



Managing in a Time of Uncertainty

Helping Our Clients Navigate COVID-19

March 2020

Navigating Uncertainty Supporting Your People

Communicate
more than normal

Acknowledge
that uncertainty is disruptive and
disorienting

Listen
to the fears, concerns and
recommendations that emerge
from all stakeholders

Manage
concerns with honesty,
transparency, and timeliness

In Times of CRISIS and Uncertainty:

- Consider the specific needs and concerns of varied stakeholders and craft customized messaging when possible.
- Acknowledge the sense of loss, grief, and fear that your people (and their people) may be experiencing.
- Explain the rationale used to make decisions that affect them.
- Minimize uncertainty by being clear about what is known and not known.
- Reiterate and share relevant policies, procedures, and resources.
- Use language that is direct and uncomplicated.
- While there should be a central location for official messaging, use a variety of communication channels to share your messages.
- Call on key influencers to help communicate and to alert you to concerns.
- Model calm and competence. Your people are looking to you for leadership.
- Reinforce your expectations regarding flexibility, productivity, respect and kindness.

Times of Uncertainty Require Strategic Leadership

Strategic leaders recognize the importance of asking questions and considering diverse perspectives before taking action. During times of crisis or profound disruption, effective leadership teams address the following:

- What are our most critical and pressing issues to focus on first? How do we prioritize the rest?
- What are our biggest risks and what steps do we need to mitigate them?
- Do we have a holistic business continuity process to manage this situation (this may include disaster recovery and incident response)?
- What information do we need to make the most effective decisions?
- How can we inspire confidence that we will get through this difficult period?
- What role modeling can we provide to demonstrate that we are worthy of our stakeholders' trust and support?
- What is our stakeholder communication strategy?
- What do we not yet know, and how can we communicate this honestly?
- How are we tracking — and nimbly responding to — evolving legislation and other guidance?

Anticipating Concerns*

The ability to define key constituencies and anticipate their concerns enables organizations to respond quickly and effectively. As we move through the current COVID-19 pandemic, here is a partial list of questions you may be called upon to address:

Stakeholder Group	Concerns
Employees	<ul style="list-style-type: none">• How do I stay productive with so many distractions?• What resources are available for me?• What do my employee benefits provide?• Will I be laid off or furloughed?• Will my paid time off be extended?• What do I do if I have to stay home and take care of others?• What is the best way to show my manager I'm doing my job?• What do I do if I have others in my home and am being asked to work remotely?• What is the safest way to get to work?• Will I have access to prescription medications that I need?
Managers	<ul style="list-style-type: none">• My team is highly interactive, how can I turn that into an effective online/remote experience?• How do I ensure my team is productive?• What roles that I manage require people to still come to work?• What can I do if one of my employees is exhibiting signs of illness?• Can we send sick employees home or to seek medical attention?• What am I required to do if employees are not able to work remotely due to personal circumstances?
Business officers	<ul style="list-style-type: none">• How will the stock market affect our investments and/or shareholders?• How much cash on hand is available?• Do we have credit lines established?• What are our anticipated revenue losses from event closures and reductions in goods and services?• Will our supply chains be affected?• How do our insurance policies protect the company and leaders against business interruption and disruption losses?• How well are we monitoring systems?• How might travel restrictions impact our business?

* Legislation and other guidance relating to COVID-19 is rapidly evolving. Concerns may change as a result of these developments.

Stakeholder Group

Concerns

Communication professionals

- Do our stakeholders know where to find official communication about our response and plans?
- What information do our stakeholders need and what is the best way to communicate with them?
- How can we insure consistent messaging?
- What will the press want to know? How can we ensure that our internal community receives information before those “on the outside” learn about it?

Human resources professionals

- How do we keep our people safe?
- Have we defined essential and non-essential personnel?
- Are strong remote work policies in place?
- Which staff are positioned to work productively off-site?
- Will pay continue for non-exempt employees who cannot continue to work?
- Should paid leave options be explored/expanded?
- Will legislative changes require new leave options?
- Will layoffs or furloughs be necessary? How will we assess this and who will be on point to notify those affected?
- What are the possible long-term impacts of layoffs given the otherwise strong employment environment? Will cutting staff now make it challenging to recruit them back?
- Do we have adequate mental health services for our people?
- Do our health plans offer telemedicine options? If so, how will we alert employees who may not be aware of them?
- Will payroll be impacted? How about bonus, commissions or deferred compensation payments?
- Is any training necessary for personnel?
- What strategies will we employ to reduce anxiety and maintain reasonable levels of productivity?
- Are payroll staff positioned to perform their responsibilities off site?
- If employees do not have direct deposit, will they be able to obtain their pay?
- Will hardship withdrawals be permissible under the terms of our retirement plan?
- Is our health insurance provider(s) positioned to enroll new employees and process claims?
- What should be our message to employment candidates and new hires?
- Do we have updated employment policies and procedures to document our applicants?
- What do I need to start preparing for when things return to “normal”?
- Should paid leave options be explored/expanded?
- What changes do I need to make based on recent Federal and State legislation?

Stakeholder Group	Concerns
Event planners	<ul style="list-style-type: none"> • What client or internal events are scheduled and when? • Do we have the means to contact event attendees regarding changes or cancellations? Will we offer refunds? • When can we resume scheduling activities? • Is there Event Cancellation insurance in place to help mitigate losses?
Vendors	<ul style="list-style-type: none"> • Will I get paid? • Is it prudent to provide goods and services for which I may not be paid promptly? • What do vendor contracts say about service continuity and performance guarantees? • What data do I need to continue providing services?
Employment candidates	<ul style="list-style-type: none"> • Is the job I applied for still open? • Will my interview continue as planned? • If my interview is moving from in-person to online, do I have access to the platform that will be used?
New hires who have not yet started	<ul style="list-style-type: none"> • Is my new job still available? • Will my start date be delayed? • How will I get new employee training and onboarding? • If my job is now to be done remotely, how do I access equipment and systems? • How do I sign up for benefits and ensure that I get paid?
Shareholders	<ul style="list-style-type: none"> • Will the annual shareholders meeting date be changed or postponed? • Will our annual shareholders meeting be virtual? • What is corporate leadership doing to mitigate the impact of COVID-19 on the business?
Medical directors	<ul style="list-style-type: none"> • Are we doing everything we can to keep our employees safe? • Have we effectively communicated the steps everyone should take to stop the spread of the virus? • Will our on-site clinic continue to offer services to employees? • Do we have sufficient information channels to describe available resources to employees?
Board of directors	<ul style="list-style-type: none"> • Is the C-Suite doing what it should to mitigate the impact of COVID-19? • How can the Board best support the CEO during this crisis? • Are we permitted to change the date of or postpone directors' and committee meetings? • Are we permitted to hold virtual meetings or elect to act by written consent?

Stakeholder Group

Concerns

In-house counsel

- Do we have the proper data privacy controls in place to deal with a larger remote workforce and the other changes to the business?
- Are we permitted to execute contracts with electronic signatures (and are we properly equipped)?
- What liability might we have if an employee contracts COVID-19 at work?
- Do our contracts cover a public health crisis? What do our force majeure or “Act of God” provisions include?
- Are we complying with all laws, rules and regulations designed to safeguard employees and mitigate the spread of the virus?
- Do we need to update or redraft our business continuity policies?
- Are our vendors fulfilling their performance obligations?
- Are we properly managing litigation, arbitration, and other dispute proceedings?
- Are we complying with all applicable state and federal employment laws?
- Are we following proposed legislation?
- Are we aware of industry guidance or best practices?
- Are we going to be obligated to provide notices of any kind?

How We Can Help

Times of disruption can challenge even the most effective organizations. As you work through issues related to COVID-19, we are available to support you in key areas, including:



Incident and disaster response policies



Strategic HR and crisis communications



Business continuity process design



Leadership advising and support



HR support



Healthcare coverage, mental health support and other employee benefit issues



Remote work design guidance



Workforce planning



Payroll and compensation continuation



Paid time off and absence management



IT security and data integrity



Vendor management and support



Risk mitigation



Legislative tracking



Insurance brokerage and risk management



Infrastructure management



Legal compliance requirements



Additional Resources

Segal has a wide array of COVID-19 resources available on our [website](#).

OSHA's [“Guidance for Preparing Workplaces for COVID-19.”](#)

The press release also contains links to COVID-19 resources from DOL Wage & Hour, Workers' Comp, and the CDC.

[World Health Organization](#)

[Food and Drug Administration](#)

[EEOC Publication on the ADA](#)

[Guidance from the CDC for Employers](#)

[Guidance from the CDC Regarding Travel](#)

[US Labor and Employment Checklist](#)