

Are You Prepared?

Duty of Care and Your Mobile Employees



Propelling **Mobility**

A few years ago, during a storm on the east coast of the United States, my neighborhood lost power. What I thought would be a few hours of inconvenience turned into four days of reading by candlelight, throwing away formerly frozen foods and showering at the local health club. When the lights finally came back on, I had a newfound appreciation for my ancestors' ability to survive in a world without refrigerators, hot water heaters and Netflix.

It's a sober reminder of how quickly our living situations can change, a concern that's exacerbated when you're managing employees in far-flung locations. It's a wild world out there, constantly threatened by the likes of earthquakes, wildfires, tsunamis and political unrest, and as global mobility professionals we have both a legal and moral obligation to ensure the safety, security, and well-being of our relocating employees and their accompanying family members.

The concepts of Emergency Preparedness and the broader "Duty of Care" have been trending recently in response to the many catastrophic incidents that have been dominating the headlines; these are impossible to predict and control, and many mobility managers are stumped as to how to approach assuring the safety of their relocating employees when they're out of arms reach.



The challenge of these emergency incidents is their infrequency, the urgency in nature, and the impact of the event on both the number of employees as well as the level of impact. As such, it's vital that you develop an Emergency Preparedness Action Plan to guarantee that your mobility program remains relevant and responsible, and that your employees are confident in your capacity to ensure the safety and well-being of their family throughout the duration of their assignment.

For clarity's sake, we'll define Duty of Care as the moral or legal obligation to ensure the safety and well-being of your employees, and an Emergency Preparedness Action Plan as the vehicle through which this Duty of Care can be exercised. They work symbiotically, and one is essentially meaningless without the other.

Developing Your Action Plan

Let's start by getting the legal-speak out of the way: under most national criminal codes, companies owe a duty of care to their employees, which means that all businesses must take reasonable steps to assure the protection of their workers both within borders and internationally. However, how can your organization define what is considered "reasonable"? This is where the Emergency Preparedness Risk Assessment comes into play.

Performing a comprehensive risk assessment is a necessary first step in developing an effective risk management program; performing your assessment later in the process can result in gaps within your program/policy in which significant risks have not been accounted for. This being said, in order to ensure that no issue is left out of your policy or plan, a broad scope of stakeholders should be consulted during the risk assessment process.

The assessment itself doesn't have to be complex; start with a checklist that establishes all risks, compliance issues, or potential problems that may be faced by your assignees within all of your business locations. Broaden your definition to encompass not only the obvious security risks, but also the less common or potentially long-term threats to the safety or well-being of the relocating or travelling family.

The misconception is that risk management only deals with the most sordid, fear mongering matters, such as kidnappings, virus outbreaks or natural disasters. However, an effective risk management plan will also address everyday risks such as wearing your seatbelt in a taxi, or walking home at night. Recent research supports this approach as statistically employees are more likely to be impacted by incidents such as traffic accidents, petty theft, or illness. A good starting point, according to most travel management agencies, is to identify the following five risks to your employees within each location: crime or unrest, terrorism, safety hazards, illnesses, and stress.

This is also the time to consider the diverse makeup of your employee population, as some groups may be exposed to different threats than others. For example, consider the added risks of:

- LGBTQ employees in regions where homosexuality is not culturally accepted/outlawed; and
- Women within particularity conservative or patriarchal societies.

Creating a Documented Emergency Preparedness Action Plan

Once you've defined what is considered a risk, your Emergency Preparedness Action Plan will help to determine how your organization will endeavor to reasonably protect your employees against each of these identified risks.

This also includes how your organization will respond or react in the event of any of these risks. Keep in mind that there will inevitably be some identified risks against which you may not have the current capacity to mitigate. In these cases your organization has the option to insure against these events, or re-assess the current plan.

While prevention is always the best approach, ensure that your organization has also thoroughly discussed your Emergency Response procedure as a component of your Emergency Preparedness Action Plan, to allow you to react swiftly when things do go wrong. Consider in what situations assignees will be supported (and in what capacity your organization will provide the support), and when evacuation procedures will be executed.

Should evacuation be necessary, who will be responsible for the assignees should they not be able to immediately return to their home location? What will happen to their belongings and household goods? The more detailed your process, the less ambiguity and decision making necessary in a worst case scenario!

Implementing Communication and Training Procedures

In an article in Security Magazine, Bethany Torvell, editor of Safe Travels, comments on the flawed approach frequently adopted by organizations when it comes to developing a risk management framework: "What is equally interesting as it is concerning is the 'box-ticking' approach that some companies take to duty of care. Someone is aware that they need to do something, but there doesn't seem to be a comprehensive understanding of what that something is. These plans are written up and shoved in a drawer, and presumably, occasionally dusted off in a panic in a moment of crisis."

It's a great start to collaborate, plan and document your Emergency Preparedness plan, but unless this program is communicated and well-rehearsed, it loses its value. The full plan should not only be shared with all employees, but ideally curated into a comprehensive travel safety training program, not only for employees within your global mobility program, but for any employee who may be engaged in business activity off site at some point in their career.

Ensuring full comprehension of the employer's responsibilities also helps to establish Duty of Loyalty, which is the commitment of the employee to adhere to the plan and safety protocols addressed within your Emergency Preparedness program. At the end of the day, assignees should understand that they have a responsibility to themselves. This common understanding between global mobility teams and assignees should be established during training prior to departure, and will help to establish clear expectations of what each party is responsible for in ensuring a safe, productive experience while abroad.

Quick Action | Immediate steps to take

What can you do immediately to improve your Emergency Preparedness action plan?

Today (or tomorrow)

- Establish clear Roles & Responsibilities
- Maintain accurate, up-to-date personnel contact information (consider using a mobile app, such as the Weichert Global Organizer)
- Implement a pre-move security briefing
- Brief employees before they go
- Provide a list of important names and contact information
- Start to develop a plan and prepare to test it
- Identify back-up communication strategies

When things get real

- Conduct a comprehensive situation assessment (how many employees are impacted, where are they located, are they all accounted for)
- If evacuations are necessary, activate the plan
- Once employees are confirmed safe, conduct a needs assessment
- Disseminate frequent communications (i.e. daily calls and emails) on current status, prioritize issues and determine next steps
- If necessary, have a method to get cash, supplies, and/or services to affected employees

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After the storm

- Provide employees with EAP services and information
- Assist in expedited insurance claims
- Consider outside the box policy enhancements such as:
 - subsidizing insurance deductibles for HHG and homeowners damage
 - providing a housing allowance/lump sum to offset interrupted temporary housing provisions
 - assisting with down payments for new rentals/new homes
 - extending the offer acceptance period for employees with a guaranteed offer or self-marketing their homes
 - allowing homeowners the chance to rent in the new location, or extend the time period for eligibility to use home purchase benefits
 - exploring temporary housing alternatives
 - providing furniture rental for employees whose household goods have been damaged or can't be transported
 - authorizing a new allowance to cover cell phone costs for the duration of the emergency

- Reassure employees that they will have extended time to get settled and to deal with the many challenges of relocation. Consider extending their temporary housing period
- Keep employees informed about potential delays in service delivery (i.e., household goods shipments, appraisals, mortgage processing, closing, etc.)
- Provide transition counseling to all employees and their families

Think big picture

Your employees may be on assignment outside the impacted area but might have family or property in the affected region:

- Provide emergency contact information
- Consider providing additional home leave to check on loved ones/personal property
- Re-issue any emergency assistance provisions of your policy for international assignees

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