



What does your crisis management plan look like?

The evening news leads off with a story about your company.

Two employees claim they were harassed and assaulted by their supervisor. You knew the guy in college; he seemed like a great guy.

This is not the time to do a background check.



The respect and trust you built over the years can all be lost in an instant.

Crisis Preparedness: The Tough Questions You Have to Ask

Why you must be prepared:

It's mid-afternoon on a Wednesday. A fire alarm sounds. Your employees jump from their desks and scan the room with a sense of panic. They think to themselves, "Where's the nearest exit? What should I take with me? What do I do?"

This is not the time to make decisions.

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A sudden blast shakes your building; glass breaks, walls collapse and alarms sound. Employees scream and shout as they struggle to escape. Your client yells out over the phone, "What's going on there? Are things okay?"

This is not the time to think about crisis.

Negligent Failure to Plan—The New Horizon in Employer Liability

Failing to plan for a disaster can be an added disaster in itself. In the wake of terror attacks and destructive acts of nature, corporations and institutions are coming under increasing scrutiny to have thorough plans and procedures in place to mitigate the effects of a disaster. They also face mounting pressure to take additional steps to ensure that some problems never happen. Individuals who ignore the need to plan often find themselves in the middle of costly legal battles and even criminal penalties. As you begin to think about crisis management, ask yourself the following questions:

- Have I taken reasonable precautions to prevent a critical incident?
- Am I prepared to quickly respond with proper protective and palliative action in a crisis?
- Do my employees know what to do in the event of a crisis?

If you answered "No" to any of these questions, the time to act is now. The Wisconsin Lawyers Mutual Insurance Company (WILMIC) provides their clients with a collection of common mistakes businesses make regarding negligence and crisis management. WILMIC strongly urges all of its clients



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What's the alternative to ignoring the warning signs of a crisis?

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Learn the caution signs of common problems and how to prevent them.



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to seek the advice of a trained professional and avoid the following mistakes:

✓ Deny the fact a crisis will happen. The question to ask yourself is not if but when. The cost of any litigation due to negligent failure to plan far outweighs the cost of preparation. Take action now.

✓ Refuse to make crisis management a priority. While crisis planning may take some time and effort away from your business, a crisis may take away your business altogether.

✓ Remain ignorant about the specific threats that face your industry. Different businesses face different types of crisis. Learn from the mistakes of others in your profession and know how to prepare yourself for dangers relevant in your industry.

✓ Ignore the warning signs of a crisis. Many threats can be prevented if people know how to recognize the early stages of a crisis. Learn the caution signs of common problems and how to prevent them.

✓ Rely on a weak or untested plan. A plan is worthless if it's never been tested. Utilize a professional to audit and provide feedback on your crisis plan.

By avoiding these mistakes and seeking competent counsel, you can take the steps necessary to protect your business and institutions from the damage caused by crisis. By choosing to ignore these warnings, you are setting the stage for public humiliation and possible financial peril. It's all a question of who you want to be.

Crisis Studies

The terrorist attack in New York on September 11, 2001 wreaked instant havoc. Enter New York Mayor Rudy Giuliani. He writes in his biography, *Leadership*:

“Within minutes of the first plane hitting the towers, the decision was made to establish two command posts – one for the Fire Department and one for the Police Department.”

At the first indication of crisis, Rudy Giuliani exuded rapid decision making skills in response to unraveling events. He leaned heavily on the experience garnered from spending years working within the New York legal and implemented a crisis management system. Rudy Giuliani's ability to take control and manage crisis is a stellar example of a nightmare turning into one's finest hour.



or



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However, institutions as benign as city and national parks have faced severe penalties due to negligent failure to plan.



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A high-magnitude storm hit the city of New Orleans on Aug. 29, 2005, killing more than 1,000 people, flooding the city with water, knocking out power and destroying the means of communication. Enter New Orleans Mayor Ray Nagin. He states in a WWL-AM radio interview just days after the storm:

“And I don't know whose problem it is. I don't know whether it's the governor's problem. I don't know whether it's the president's problem, but somebody needs to get their *** on a plane and sit down, the two of them, and figure this out right now.”

Unlike 9/11, the government officials responsible for the city of New Orleans had a warning bell. Before the storm hit, the National Hurricane Center personally called Mayor Ray Nagin to urge him to begin Crisis Operations and a mandatory evacuation of New Orleans. Ray Nagin's inability to make quick decisions and take control stands as a warning to all businesses and organizations.

Crisis Affects All

When people think of crisis, many think of industrial disasters such as the gas leak at Union Carbide's Bhopal plant in India, a natural disaster such as the 2004 tsunami, or the previous two situations. However, institutions as benign as city and national parks have faced severe penalties due to negligent failure to plan. Consider the following examples:

Brendan Feely, age 6, was killed when a brittle, frail tree collapsed on him in a city park. In *Feely v. City of St. Louis* (1995), the judgment hinged on the fact that there was no plan in place to monitor and maintain old and dangerous trees. The trial exposed the fact that the city had no plan for managing old trees, and no system for identifying trees that may pose a threat. The city's negligent failure to plan for and prevent this event cost a family a child and led to a verdict against the city. (James C. Kozlowski, *NRPA Law Review*)

The case *Middaugh v. United States* (1968) led to the creation of the hazardous tree program. In this instance, a decayed tree killed a camper staying in a designated campground. The court ruled the camper had good reason to feel secure while camping in an approved campground. The court felt that if the park was designating campgrounds, they should be taking precautions to prevent harm from befalling the campers.

Both cases cite institutions that failed to plan for disaster and that failed to have steps in place to prevent a disaster from occurring. Organizations are expected to care for and protect their employees, their communities, and themselves from foreseeable harm, and to have plans in place to guarantee the safety and security of all involved should the unforeseeable arise.



What does your crisis management plan look like?

All of this may seem overwhelming to a small or midsize business. You may or may not have the expertise, manpower, resources or time to devote to crisis management.

However, a trained expert in the field of consulting and crisis management can offer you a manageable solution.



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What Can You Do?

All of this may seem overwhelming to a small or midsize business. You may or may not have the expertise, manpower, resources or time to devote to crisis management. However, you most likely realize that you cannot afford not to invest in preparing a plan. A trained expert in the field of consulting and crisis management can offer you a manageable solution.

The Labor Management Advisory Group (LMAG) specializes in offering clients customized services to meet their specific needs. We can design and implement a crisis management strategy that meets both your needs and your budget. Our trained and experienced professionals can help you with the following:

- Review and evaluate existing plans, policies and procedures
- Create a disaster recover plan
- Author a workplace violence prevention program
- Design emergency response procedures
- Identify risk factors specific to your industry
- Plan for occupational health crisis
- Train employees and management in all new policies and procedures

Take control of your company's future by scheduling a meeting with LMAG so you can discuss your particular crisis management needs. Failing to plan for and ignoring the consequences of crisis put your livelihood and your investment at risk. Gerald Meyers, a former chairman of American Motors warns:

"The most frequently made mistake is denial, and it's the biggest one you can make. Denial then gives way to anger. When the crisis doesn't go away quickly, the panic sets in."

LMAG will partner with you and help you navigate the difficult and often tedious road or crisis management planning.

Please contact us at your earliest convenience so that we can begin work on solidifying your business. Phone: 1-816-697-3481 Email: steve@oncallhumanservices.com.

Thank you,



Steve M. Cohen, Ed. D., CMC

