and the resultant impact on business continuity). The world of commerce realizes the risks posed by a potential pandemic – and dips in stock market indices after news of deaths due to Swine Flu is a reflection of this sentiment. Therefore, not only is it critical to contain an epidemic before it reaches pandemic proportions from a human life perspective, it is key from the perspective of economic well-being as well.

Swine Flu is a respiratory disease found in pigs, which is caused by Type A H1N1 influenza virus. This virus was first isolated from a pig in 1930. Swine Flu viruses may circulate among swine throughout the year, but most outbreaks occur during the late fall and winter months similar to outbreaks in humans. The current outbreak of Swine Flu originated in Mexico and has spread to other parts of the world including USA and UK rapidly. As this paper is released, more countries (including Austria, Canada, Germany, Israel, New Zealand and Spain) are reporting cases suspected to be Swine Flu. On April 29, 2009, the WHO has raised the Swine Flu pandemic alert to Phase 5, which recommends immediate activation of pandemic preparedness plans by all countries and introduction of “effective and essential measures including heightened surveillance, early detection and treatment of cases, and infection control in all health facilities”.

Therefore all signs indicate that a new challenge is emerging in an environment where corporations are already battling the challenges posed by possible terrorist strikes and global recession.

The good news, however, is that SARS and Avian Flu have ensured that there is enough knowledge and processes to reduce the risk of proliferation of Swine Flu and take adequate preventive measures as a corporation to minimize its impact through thorough planning.

SOURCES OF INFECTION AND SYMPTOMS

Swine Flu viruses do not normally infect humans. However, sporadic human infections with Swine Flu have occurred. Most commonly, these cases occur in persons with direct exposure to pigs (e.g. children near pigs at a fair or workers in the swine industry). Swine Flu cannot be contracted from eating pork or pork products. Eating properly handled and cooked pork and pork products is safe. Cooking pork to an internal temperature of 160°F kills the Swine Flu virus as it does other bacteria and viruses.

The main conduit for spread of Swine Flu is from one infected person to others. Human-to-human transmission of Swine Flu occurs in the same way as seasonal flu occurs in people, which is mainly through coughing or sneezing of people infected with the influenza virus. People may become infected by touching something with flu viruses on it and then touching their mouth or nose.

The symptoms of Swine Flu in people are similar to the symptoms of regular human flu and include fever, cough, sore throat, body aches, headache, chills, and fatigue. Some people have reported diarrhoea and vomiting associated with Swine Flu. In the past, severe illness (pneumonia and respiratory failure) and deaths have been reported with Swine Flu infection in people. Like seasonal flu, Swine Flu may cause a worsening of underlying chronic medical conditions.

In children, emergency warning signs that need urgent medical attention include:

- Fast breathing or troubled breathing
- Bluish skin colour
- Not drinking enough fluids
- Not waking up or not interacting
- Being so irritable that the child does not want to be held
- Flu-like symptoms improve but then return with fever and worse cough
- Fever with a rash

In adults, emergency warning signs that need urgent medical attention include

- Difficulty breathing or shortness of breath
- Pain or pressure in the chest or abdomen
- Sudden dizziness
- Confusion
- Severe or persistent vomiting

We recommend consulting an expert medical professional to understand the detailed symptoms of Swine Flu. Not only will this help identify any infected person, it will also ensure that undue panic is avoided in the event that symptoms of a regular illness are misread.

Infected people may be able to infect others beginning one day before symptoms develop and up to seven or more days after becoming sick. That means that the flu may be passed on before a person knows he / she is sick.

It is also important to note that some viruses and bacteria can live two hours or longer on surfaces like cafeteria tables, doorknobs, and desks. Frequent hand washing will help you reduce the chance of getting contamination from these common surfaces.

PREVENTIVE MEASURES

Individual Preventive Measures

- Covering nose and mouth with a tissue while coughing or sneezing, and throwing the tissue in the trash after use
- Washing hands often with soap and water, especially after coughing or sneezing (alcohol-based hand cleaners are also effective)
- Avoiding touching eyes, nose, or mouth which spreads the flu virus germs
- In case of sickness, staying home from work or school and limiting contact with others to keep from infecting them

Business Level Preventive Measures

Employers need to prepare now for a pandemic flu that could lead to a potential reduction of their workforce and a disruption to their business through halted or decreased supply, transportation, or purchasing. By preparing for continued operations now, businesses can protect their employees' health and safety while decreasing the impact of what could be a devastating phenomenon. Employers who prepare for a possible pandemic will need to think of a broad range of issues associated with disaster planning preparation, including developing procedures for handling employees who are sick in the workplace and the implementation of health and hygiene measures, such as remote work strategies and crisis management procedures to promote social distancing and cutting down on transmission risks. Employers also should consider implementing health and medical initiatives such as disease screening and vaccination programs. Given that large numbers of employees

may be absent from the workplace in the event of a major disease outbreak, employers should implement plans for new employee training, cross training of existing employees, and developing a pre-planned communications strategy for contacting large numbers of employees located outside of the work site. Each of these areas for planning and preparation raises its own set of legal issues and potentially far-reaching legal requirements.

COMPANY HYGIENE POLICY

Businesses should circulate a company hygiene policy; establish policies for exposed or infected employees; and create an infection control response and notification plan. The pandemic plan should provide pre-established means of communication and planning including:

- Operational alternatives to shift production to unaffected areas and mitigate disruptions from quarantines and high absenteeism
- Education of employees on basic health precautions at work and at home, not reporting to work when sick or exposed, leaving work promptly when symptoms occur, and mechanisms for tracking who is ready to return to work or obtaining employee releases to return to work
- Implementing increased prevention and transmission precautions through increased cleaning protocols, disposal of employee tissues and cleaning up after sick employees
- Selection of safety equipment for key personnel possibly including masks, gloves and cleaning supplies and equipment, and the educational requirements for its application, use, removal, and disposal
- Redesign of procedures and operations to limit face to face interactions of employees in group meetings, lines at time clock, cafeteria, elevators, etc.
- Education of management concerning employee communications, transmitting self-disclosed infection information from employees, sending home employees who want to stay at work and communicating with employees scared to report
- Developing and communicating travel restrictions to any known infected areas

COMMUNICABLE DISEASE POLICY

Employers should consider adopting a communicable disease policy and procedure as one of the first planning measures to implement in advance of any potential pandemic. Lawyers should advise business clients to consider adopting a employee policy, tailored, as appropriate, to meet individual business needs and the dangers confronted by the client's specific employees.

DEFINING/ REDEFINING LEAVE POLICY

Employers should define/alter leave policies now in case employees need time off for their own or family members' illnesses; consider liberal and non-punitive leave policies for this type of emergency. Employers should also establish policies regarding employees that have been exposed to the flu, are suspected of being ill, or become ill. It is important to create an infection control response and notification plan and prepare for mandatory sick leave for anyone with the illness.

TRAVEL AND QUARANTINE POLICIES

Companies also should consider addressing their employee travel policies regarding foreign travel. Policies should state that travel should be curtailed in accordance with advisories issued by the Government/health bodies. Employees travelling to areas with current outbreaks of a communicable disease should be required to obtain and maintain all recommended vaccinations and to follow recommended health precautions. The potential for the imposition of quarantine for travellers to certain areas must also be considered. If an employee travels for work reasons to a region for which quarantine upon return home is required or advisable, the employer should request the employee to inform his / her supervisor or human resources department immediately so that home work assignments or paid leave can be arranged. If an employee travels on personal business to a region requiring quarantine upon his / her return home, the company should consider allowing the employee to use sick leave, accrued paid-time-off or vacation time, or be placed on unpaid leave. If the employee is diagnosed with a communicable illness or quarantined in association with such an illness, the company should consider requiring a note from a medical provider stating that the employee may safely return to work before permitting the employee to return to the work site.

CONTINGENCY PLAN

It is important to create a contingency plan for the impact of a pandemic on business. This should start with a planning coordinator and assembling a team that can work on the plan. For each location, essential employees should be identified, as should critical raw materials, suppliers, sub-contractors, transporters, customers, and other logistics that keep the business functioning. It is also important to estimate what the impacts of a pandemic would be on financials, the supply and demand for the company's product or services, and the restrictions on movements and distribution due to limited travel or border closures. It is key to develop relationships and make agreements with key contacts, including medical personnel, to prepare response timing and methods.

EMERGENCY RESPONSE TEAM

Specific assignments for an emergency response team should include the following in the event that further response is necessary:

- coordinating with central, state and district authorities in control of public health and safety in case of quarantines and inoculation efforts
- developing and implementing evacuation procedures if they become necessary
- preparing facility shutdown check-lists
- identifying key personnel whose presence is important to continue vital company functions
- determining methods for communicating effectively with employees. This entails preparing an emergency contact plan for employees, suppliers, and customers. It is also important to identify backup communication methods such as radios, cell phones, and Web servers that can be used to spread information and instructions. The contingency plan should be communicated to all employees and business contacts. Drills and exercises should be run to test contingency plans, communication methods, and business recovery processes.

TRAINING

Employees should be trained on the contingency plan and how the business will react to a pandemic. A corporation should consider cross-training employees to allow for redundancy in skill sets; and preparation of an ancillary workforce (e.g. contractors, employees in other job titles/descriptions, retirees) that can help keep the business functioning. Corporations should also consider ways to decentralize the workforce with satellite worksites and at-home computer and communication links to the worksite to allow flexibility to those employees that can work.

OTHER ISSUES

Corporations should look at issues related to compensation, statutes and regulations while framing various policies and issuing instructions.

Above all, we recommend that the company immediately seek the counsel of a medical expert to determine action plans to comprehensively prevent the spread of Swine Flu in its premises and requirements such as medicines, etc. to counter the attack in the event that it does occur.

CONCLUSION

There is, most likely, little reason to be alarmed about Swine Flu since the form of virus that is hitting everywhere outside of Mexico is much milder; and no casualties have been reported outside of Mexico (except for a toddler in USA). The virus in Mexico is really strong and is spreading fast because of higher population density and lack of information.

Being at risk as a high population density country ourselves, the best method for us to ensure that there is no pandemic is to put in place strong preventive policies and prudent planning for contingencies.

