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## As Economic Storm Starts to Pass, Another Crisis Looms for Employers

As part of their succession planning efforts, HR professionals typically identify candidates, rank them by readiness for more senior roles, and compile a list of potential new leaders. But few take “the next big leap,” according to America’s Top Coach® Stephen Xavier.

That is, many HR professionals do not create “specific individualized development plans for people at the top tier of the readiness scale,” give them rotational assignments, provide training, and have them coached and mentored in preparation for future roles. He says this can spell “disaster” for some companies as Baby Boomers leave the workforce.

### Temporary Reprieve Ending

The recession temporarily postponed some Baby Boomer executives’ retirement, but as the economy—and

executives’ investment portfolios—start to rebound, more executives will retire, and companies will find themselves ill-prepared to fill those positions with qualified candidates, says Xavier (whose website is [www.americastopcoach.com](http://www.americastopcoach.com)), author of *Not on My Watch: A Leader’s Guide to Navigating the Impending Retirement Bubble Disaster, Building a Bench, and Leaving a Legacy of Success* (2009, BookSurge Publishing). In fact, he says inadequate succession planning may create even bigger problems for companies than the economic crisis did.

“The clock is ticking,” says Xavier, who also is president and CEO of Cornerstone Executive Development Group, Inc. ([www.cedg.com](http://www.cedg.com)). “An improving economy means recovered investment values

*(continued on page 2)*

## Addressing Preventable IT Business Disasters

Only 5 percent of disasters are smoke and rubble disasters or real calamities such as earthquakes, fires, or floods, asserts Jon William Toigo, CEO of Toigo Partners ([www.toigopartners.com](http://www.toigopartners.com)) and author of *Disaster Recovery Planning: Preparing for the Unthinkable* (2003, Prentice Hall, PTF). The other 95 percent of outages or work stoppages are due to human error or application/technology-related issues, he says.

Of course, businesses must be prepared for calamitous events by creating a disaster preparedness plan. Toigo asserts that since people and data are the most valuable resources in a company, Human Resources and Information Technology (IT) should partner to lead the creation of such a plan as well as to concentrate their efforts on disaster prevention.

### Electrical Problems

“A preponderance of disasters *are* preventable—especially ones related to poor training of the users of [technology] applications, and particularly ones related to electrical issues,” Toigo explains. He notes that HR and IT partners should walk around company facilities and look for potential problems. These include scenarios where an employee has one power strip plugged into a wall outlet with multiple power strips (holding electrical plugs for a variety of peripheral devices, printers, and computers) plugged into *that* power strip. This may sound like an extreme situation, but Toigo has seen it. “If you can increase awareness of the obvious things, you can do an awful lot to

*(continued on page 2)*

## Economic Crisis (continued from page 1)

for Baby Boomers, and that's all many of them have been waiting for before exiting. They'll be out the door soon, and their wealth of knowledge and experience is leaving with them. The time for action is now."

Compounding the problem is the fact that many emerging executives lack fundamental business knowledge. "Generic corporate training programs and B-school curricula with little real-world relevance have turned out future leaders that lack the fundamental skills needed to keep a company afloat—basics like understanding how large, complex organizations work; tackling conflicts head-on; making decisions; and managing timelines," Xavier says.

## What to Do

"Succession planning should not be just a corporate buzzword," he explains. "It is a necessary and critical process that involves identifying, evaluating, and preparing an organization's future leaders, building bench strength, and weeding out seemingly promising younger executives who, on closer inspection, may not possess the leadership qualities necessary to guide a company through transition."

Creating a succession plan is best accomplished with the help of a consultant who specializes in talent management and succession planning, according to Xavier. He recommends setting up an HR/executive committee to screen consultants for expertise, references, and

"good chemistry" with the organization and then, once a consultant is hired, keeping the CEO or president directly involved in the process. "Executive involvement at the early stages is an absolute."

Initially, the consultant should be in charge of the initiative, and HR should be "guiding and directing" the initiative by identifying people to interview, groups to assess, etc., according to Xavier. "HR's hand in that is critical."

Halfway through the initiative, though, the consultant should transition more responsibility for the initiative to HR. By the three-quarters point, he says, the initiative should be run about 75 percent by HR with the consultant in more of a supporting role.

## IT Disasters (continued from page 1)

prevent most noxious consequences of overloading electricity."

### Data Drain

Other potential problems that he cites that may cause outages are the overwhelming amount of data that is saved by users and kept on hard drives, as well as the downloading of inappropriate files that are quite large, such as music and photos, that have nothing to do with the business.

Most of these problems can be addressed by proper training: Many users do not understand what needs to be saved, what needs to be backed up, and don't realize that they are inappropriately saving huge files to company hardware that could also harbor viruses, malware, or worms, he explains.

Toigo notes that only about 30 percent of the data that resides on hard drives and servers is useful. "About 40 percent of data needs to be saved for historical purposes because it is intellectual property, or for regulatory purposes. But it doesn't need to be

updated as frequently, and it needs to be archived in a repository somewhere. The final 30 percent [of data commonly saved on hard drives] is 'orphan data' with the person who created it gone from the organization. Or it's contraband—data that doesn't belong at a company because it's not the organization's data at all."

### New Employee Training

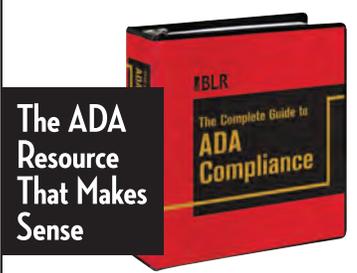
Toigo recommends that HR plan a program with IT partners for new employees "that provides basic disaster prevention awareness and then reinforce it at least annually. Little things can create big issues and interrupt a business sending customers running to competitors because they can't get into our websites or get access to our people on the phone" due to disasters that never had to happen.

### Resources

The fourth edition of Toigo's book is underway as this issue goes to press and should be available to access at no cost as a "blook" at <http://book.drplanning.org>. He explains the "blook" as an online book that people can read and can add their own value

to: "It's a blog plus a book." He says additional disaster recovery planning resources are available at [www.drplanning.org](http://www.drplanning.org).

*Editor's note:* See Tips & Tactics (page six of this issue) for governmental disaster preparedness planning resources.



**The ADA Resource That Makes Sense**

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## ‘We’re All in This Together’ Program Supports Employees Impacted by RIF

When confronting a financial crisis that resulted in significant budget cuts and ultimately the need to implement a reduction in force (RIF), Palm Beach County’s Office of the Clerk & Comptroller created the “We’re All in This Together” transition program during the summer of 2009.

The scenario was this: In early 2009 it became obvious to the Clerk & Comptroller of Palm Beach County ([www.mypalmbeachclerk.com](http://www.mypalmbeachclerk.com)) that Florida state legislation (expected to be passed by June that year) was going to severely impact the budget. In preparation, vacant jobs were not filled, and departments started reorganizing and implementing cost-cutting measures where they could in their operating expenses.

In June, the passage of the legislation forced the Clerk’s office to reduce the budget by \$7.1 million. The office was able to cut \$2.1 million out of operating costs by including cost-cutting suggestions submitted by employees. Some nice-to-have, but not essential, employee benefits were reduced or frozen, including outside educational programs for staff and tuition reimbursement.

In addition, a voluntary separation package, with a generous payout of 100 percent of accumulated sick leave, was put together for eligible employees who were interested in leaving their jobs. Thirty-two people took advantage of the package. “[Unfortunately], 90 percent of our costs are personnel,” notes Linda Culbertson, chief communications officer.

Despite the office’s best efforts to avoid involuntary layoffs, additional positions needed to be eliminated. In just 1 year, this service-based government organization lost 101 of its 850 employees—66 through layoffs and an additional 35 positions eliminated through reorganizing and eliminating vacant positions.

Culbertson partnered with Human Resources Director Michele Nelson and other team members to create a program that supported both staffers transitioning out of the organization and employees who were staying, implemented in three phases.

The underlying theme for the program, as determined by the executive team, was “we’re all sharing this burden; we are going to get through it together; we’re going to be okay; and we’re going to take care of each other as best we can,” says Culbertson.

Nelson adds, “We really put ourselves in the position of the employees and said ‘we have to do whatever we can for them to ease the transition for the people who are separating and to live up to our values as an organization in our commitment to our employees.’”

### Phase One: Full Disclosure

Phase One actually started in May 2009, before the final budget reduction numbers had become available. The key to that phase was not holding back any pertinent information from employees and sharing with them any additional details received regarding the budget cuts.

In addition, a call to action was issued to employees, requesting that they contact their legislators to express their concerns about the budget cuts and the legislation, explains Culbertson. Sample e-mails and letters were made available on both the employee intranet and the external website as well for employees to use as examples.

“The staff was fabulous, and legislators reported receiving letters, e-mails, and telephone calls,” notes Culbertson. “We had 850 people out there along with their families and friends. They really had an impact [on legislators].”

**Who:** Palm Beach County’s Office of the Clerk & Comptroller

**What:** Created and facilitated a three-phase program to assist both employees who were losing their jobs as a result of a budget crisis and those who were staying.

**Results:** Only three of the employees involved in the reduction in force were still unemployed 9 months after the RIF.

“We felt we had been successful in building trust during this session [Phase One] because we didn’t hold anything back from the employees,” adds Culbertson.

### Phase Two: Support During Separation

Phase Two included the creation of a 3-day series of transition workshops for staff members who were losing their jobs, as well as a packet of information (scripted communication) for meeting leaders, managers, and supervisors called “Separation Meeting Guidelines,” says Nelson. The guidelines helped management understand how to frame their conversations with separating employees and provided answers to questions that might be asked.

Separating employees were given a 2-week period during which they could complete projects, say their goodbyes, and generally prepare for the transition they were about to undergo, notes Nelson. “It was nice to be able to have closure for the people who stayed and for the people who had to leave. They could really wrap up their work relationships and receive and provide contact information, etc.”

Employee Assistance Program (EAP) representatives were on-site the day the layoff news was communicated to assist employees who needed support and to talk through the situation they were facing.

*(continued on page 4)*

All separating employees were invited to attend the transition workshops, which included topics such as résumé writing, interviewing and networking tips, financial advice, and sessions with employee-benefits vendors (for continuing healthcare coverage/COBRA, etc.) explains Nelson. The workshops culminated in a job fair with local employers.

Human Resources and some outside benefits vendors that volunteered their time led the workshops. All separating employees received the book, *What Color Is Your Parachute 2009: A Practical Manual for Job-Hunters and Career-Changers* by Richard Nelson Bolles (Ten Speed Press). They also were given a flash drive that they could use to carry their résumé electronically to a computer, notes Culbertson. HR planned and executed the workshops during a 3-week time frame.

### **Phase Three: Support For Remaining Staff**

Phase Three focused on rebuilding the team that remained. “At the Clerk & Comptroller’s office, one of our strategic directions is to be a great place to work, and this was an opportunity to focus on the morale of remaining team members,” according to a description of the “We’re All in This Together” program. “At the heart of this transition program was the intent to foster a sense of empowerment and connection and to create a more contented and productive team.”

This phase encouraged ongoing discussion with employees so that they could air their concerns and provide their input through in-person meetings, e-mails, telephone calls, and the employee Intranet as they adapted to new work routines, taking on different and sometimes additional responsibilities, explains Nelson.

Employees and managers were also trained on leading and delivering outstanding service in challenging times. Managers were told to expect a 90-day post-RIF period of destabilization. They were given guidelines on using a three-pronged leadership

approach to assist customers and customer service clerks that consisted of walking the department, practicing triage, and coaching.

“Employees were given hands-on customer service training focused on handling difficult situations with customers who may be experiencing increased wait times, fees, or processes.

As a result, employees felt proud of the way the organization conducted itself during the layoff process and were confident in the resources provided to displaced employees.”

One branch office was closed as a result of the downsizing, and customers increased in number across all other locations. In addition to reminding staff that the EAP could help them with added stressors, the Communications Department (also headed up by Culbertson) implemented the “Clerk Kudos” program to recognize employees who perform stellar work and maintain customer good will. The department also implemented a weekly Employee Appreciation Dress-Down Day.

### **The Outcome**

The campaign was highly successful. People who involuntarily left the Clerk’s office used the resources and skills shared through the program to land new employment positions. The April 2010 quarterly report regarding unemployment claims showed that only three of the original 42 people who collected unemployment benefits were still claiming unemployment benefits at the end of the first quarter of 2010.

Remaining employees maintained a high level of faith and trust in the Clerk’s office as evidenced in an employee survey taken 6 months after the layoff was announced (and completed in conjunction with the *South Florida’s Business Journal* Best Place to Work Award application).

When asked to express their level of agreement with the statement, “I’d like to be working at this organization 1 year from today,” only 6 percent of employees gave an unfavorable response, Culbertson explained. And only 12 percent

disagreed with the statement, “I trust the leaders of this organization to set the right course.”

The Clerk & Comptroller of Palm Beach County was also honored as one of three recipients of the international 2010 Work-Life Innovative Excellence Award by the Alliance for Work ([www.awlp.org](http://www.awlp.org)) at WorldatWork([www.worldatwork.org](http://www.worldatwork.org)), based largely on the creation and success of the “We’re All in This Together” program.

### **What to Remember**

Nelson shares her concluding thoughts and advice to HR professionals: “No matter how overwhelming something like [the budget cuts and reduction in force] seems, it’s important that [HR professionals] do the right thing for our employees. And as difficult as it is for us, it’s at least 10 times more difficult for them.”

Culbertson describes the experience as walking into the danger. “When we found ourselves unprepared or not knowing what to do in a brand new situation like this, “I think we were brave. We said ‘we’re going to have the conversation with the employees. We’re going to confront this and be open.’”

I think that really served us, and I know for me that since that time, I go back to that situation when I have to address something that’s uncomfortable. [Whatever it is], it’s nowhere near as uncomfortable as it was last year” when they planned and executed the three phases of the “We’re All in This Together” transition program. “That [event] strengthened us ultimately in terms of leadership.”

For more information about “We’re All in This Together,” contact Nelson at [mnelson@mypalmbeachclerk.com](mailto:mnelson@mypalmbeachclerk.com).

*Editor’s note:* As this issue goes to press, the Clerk & Comptroller’s office is facing another significant budget gap for the fiscal year starting July 1, 2010, and will possibly be going through another round of “We’re All in This Together” beginning this month, June 2010.



## From the Courthouse

### Copyright Infringement Case Hinges on Employee Status

“Steven,” an individual working for a small start-up technology company, maintained that, as an independent contractor, he owned the source code he wrote for a digital audio larynx device. However, the company claimed that it owned the copyright because Steven was an employee when he wrote the code. The court had to decide whether Steven was an independent contractor or an employee.

**What happened.** Steven and his brother-in-law, “Michael,” who both had degrees in electrical engineering and computer industry experience, started discussing development of the device, which would help individuals whose larynxes have been surgically removed to produce clearer speech.

From 1995 to 1998, Steven worked on the project, but stopped after his wife died unexpectedly in 1999. In 2003, Michael and his wife formed JustMed, Inc., in a renewed effort to develop the device.

The company hired “Brendan” to work with the Beaverton, Oregon, business, developing a new hardware prototype and writing source code for the product. Meanwhile, Steven invested \$25,000 in the business in return for 130,000 shares and served on the company’s board of directors.

The company had a marketable product by the summer of 2004, when Brendan stopped working on the product, and Steven took over development of the source code. Steven received the same compensation that Brendan had received—a \$90,000 salary paid as 15,000 shares per month.

Steven had no written employment agreement with JustMed, never filled out an I-9 employment verification form, and never received share certificates for the JustMed stock that he began accruing in October 2004. As a start-up technology business compensating Steven solely in shares of stock, the company did not think it was required to issue a W-2 wage

statement form to him, withhold taxes, or pay workers’ compensation or unemployment insurance. It did not provide him employee benefits or report his employment to the state.

Using his own computer, Brendan’s original code, and various JustMed materials, Steven worked from his home in Boise, Idaho, and set his own hours. He was identified in the company profile brochure, had a JustMed business card, and attended conferences and demonstrations on the company’s behalf.

He did not fill out a W-4 form until 2005—when he was issued paychecks for May, June, and July 2005. He never cashed the checks.

Concerned that he was not considered an equal in the company, Steven put the software’s copyright in his own name and deleted all copies of the source code from company computers. Although he eventually returned his latest version of the source code, JustMed worked from older versions of the code to develop the product.

JustMed filed suit against Steven, and a district court ruled in favor of the company, saying, among other things, that JustMed owns the copyright to the device’s software under the work-for-hire doctrine of the federal Copyright Act because Steven wrote the source code as an employee. Steven appealed to the

## THE LAW

Under the Copyright Act of 1976, the author of a work (including source codes) is considered to own the copyright of that work unless the work-for-hire exception applies, the court explained. If the work is considered a “work made for hire,” then “the employer or other person for whom the work was prepared is considered the author” and owns the copyright, unless there is a written agreement to the contrary.”

U.S. Court of Appeals for the 9th Circuit, which covers Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington.

**What the court said.** The appeals court agreed with the district court that Steven “was an employee of JustMed at the time he wrote the JusTalk source code, and that JustMed owns the software.”

It found that the strongest evidence favoring Steven’s independent contractor status was JustMed’s failure to pay benefits, have the appropriate employment forms filled out, and treat him as an employee for tax purposes. But the court reasoned that those failures were more likely due to the start-up’s informality rather than to an understanding that Steven was an independent contractor. *JustMed, Inc. v. Byce*, No. 07-35861, D.C. No. CV-05-00333-S-MHW, U.S. Court of Appeals, 9th Cir., 4/5/10

### WHAT TO REMEMBER

- **Put terms in writing.** In this case, JustMed did not have a written employment contract with Steven. Such an agreement could have addressed both his status as an employee and that his work as an employee belonged to the company.
- **Properly classify workers.** As federal and state agencies step up their efforts to identify employers who misclassify workers, federal

lawmakers have introduced legislation that would impose stiffer civil penalties on employers who misclassify employees as independent contractors. The Employee Misclassification Prevention Act (S 3254, HR 5107) would also require companies to notify workers whether they are classified as an employee or nonemployee.

# Tips & Tactics

## Look to Social Media for Disaster Preparedness Updates

Since we're entering the active hurricane season, there's no better time to revisit some resources that could be helpful to you as you shake the cobwebs from your disaster preparedness plan and update it.

This year's update on disaster preparedness resources will include a few references to social media websites, since the federal government dove into social media as a way to provide information to anyone who is interested in real-time announcements.

Certain federal departments and agencies are utilizing Twitter (140-character communication posts) and Facebook to proactively reach out to U.S. citizens instead of passively waiting for people to visit their websites.

### Ready.gov

One great resource for businesses and individual citizens for advance planning of all types of emergencies is [www.ready.gov](http://www.ready.gov), available through the U.S. Department of Homeland Security. The introductory page for businesses is [www.ready.gov/business/index.html](http://www.ready.gov/business/index.html). Several emergency situations are listed, along with detailed information regarding what businesses should do to prepare for each and what to do if they occur: among these are biological threats, blackouts, chemical threats, earthquakes, explosions, fires, floods, and hurricanes.

The introductory page for individuals is [www.ready.gov/america/beinformed/index.html](http://www.ready.gov/america/beinformed/index.html). This section provides details regarding creating a family emergency plan, what to include in a basic emergency kit, and what to keep in a first-aid kit.

The first-aid kit information is valuable for everyday life, not just disasters. (For example, the site advises that you keep eye wash solution in a

kit at your disposal in order to flush your eyes or to use it as a general decontaminant.)

For both individuals and businesses, there are many downloadable resources (in PDF format) that are available at no cost via the above links.

Ready.gov is now on Twitter, so you can sign up to receive Tweets (posts) in the form of emergency messages and tips to help prepare for emergencies. The Twitter ID is "readydotgov" and you can sign up at no cost for this service at [www.twitter.com](http://www.twitter.com). Just key "readydotgov" into the search window to access recent Tweets.

An example of one emergency Tweet from "readydotgov," in May was an alert to readers about a tornado watch in portions of south-central Kansas and central and western Oklahoma, providing a link for more information.

### The CDC

The Centers for Disease Control and Prevention's (CDC) website has a section on Emergency Preparedness and Response including public health emergencies, natural disasters and severe weather at [www.bt.cdc.gov](http://www.bt.cdc.gov). From the main page, click on the "Natural Disasters and Severe Weather" button to access information about specific disasters such as hurricanes. Under the hurricanes section, you can get information under "Prepare Before the Storm" about getting supplies, making a plan, and learning about hurricane recovery.

For example, one of the first things that the CDC recommends when an individual or a business is beginning to create a hurricane preparation plan is to learn about your community's emergency plans, warning signals, evacuation routes, and locations of emergency shelters.

Even if you already have this information, it is a good idea to check it annually as many communities change the locations of shelters and sometimes even evacuation routes due to changing population sizes and community needs.

The CDC also has plenty of information for your employees to begin planning for weather disasters that could affect their families' health and well-being. The CDC also shares emergency alert tweets on Twitter using the following Twitter ID, "CDCemergency."

### FEMA

The Federal Emergency Management Agency, known as FEMA, is also a division of the U.S. Department of Homeland Security. FEMA is the agency that assists individuals and state and local emergency management agencies when a major emergency occurs.

Its stated mission is to "support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards."

FEMA also has a comprehensive presence on the Internet with its website, [www.fema.gov](http://www.fema.gov). Its home page provides links to current emergency information and assistance as well as ways to prepare for potential emergencies.

For example, FEMA's home page recently included updates regarding the severe flooding that took place in Tennessee and what was being done to assist the state in its recovery efforts. FEMA has a presence on Twitter as well with the ID "femainfocus."

### Activity on Facebook

FEMA, the CDC, and Ready.gov all have fan pages on Facebook. Any of these governmental organizations may be found by keying their names into the search box at the top of the Facebook ([www.facebook.com](http://www.facebook.com)) browser window.

## Strong Ethical Culture Links to Better ‘Business Performance, Profitability’

Maintaining an ethical culture makes good business sense for the Principal Financial Group®. The company’s commitment to high ethical standards has not only increased employee satisfaction but has also resulted in fewer compliance and legal risks and fewer instances of unethical or fraudulent behavior by employees, says Betsy Happe, chief compliance officer.

### Focus on Integrity

Headquartered in Des Moines, Iowa, The Principal ([www.principal.com](http://www.principal.com)) was recently recognized by the Ethisphere Institute as one of the World’s Most Ethical Companies for 2010. This marks the fourth consecutive year that the company has received this honor.

“Conducting business with the utmost ethical standards is not only important to us, it’s important to our clients—current or prospective—and, most importantly, our employees,” says Happe. “Our company was built on a solid ethical foundation, and we pride ourselves on holding true to that 130 years later. Better business and profitability goes without saying if you have a sound ethical environment built into the fabric of your company’s culture.”

She attributes the ongoing recognition from the Ethisphere Institute to the company’s focus on integrity. “Integrity is one of our core values, and employees at all levels of the company are expected to know and understand the importance we place on acting in an ethical manner and with integrity.” She adds, “The Principal consistently receives third-party recognition for being a great place to work and doing great things for its community.”

### Code of Ethics Overview

The Principal’s Corporate Code of Ethics applies to each of its 14,452 employees across the globe, as well as its directors, officers, and nonem-

ployees who represent the company. Employees in certain business lines must follow an additional code of ethics, explains Happe. “Some of our business lines have laws or regulations that require more specific codes of ethics related to their operations.

“For example, employees of Principal Global Investors, Inc. must comply with a Code of Ethics that meets the requirements of the Investment Advisors Act of 1940. That Code of Ethics relates more specifically to personal securities transactions and conflicts of interest.”

The Code that applies to all employees promotes “honest and ethical conduct” and addresses a variety of issues, including conflicts of interest, confidentiality and privacy, fair dealing, use of company assets, legal compliance, and the “reporting of illegal or unethical behavior.”

“Employees can report violations to their leader, compliance director, the chief compliance officer, or through the ethics hotline or Web-based reporting system operated by an independent vendor,” Happe says. “They have an option to remain anonymous if they report through the vendor.”

The Principal conducts an ethics survey every other year and provides annual training on the Code, according to Happe. “Company training for new leaders includes training on how to act and lead with integrity. Online toolkits on many topics covered within the Code are available to all employees, and the Corporate Ethics and Compliance team provides speakers on topics covered by the Code. Our network of compliance directors throughout the company also has ongoing responsibility to provide ethics training tailored to their business area.”

### Promote Workplace Ethics

“Many studies have found that a strong code of ethics provides a foundation for ethical conduct and the

**Who:** Principal Financial Group

**What:** Promotes an ethical work environment.

**Results:** Reduced instances of unethical or fraudulent behavior by employees. Fewer compliance/legal risks. Increased employee satisfaction.

means by which a company can communicate its commitment to legal and ethical conduct,” Happe says. “It provides direction to employees on how to act (or not to act), who to go to with questions, and how to report violations. A code of ethics is also required legally for publicly traded companies and provides a written record of a company’s organizational culture, which is an element of an effective ethics and compliance program set forth under the Federal Sentencing Guidelines.”

“Maintaining an ethical environment is an important component to effective business practices and attracting and retaining satisfied employees,” she adds. “Providing effective reporting methods (such as the ethics hotline and web-based report options) and regularly communicating related employee expectations helps achieve an ethical environment.”

Happe offers three additional tips to consider. “First, it’s important to develop a strong code of ethics which is supported by all levels of management and to execute a communication plan to raise awareness of how to act ethically,” she says. “Second, although ‘tone at the top’ is important, employees must also see their direct leaders making decisions that are in alignment with ethical values and in compliance with laws. As a result, ethical character should be considered when hiring or promoting individuals into leadership responsibilities. Finally, keep the message in front of employees through ongoing and varying communication vehicles throughout the year (company intranet, newsletters, meetings, etc.).”

# HR Tool Box

## Earthquake Preparedness Checklist for Employers

A section of your disaster preparedness plan should address earthquakes—no matter where your facility is located. Earthquakes can happen anywhere! Your plan should include the following elements, which can apply to other types of disasters as well.

### Our employees know:

- To participate in regularly conducted earthquake drills
- To mount pictures and wall hanging securely
- To keep desktop computers and appliances in restraints
- To keep desk drawers and filing cabinet doors latched
- To keep large equipment and furniture anchored to walls or floors
- Where first-aid kits, flashlights, battery radios, blankets, dust masks, and blankets are located on-site
- At least one safe place to go within their work area during an earthquake
- How to get out of the building safely during an earthquake
- How to locate members of their department and assist any who are injured
- Whom to contact about departmental personnel (whereabouts, injuries, etc.)
- How and under what circumstances to shut down power, gas, and water in the building
- How to safely shut down critical processes if necessary
- Which communication method to use after a quake, whether they were on or off the job when it occurred
- Not to use any equipment that appears damaged
- How to prohibit access to areas of the facility that appear unsafe
- How to make temporary fixes to insure continuation of business
- How to contact all continuity service providers
- What to say to customers, suppliers, and other business partners about your company's status



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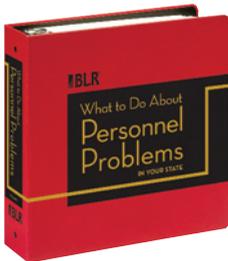
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