



# THOMPSON HINE

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## Be Prepared for the Expected Resurgence of H1N1

With the upcoming regular flu season, cooler weather and the return of millions of children and teenagers to school, it is likely that the H1N1 flu (better known as the “swine flu”) will reemerge as a public threat. Therefore, we are reminding employers to remain diligent. If your organization does not have a pandemic plan in place, now is the time to act. Following are suggestions of steps you can take to prepare your business.

### EDUCATE

Stay abreast of developments to ensure that any precautionary measures are appropriate in terms of the risk involved and to show that you are making good faith efforts to keep your workplace safe from known hazards.

### EVALUATE

Because every business is different, the kind and amount of risks that an employer faces depends on its particular circumstances. Evaluate the size of your workforce, the nature and amount of internal employee interaction and interaction with the public, and the geographic makeup of the company’s locations.

### PLAN AND IMPLEMENT POLICIES

Take steps to reduce the risk of infection:

- Encourage and possibly pay for vaccinations.
- Establish sick leave and return to work policies that are unique to a pandemic, including mandatory time off in the event of exposure or infection.
- Be prepared to restrict employee travel.

Be prepared to keep your business running:

- Forecast for employee absences due to personal illness, family member illness, community containment measures and quarantines, school and/or business closures and public transportation closures.
- Identify essential employees and other critical inputs (e.g., raw materials, suppliers, subcontractor services/products and logistics) required to maintain business operations by location and function during a pandemic.

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- Train and prepare an ancillary workforce.

Communicate:

- Let employees know that you are committed to keeping the workplace safe.
- Inform employees of policy changes, your plan to deal with outbreaks and persons to contact for information.
- Notify employees who may have been exposed to H1N1 by another employee.

Document:

- Maintain a record of the communications that have been sent to employees.
- Keep a confidential updated list of employees who have taken sick leave and a record of personnel who have had contact with infected people.

#### **FOR MORE INFORMATION**

For more information, contact Chris Johnson, 216.566.5911 or **[Chris.Johnson@ThompsonHine.com](mailto:Chris.Johnson@ThompsonHine.com)**, or your regular Thompson Hine **Labor & Employment** counsel.

To review our earlier @lert on H1N1, go to **[www.ThompsonHine.com/publications/publication1802.html](http://www.ThompsonHine.com/publications/publication1802.html)**.

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