

# KEY CONSIDERATIONS

## COMPLIANCE

- Review all internal policies for procedures.
- Review all relevant insurance policies for coverages, potential assistance and any requirements (notification, etc) to trigger coverage.
- Review all 3rd party vendor contracts for potential requirements.
- Understand the boundaries of the Foreign Corrupt Practices Act and the impact those boundaries may have on your choices and/or potential consequences of those choices.

## HSE

- Has the disaster/emergency created a public health crisis?
- Are the water and food contaminated? Where is an emergency supply of fresh water coming from and is it safe? What about food?
- How does the group ensure that its members can get emergency medical care if they are forced to remain in the affected country or region for several days or weeks? Is there medevac or airlift capability to evacuate the sickest individuals or those with the most threatening injuries?
- Are the roads impassable due to destruction, earthquake, flooding? If they are, what alternate means are available to transport people and supplies? Can the local police be enlisted to supply at least emergency transport?
- Are hospitals functioning and if not, how is emergency medical assistance being provided and have the participants made contact with authorities to ensure emergency medical care for group individuals who might require it?
- Is it too dangerous to venture out due to civil unrest, uprising, war? If so, how are we getting supplies, personnel, to and from areas?
- Are group members suffering health consequences due to a contaminated environment? Can local authorities provide any assistance in protecting the group from hazardous environmental conditions? Typical assistance could be in the form of masks, supplemental oxygen, isolated breathing apparatus, etc.
- Do we shelter in place (see lodging considerations below) or evacuate?
- Is there a pre- assigned link up point? Time?
- How will communications occur?

## HR

- Do my personnel have necessary visas (or other necessary documentation) for neighboring countries in case international evacuation is required? Do all the embassies of the countries represented by my staff know who they are, where they are, and what their situation is?
- Who in my organization (hopefully away from the disaster) has the complete (hopefully redundant) contact list for everyone in-country in case we need to get a message out? Do we have more than one way to contact everyone in case phones are out? Do we have an agreed-upon mustering point in case all lines of communication are out?
- Do I have trustworthy sources of information during a time of crisis? Local media sources that I can trust? USG contacts or foreign gov't contacts I can trust? Other trustworthy organizations as POCs?
- What information do you plan to release to the public, and to the next of kin for affected employees? Has HR begun to notify employees' next of kin of the status/health/location of each employee? What is your plan for keeping company executives regarding casualties, and how will you handle notifying casualties' next of kin?
- If the HR department has been destroyed or rendered inoperable, who has been delegated the role of HR manager and have we made contact with him or her?
- What is your plan to manage social media during this incident, both for public affairs efforts and containing reputational risk?

## LODGING

- In the event of a natural disaster (earthquake, hurricane etc), is the hotel inhabitable? If the hotel is not inhabitable, has the hotel arranged accommodations elsewhere or temporarily on site (like tents etc)?
- Is the hotel or alternative accommodations adequately staffed, safe and secure? Review your hotel security assessment for things you can expect.
- Has the hotel made arrangements to transport guests from the hotel? Many hotels have prearranged emergency agreements already in place for transportation, portable generators etc.
- As an industry standard and rule, Hotels must take care of their guests even during an emergency, if it is possible. Of course it depends on weather, law enforcement available, security of the hotel property etc.
- If there is civil unrest, terrorism or a military takeover, is the hotel a target? Has it been secured and defended? If it is safe and out of the way of the "action", stay put. If it is a

target or not protected, what is hotel staff telling you to do? Hotel staff should have a plan or information on what to do next.

- Best case scenario in all emergency situations is to stay at the hotel, if it is inhabitable, safe and secure.

## SECURITY

- Know the risk tolerance for your organization in standard and crisis (non-standard) conditions.
- What is your chain of command/reporting structure during a crisis? Some use Incident Command Structure, some do not.
- Safety needs to be a top consideration in every decision. Is this step safe for these people?
- Time is not always your friend. Understanding the threat / risk level of the situation is critical to knowing if a delay will hurt your response.
- Security for an office or work site which has been damaged or rendered inoperable: Have you scheduled personnel to guard the site until it can be secured or reopened? What about the important documents inside that, if stolen, could reveal proprietary company information? If the site is too dangerous or unsafe to enter, someone must be posted on a continual basis to ensure that theft of the info (and machinery, equipment) does not take place.
- What about security for personnel from an affected company that has come into town to help get the company back up and running after a disaster? Has the company secured safe transportation for them and have they been briefed on "no-go" zones or areas that are just too dangerous to venture in to?
- What about security from looters as company personnel go to and from the airport, hotel and worksites?
- IMPORTANT: Ensure that each group of employees responding to a crisis scenario or who happen to be thrown into such a scenario adopt a "buddy" system whereby one person looks after a fellow employee, and vice versa, to alert authorities or the company to health issues, missing employees, etc.
- What assistance in providing security for company personnel can the local authorities provide and are they trustworthy? Ensure each employee being deployed to a disaster area or hostile area has the number for the nearest embassy or consulate of his home country.

## TRANSPORTATION

- Obtain regularly updated airline safety intelligence.

- Provide list of airlines not meeting company safety requirements to TMC for monitoring. Use of said airlines should be prohibited.
- No more than 6 travelers on the same flight (CEO and CFO never together.)
- Status of current transportation services? Are they operational? Has the local government suspended their use? Are they safe and if so, has an agency with authority determined that they are now safe to use? If so, what agency?
- In regard to transportation, we must consider our employees who may be stranded on site or in far flung areas. Are they safe? Do they have reliable and safe means to get back to their hotels or to their homes? If transportation is unavailable or unsafe to use, what lodging accommodations can be made for these employees?
- In a location that has a consistent pattern/history of taxi abductions/kidnappings, only use vetted suppliers with adequate insurance who will agree to your security protocols, for instance - (1) NEVER list the traveler's name on a driver's name placard. Only the company name or a code name for the company. (2) Always forward the driver's name, photo and car info to the traveler in advance. (3) In extreme cases, require that drivers can answer a standard security question to be sure that you have the right driver and he/she hasn't been abducted themselves.

## **LEGAL/ POTENTIAL LIABILITY**

- What is the extent of the company's damage (including future and consequential damages) arising from the scenario? That includes: (i) injured or killed employees; (ii) damage to real property; (iii) damage to business personal property; (iv) lost business income (present and future); and (v) injury to reputation.
- What individuals/entities are potentially liable to the company for any/all of those damages? That may include: (i) insurance; (ii) local governments; or (iii) our contractors/subcontractors, etc. Where are our sources of funds to deal with this scenario, both long term and short term?
- Are there individuals/entities to which the company may ultimately be liable as a result of the scenario? That may include: (i) employees and/or families of deceased employees; (ii) contractors/subcontractors; (iii) entities with which we have contractual obligations that cannot be honored because of the scenario, etc. If so, to whom is the company potentially liable, on what legal theories, what the extent of that potential liability, and where are our sources of funds to satisfy those liabilities?
- RISK
- What does an effective foreign travel trip insurance policy look like in this situation?
- Does the property insurance for facilities, equipment, and other assets owned by the company include coverage for flood and quake at this location?
- What specific coverages should you secure in the future?

## LODGING

- Never accept two room keys at check in when you are the only person to occupy the room. It is easy to leave one on the desk and housekeeping could pick it up and hand it off to anyone, who could come in and out without any forced entry. If you lose your one key, get another one from the front desk.
- Is the lodging being offered by a reputable company? If not, who can vouch for the company offering the lodging in an emergency situation? Are there guards at the hotel or other place where lodging is being offered? Do guards or does the hotel staff screen people entering the hotel to determine if they are guests? If employees are being lodged in multiple venues, do we have a list of each and every venue as well as a contact person for each venue?