Emergency Response & Disaster Recovery Plan

Office of the Chapter 13 Trustee

This document explains what the office of a Chapter 13 Trustee needs to think about and do in order to prepare its own response and recovery plan. Whatever one chooses to call it – disaster planning, emergency preparedness, or business continuity – the goals are ultimately the same: to get an organization back up and running in the event of an interruption.

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NACTT

CHAPTER 13 TRUSTEE

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Heading 1 (Roman Numeral List, Bold, Left Justified)

Heading 2 (Lettered List, Bold, Left Justified)

Heading 3 (Bullets, All Justified)

Appendix (Lettered List w/ colon, Left Justified)

Each Appendix is referenced through an inserted Cross-Reference link

Table of Contents Displays Heading 1, Heading 2, and Appendix with click-through links

The Table of Contents can be updated using the following procedure:

CTRL-A (Select All)

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DISASTER PREPAREDNESS

# Purpose & Objectives of Disaster Preparedness:

* To recognize potential disasters or emergencies
* To analyze the full impact of each disaster as to life, operations, equipment, and data
* To develop systems or procedures to either avoid a disaster or minimize the impact of a disaster
* To prepare for the protection of life, assets and data
* To prepare for the recovery of data lost in a disaster
* To quickly return to the normal operation of business
* To increase employee awareness of potential disasters or emergency situations
* To increase employee knowledge of appropriate safety precautions in the event of a disaster or an emergency
* To establish expectations of what is required from staff members in disaster or emergency situations

# Description of Facility

The office is located at [*Enter your address and suite number here*].

*Enter a paragraph describing the location of the parking facilities and how employees gain access to the office. Include a description of the location of all entrance points into the office area including any special instruction such as the presence of access control systems.*

There are [*how many*] fire extinguishers in the office located:

1. *Location one*
2. *Location two*
3. *Location ….*

Refer to Appendix A: to view the floor plan of the office suite and the location of fire extinguishers, the alarm keypad, panic buttons, and emergency exits.

# The Plan Administrator and Disaster Team

## Plan Administrator

The Plan Administrator is the Trustee; however, in his/her absence, the next person in the chain of command set forth below becomes the Plan Administrator with full authority to implement any and all provisions of the disaster plan, including, but not limited to; ordering an evacuation, issuing instructions or delegating tasks to all employees. However, **THE TRUSTEE IS THE ONLY PERSON EVER AUTHORIZED TO TALK TO THE MEDIA UNDER ANY CIRCUMSTANCES.**

The Plan Administrator is:

1. *Trustee Name, Plan Administrator*

2. Trust Employee Name, *Backup Plan Administrator*

In anticipation of or during an emergency, the Plan Administrator may implement emergency action procedures. After a disaster, the Plan Administrator will implement the disaster recovery plan and will oversee the work of the Disaster Team.

Members of the Disaster Team (Appendix C:)

## Disaster Team

The responsibilities of the Disaster Team include:

* Making sure everyone is out of the office and accounted for in the event an evacuation is necessary;
* Notify the U.S. Trustee, your banking institution, your case management vendor, the Clerk’s office, and Judges’ Chambers;
* Monitoring imminent weather conditions that might trigger a disaster;
* Preparing the office for emergency situations or disasters;
* Performing a damage assessment after a disaster;
* Notify insurance companies and subsequently file claims.
* Implementing and executing the disaster recovery plan in an effort to achieve a quick return to normal business operations following a disaster;
* Designate the location for temporary and/or permanent office space.
* Notify the Post Office of the new temporary and/or permanent address of office.
* Contact vendors and make arrangements for temporary and/or permanent replacement equipment, furniture, and office supplies.
* Establish a temporary work schedule for personnel.
* Updating and maintaining this Handbook regularly, recommending to the Trustee any changes in procedures, and providing periodic instructional information to all staff in the office.

# Loss Prevention

In order to prepare for emergency situations and to reduce downtime following a disaster, the following loss prevention and disaster preparedness measures have been placed in effect:

## Protection of Personnel

* A first aid kit is located (Give location or locations)
* Employees are familiar with dialing 9-1-1 to report an emergency and to give the address of the office building.
* All staff members have been instructed regarding the location of fire extinguishers, fire alarms, and emergency exit doors during the new employee orientation.
* The Trustee’s office and/or building management conducts regular disaster drills. At this time the Emergency Response Procedures will be reviewed to make sure all staff members are familiar with evacuation procedures.
* The Trustee **recommends** that each staff member keep comfortable shoes and a three-day supply of medication in the office in case a disaster prevents them from going home.
* An “Employee Calling Tree” (Appendix E:) has been established to speed up the process of contacting employees by phone after normal work hours. Each person responsible for making phone calls has an offsite copy of the Staff Phone Directory (Appendix B:) listing at least one phone number at which each employee can be reached. The Tree is updated as needed by a designated member of the Disaster Team.
* Where applicable, process payroll off-site using a third party and direct-deposit.
* Contact the Foundation of the National Association of Chapter Thirteen Trustees (“NACTT”) to coordinate the temporary placement of employees at other trustee offices should a major natural disaster (such as a tornado that causes widespread damage) result in employees and their families having to move away from the area temporarily.

## Disaster Preparedness

* The office is not accessible to the general public; the doors are locked at all times.
* A weather alert radio, along with extra batteries, is kept on site in order to monitor impending storms and to prepare accordingly.
* The Trustee’s office has adequate insurance to provide funding to purchase replacement equipment, including computer equipment, in a timely manner. The amount of coverage necessary is reviewed at least annually. The insurance policy also covers expenses associated with “business interruption” (or business continuity), such as rental of temporary office space.
* Where applicable the trustee has a record of the office’s credit card number, expiration date, verification numbers and password available offsite so that it can be used to make online purchases of equipment.
* Vendors from whom computer equipment has been purchased would be able to provide the configuration of the servers and PCs so that replacement equipment can be ordered quickly.
* Electronic or paper copies of an inventory, disaster notification list, employee calling tree, and staff phone directory, as well as copies of insurance policies, are maintained and stored off-site and are updated at least annually. A copy of this Manual along with the inventory, disaster notification list, and staff phone directory, is kept on a jump-drive and/or disk, which is also stored offsite and is updated at least semi-annually.

## Data and Financial Loss Prevention

**Daily**

* *Describe the data backup and recovery strategy along with the location and retention period for backup tapes if applicable.*
* A UPS (Uninterrupted Power Supply Device) is used constantly on the server(s) and all computers throughout the office. This reduces potential for damage from power fluctuations and failures.
* *Describe the location and entry instructions for accessing the server room.*

**Monthly**

* *List the controls in place to ensure data integrity.*
* *List the controls in place to support bank reconciliation and the integrity of financial data.*

**Other Provisions**

* Each employee PC is updated automatically by virus software.
* Employees are prohibited from downloading software off the internet or from using data storage media including diskettes, CDs, DVDs and USB thumb drives from outside sources unless authorized by the Trustee or Systems Manager.
* A firewall is in use to protect the computer system from external threats.
* Employee PCs that are kept under desks on the floor should be kept on a rack to protect from damage that could be caused if the sprinkler system is activated.

# Director of Operations/HR Manager/Office Manager Responsibilities

It is important to consider how disasters impact employees' personal lives, as well as their work. Assisting employees in developing Personal Disaster Recovery Plans consistent with the company's recovery plan can make a critical difference in how quickly employees are able to return to work.

## Preparation

* + Ideally the office should implement and maintain a clear Business Continuity Policy in the Policies and Procedures Handbook. This policy addresses how the company will respond to important human resources issues in the event of a prolonged disruption (including an Emergency Leave Policy and Communications Procedures). However, there are so many different types of disasters that it would make for a very large Policies Handbook. Our suggestion is to keep the Disaster Plan as a separate document with all emergency information and disaster plan for all types of disasters (tornado, fire, fire, power outages, bomb, active shooter, etc.) kept by all exits of the building that anyone can grab on the way out of the building.
	+ Review Business Continuity Policy and distribute Emergency Action Checklist Cards (Appendix R:) to all new employees during orientation. Most employees won’t keep this on their desktop at all times so we suggest all Schedules be a part of the disaster packet kept at the exits mentioned above. Drills should be completed each quarter with a focus on each type of disaster at least twice a year. Include disasters for your surroundings. (for instance, if you are located in the flight pattern of an airport plane crashes might occur that involve fires).

• Maintain the contact information contained in the EAP. Review regularly to ensure that it is accurate and current. Especially when changes are made to

**the disaster plans. Emergency contact information is not given to all employees for privacy reasons but it is placed in the disaster packets at the exits.**

## Response

* + Implement communication procedures that may provide employees sufficient notice of important information in the event they are unable to work due to weather or building closures. Suggestion: **add a request of confirmation that each employee has received communication of an office closure when they are at home or off site.**
	+ Assist management in ensuring that all staff are accounted for.
	+ Notify emergency contact (Appendix B:) or provide emergency agencies with information relating to next-of-kin, as required. **We suggest more than one emergency contact person that can also contact next of kin. This contact information is in the disaster packets as our emergency agencies can’t possibly maintain this information for every employee.**
	+ Provide trauma or stress counseling services to stabilize the emotional reactions of employees in the aftermath of a disaster. In this regard the office should investigate regarding **questions such as: who authorizes this service, who pays for this service, are wages paid while an employee is recovering from psycological trauma. Is this workmen’s compensation, short or long term disability (not full wage)?**
	+ Provide notification of the situation to all staff members of any alternative work instructions. Example: **Disasters occuring at an out of town bank used by the Trusteeship would be cause to identify a backup plan for routine banking and debtors who make electronic payments going directly to a bank.**
	+ Understand the compliance issues that a disaster may bring, such as ADA (Americans with Disabilities Act), state laws, and reasonable accommodation.
	+ Implement payroll procedures to assure employees are properly paid for time worked and in accordance with Emergency Leave Policy standards.
	+ Provide information regarding the company’s involvement in offering emergency assistance (child care, temporary shelter, financial aid) so employees are able to work. Keep in mind, employees may not return to work until their own homes and families are secured.
	+ Filling critical vacancies through temporary services.
	+ Providing management with issues and concerns that may need their attention regarding employees.
	+ Provide recognition for employees whom assisted and played key roles in the recovery process.

# Evacuation and Sheltering Plan

## Evacuation Plan During Office Hours

In the event of an emergency, the Plan Administrator will determine whether an evacuation is necessary. If so, the Plan Administrator will direct an employee to read the Emergency Announcement (Appendix F) over the office telephone paging system. If the building’s fire alarm is sounded, the Emergency Announcement may not be read.

*Enter a paragraph describing the location of all emergency exits.*

* If time and safety permits employees should take personal belongings (purse, coat, medical supplies) with them when evacuating the office, only if time permits.
* The I.T. Manager or in his/her absence a member of the Disaster Team will remove and carry the back-up tape and close the server room.
* A member of the Disaster Team will carry a copy of this Manual.
* Members of the Disaster Team are responsible for ensuring that their assigned areas are vacant.
* Members of the Disaster Team will assume responsibility for any disabled person in their area needing assistance and will appoint at least one staff member to remain with the disabled person at all times.
* As soon as time permits, the Plan Administrator will contact the building management office and make them aware of the situation. If necessary, the Plan Administrator will notify local authorities by dialing 9‑1‑1.
* Upon exiting the building, employees should stay away from the building to avoid falling glass or debris and report to the designated assembly area (Appendix B:). **Note: this location may be different if the disaster is criminal such as an active shooter. Local authorities can assist in identifying this location.**
* The Disaster Team will assume responsibility for a head count and will immediately notify the Plan Administrator of any persons unaccounted for or injured.

If possible, depending upon the type of disaster (such as Active Shooter), the Plan Administrator should attempt to inform other tenants in the office building of the situation. A contact list for the other tenants should be maintained.

## Sheltering Plan

There may be situations where it is best to ***stay*** inside. The procedures will depend on the nature of the emergency or disaster. While any of these events are unlikely to occur or to result in a lengthy stay it is best to be prepared.

If an emergency requires a **sheltering** plan to be implemented, the Plan Administrator may direct the Disaster Team to be responsible for preparing the location as may be necessary and appropriate, such as:

* Having the emergency radio on hand, along with extra batteries;
* Mobile phones can be useful in providing communication.
* Connecting a computer to the internet for up-to-date information; **would likely use cell phones**
* Supplying the shelter-in-place location with adequate drinking water;
* Having the first aid kit and first aid guide on hand; **locate a first aid kit at each shelter location in your building**
* Collecting food and snacks to keep in a central location;
* Collecting supplies such as tape, plastic bags, paper towels, latex gloves, etc.; **these items should be part of an emergency first aid kit**
* Accounting for and monitoring the safety of all employees during the stay plan.

# Emergency Procedures for Various Events & Natural Disasters

## Loss of Data

While the loss of data may not threaten the safety of office personnel, it is a potential disaster that can have devastating results in terms of lost work, down time, financial loss, and loss of public confidence in the trusteeship.

* System Crash

A “System Crash” is a state when all or part of the data on the system can no longer be accessed. The system will not operate.

1. If a system crash is suspected, identify the cause of the crash. This might involve hardware, electrical, or data file corruption making the data unreadable.
2. If the Systems Manager concludes that there is a physical problem, initiate a request for emergency service.
3. Contact [*enter the name of your case management vendor*] for technical support.
4. Replace any failing hardware components.
5. If the cause is determined to be one of data corruption or unreadable files, [*describe how the data will be recovered.*]
* Virus in System

A virus may infect the computer system, resulting in possible data loss and interruption of business.

1. Run a virus scan program to identify viruses.
2. If the virus can be identified by the above method, execute the part of the program to eradicate the virus and repair any damaged or corrupt files.
3. If the virus cannot be identified or corrected, the system disk drive must be reformatted and software restored from a non-infected backup or installation media by the Systems Manager.

## Corruption of Data

Files may become corrupted, damaged, or lost as a result of a system crash, computer virus, or through normal business activity. The following steps should be followed to recover lost data and minimize down time:

* Identify file(s) that are corrupt.
* Call [*enter the name of your case management vendor*] for assistance in recovering lost data if necessary.
* Review the time of the most recent backup and the occurrence of the crash. This time differential will determine the extent of lost data.
* Restore the system from the most recent backup.
* A printed trace file after the most recent backup and before the system crash is the most valuable tool to use in re‑entering lost data. If a trace file is not available, then each employee re-enters data (such as new cases, claims, and receipts).
* After all lost data has been restored or re‑entered, run reports to verify the accuracy of the data on the case management system.
* Complete a full backup.
* Begin normal activity on the system.

## Internet/Email Loss

Because of Electronic Case Filing, a failure in the office’s connection to the internet could cause a significant disruption of normal operations. The risk of this happening is minimized by the following:

* Identify an alternate internet service provider.
* Contact your internet service provider to assist in re-establishing an internet connection.

## Power Failure

* Flashlights should be kept close at hand during a power failure and are in the possession of each disaster team member. Theyshould be tested monthly along with smoke alarms.
* UPS (Uninterrupted Power Supply) devices are in use on the server(s) and [*specify any other devices protected by UPS*] will provide a battery backup for [*how long*]. In the event of a power failure, an alarm will sound on the UPS devices. All work-in-progress on the computer should be saved, and computers should be shut down as soon as possible. The Systems Manager should shut down the server(s).
* If it is determined that power will not be restored for some time, Plan Administrator (Appendix C:) will make a decision regarding evacuating staff members.
* The building provides emergency lighting and battery backup for exit signs.
* If the power failure occurs after normal business hours the I.T. staff will contact the Trustee and the facility to determine the best course of action.

# Evacuations

## Evacuation for other than fire or Active Shooter

In the event an evacuation is necessary, the Plan Administrator will direct a member of the Disaster Team to issue the Emergency Announcement (Appendix F:).

If the building’s fire alarm is sounded, the Emergency Announcement may not be issued.

Upon hearing the emergency announcement or fire alarm, staff should remain calm and follow the appropriate Evacuation Exit Plan described below:

*Enter a paragraph describing the location of all emergency exits.*

* If necessary, the Plan Administrator will notify local authorities by dialing 9‑1‑1. If time permits, the Plan Administrator will contact the building management office and make them aware of the situation.
* The Systems Manager or a member of the Disaster Team should remove the most recent onsite back-up tape and lock the server room.
* The Controller or in their absence a member of the Disaster Team should ensure the safe is locked.
* Members of the Evacuation Team are responsible for assisting with the evacuation process by ensuring that their assigned area is vacant.
* Supervisors will assume responsibility for any disabled person in their area needing assistance and will appoint at least one staff member to remain with the disabled person at all times.
* Upon exiting the building, employees should stay away from the building to avoid falling glass or debris and report to the designated assembly area (Appendix B:).
* The Evacuation Team will assume responsibility for a head count and will immediately notify the local fire department of any persons unaccounted for. Upon arrival, the local fire department will assume control of the situation.

## Fire Evacuation or Active Shooter

Treat all fire alarms seriously. If the fire alarm sounds, immediately proceed with the evacuation as quickly and safely as possible.

In case of fire, remember the acronym **RACE** for the correct priority of procedures to follow:

**R – Rescue:** Rescue anyone in immediate danger.

**A – Alarm:** Report the fire by using the nearest fire alarm pull station. If time permits, call 9-1-1 to report the emergency.

**C – Contain:** Contain the area by closing all doors where time and safety permits.

**E – Extinguish:** Extinguish the fire's spread by utilizing a fire extinguisher.

* When evacuating in case of fire, it is especially important not to panic. Do not run. Walk or crawl in a single file line, on the right side of the hallway if possible. This will allow firemen access to the same stairway or door. To prevent smoke inhalation, crawl along the floor in smoke-filled areas. Do not walk upright. Heavy smoke and poisonous gases collect first along the ceiling. Stay below the smoke at all times. Cover nose and mouth with a wet cloth.
* When approaching a closed door, use the palm of your hand and forearm to feel the lower, middle and upper parts of the door. If it is not hot, brace yourself against the door and open it slowly. If it is hot to the touch, do not open the door--seek an alternate escape route.
* Do not return to your desk or work area for personal belongings.
* If you are trapped by fire, it is vital that you remain calm so you can clearly think and take corrective action. Remember not to walk upright in smoke-filled areas.
* Put closed doors between you and the heat and smoke. If possible, seal off cracks around doors and vents with wet towels or clothing.
* If you become trapped in a building during a fire and a window is available, place an article of clothing (shirt, coat, etc.) outside the window as a marker for rescue crews.
* Upon exiting the building, report to the pre-determined location (Appendix B:).

## Bomb Threat

A bomb threat warning may be received by anyone. Persons making such calls do not normally call anyone in particular and will deliver their message to the first person contacted.

The Bomb Emergency Threat Check List (Appendix G:) and the Bomb Threat Warning Card (Appendix H:) should be placed in a readily available location so that it can be pulled out immediately upon receiving such a threat. The Bomb Emergency Threat Check List will assist in asking the proper questions and paying attention to important details during the call.

The Bomb Threat Warning Card (Appendix H:) is a bright color to catch the attention of other personnel in the vicinity of the location where the threat is received. The person receiving the threat should wave this card in the air in order to notify other staff members of the emergency. A person seeing this card being waved should immediately notify a supervisor.

There are only two purposes for a caller reporting a bomb threat:

1. The caller has definite knowledge of or believes that a bomb has been or will be placed. He wants to minimize personal injury or property damage. The caller may be the person who placed the bomb or someone else who has become aware of such information.
2. The caller wants to create an atmosphere of anxiety and panic that will possibly result in a disruption of the normal business activities in the building where the device is reported to be located.

Any employee receiving a bomb threat call should ask the caller to give his or her message to a person in a responsible position, preferably to the Trustee, or the next person in the chain of command in the absence of the Trustee. However, if the caller refuses to be transferred to another party, the employee receiving the call should try to obtain all the information listed on the Bomb Emergency Threat Checklist (Appendix G:). The caller should be kept on the line as long as possible. This will aid later in the identification of voice characteristics. If possible record the call.

If the caller does not state the location of the bomb or the time of possible detonation, you should ask the caller the following questions:

1. Where is the exact location of the bomb?
2. What time is it set for detonation?
3. What does it look like?
4. What is the explosive?
5. Why was it placed?

Legitimate callers usually wish to avoid injury or death. Inform the caller that the building is occupied and the detonation of the bomb could result in death and serious injury of many innocent people. When requesting information, stress that you need the information in order to save lives. Ask the caller to repeat the message. If possible, write every word spoken by the caller on the bomb threat checklist (Appendix G).

Listen closely to the voice (male/female), voice quality (calm/excited), accents and speech impediments. Try to remember if the voice sounded young or old, the tone of the voice and any other distinguishing characteristics about the person calling. If possible, try to determine the name of the caller, age, sex and mental condition.

Pay particular attention to peculiar background noises such as motors running, sirens, background music and any other noise that may give a clue as to the origination of the call.

The time the call was received and the time that you hung up the phone is are also important.

Immediately after the caller hangs up, you should report the call to the Trustee or your supervisor. The Trustee/Supervisor will immediately notify the fire department and will then contact the property management office. Make yourself available for questions, since the law enforcement or fire personnel will want to talk first hand with the person who received the call.

If any bomb threat is received, building management will be contacted and will activate the fire alarms signaling evacuation. The Disaster Team (Appendix C:) will evacuate all personnel to a safe area. Do not re‑enter the building until notified by the Fire or Police Department that it is safe to do so.

## Disgruntled Persons

An encounter with a disgruntled person may put the safety of the entire office at risk. The disgruntled person may be a debtor, a creditor (such as the ex-spouse of the debtor), or even a co-worker or former co-worker.

In general, there are different degrees of disgruntlement, ranging from mildly irritated to violently angry. A person in a fit of rage poses a threat to life and/or property.

The following are suggested guidelines for dealing with a disgruntled person:

* Remain calm.
* Listen carefully to what the person has to say.
* Be an active listener by stating your interpretation of the individual's point of view (“It sounds like you mean . . .” or “So are you saying . . .”).
* Empathize with the person – tell the person “I understand how you feel” or “I realize this is as stressful time for you” or a similar message.
* DO NOT tell the person “you shouldn’t get mad” or “you shouldn’t feel that way”.
* Respond or talk to the individual rationally in a calm tone of voice. Speak more slowly and softly.
* Be cooperative. DO NOT be argumentative.
* Ask the person to tell you what s/he wants or what s/he wants you to do to resolve the dispute. If necessary to protect your safety, do what s/he wants or assure him or her that you will personally make sure the situation is taken care of.
* If possible and if the situation warrants, activate a silent alarm by pressing a panic button to alert authorities.
* If possible, evacuate the area; if not, have employees stay in their offices.
* If at any time a visitor becomes disruptive, unruly, harassing, uses abusive or threatening language or gestures, or in any way makes an employee uncomfortable or scared, the employee should not hesitate to ask the visitor to leave. In the alternative, the employee should remove himself/herself from the visitor and notify a supervisor (or a coworker if a supervisor is not available).
* All suspicious persons or activities should be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your work station, do not try to intercede or see what is happening.

**E)** Active Shooter

In the event of an Active Shooter, quickly determine the most reasonable way to protect your own life.

1. Evacuate

* If possible, issue the Emergency Announcement (Appendix F) as quickly and quietly as possible
* Exit the office. Use pre-determined escape routes and meeting locations
* Help others escape, if possible
* Leave your belongings behind
* Once everyone has evacuated block exit door to office if possible using anything available, but do not waste time looking for such implements
* Once in the safe area, Call 911 and try to provide location of the active shooter, number of shooters, physical description, number and type of weapons, and number of potential victims
* Keep hands visible at all times
* Silence your cell phone
* Follow the instructions of any police officer

2. Hide out

* If evacuation is not possible hide in an office with a door opening inward
* Block door using desk, book shelf or other means necessary
* Be out of active shooter’s view
* Lie on the floor
* Silence your cell phone or other sources of noise
* Call 911 and try to provide location of the active shooter, number of shooters, physical description, number and type of weapons, and number of potential victims
* Do not open door for any reason, except as instructed by a police officer. First verify the officer’s identity with the 911 dispatcher

3. Take action against the active shooter

* AS A LAST RESORT, and ONLY WHEN YOUR LIFE IS IN IMMINENT DANGER, attempt to disrupt and/or incapacitate the active shooter by
* Acting as aggressively as possible against him/her
* Throwing items and improvising weapons

## F) Hazardous Material

Combining certain cleaning materials may inadvertently produce a hazardous or toxic material.

In this event, a police officer or fire official will come to the building and inform employees of the need to evacuate the area. The Disaster Team and/or the building management office will consult with the police officer or fire official to determine best possible routes to leave the area and the length of time evacuation might be necessary.

In the event an evacuation is necessary, the Plan Administrator will direct a member of the Disaster Team to issue the Emergency Announcement (Appendix F:). Upon hearing the emergency announcement, staff should remain calm and follow the Evacuation Plan or other special instructions.

In the event hazardous materials are received through the mail, an immediate evacuation may not be prudent. Instead, it may be safer for everyone to remain in their offices until the authorities have contained the hazardous material. In such an event, the staff will be notified to stay where they are and avoid the potentially contaminated area.

## G) Disease Epidemic or Pandemic

An epidemic (the rapid spread of a disease that affects some or many people in a community or region at the same time) or pandemic (an outbreak of disease that affects large numbers of people around the world) could result in high levels of absenteeism for extended periods of time. Employees could be absent because they are sick, or they must care for sick family members, or they must care for children if schools or day care centers are closed. An epidemic or pandemic could also affect the delivery of supplies and services to the trustee’s office. It could result in the rescheduling of creditor meetings and/or court hearings and cause delay in the normal progression of cases.

The most likely cause of a pandemic at this time would be influenza. A severe influenza pandemic may be widespread, affecting multiple areas of the United States and other countries at the same time. A pandemic will also be an extended event, with multiple waves of outbreaks in the same geographic area; each outbreak could last from 6 to 8 weeks. Waves of outbreaks may occur over a year or more. A pandemic could affect as many as 40% of the workforce during periods of peak influenza illness.

Because of the extensive contact certain employees have with the general public at section 341 meetings and at court hearings, the office personnel are at a medium exposure risk of contracting a pandemic strain of influenza. In the event of a pandemic or epidemic, the Trustee may seek alternatives to minimize the risk of exposure, for example: increasing the distance between the employee and the public (including the debtor, the attorney, and any creditor attending the 341) so that the attorney is more than 6 feet away; conducting more 341 meetings by interrogatories; conducting 341’s via conference calls or web conferences; handling motions to dismiss by agreed orders with counsel; wearing masks and gloves to 341’s and other hearings; requesting telephonic court hearings; etc.

In the event an epidemic or pandemic reduces the Trustee’s staff levels for an extended period of time, the Plan Administrator will need to establish priorities of operation and change the essential job functions of the remaining employees to accomplish those items of highest priority. The Disaster Recovery section of this Manual contains more information regarding work priorities. It may be that some employees will be able to telecommute or otherwise work from home, even on a part-time basis.

## H) Water Damage/Broken Pipes

In the event of water damage or broken pipes, the following risks to life and property may occur:

* Electrocution hazard to employees.
* Damages of an electrical short-circuit.
* Damage to computer and other office equipment.
* Damage to case files and other paper documents.

In the event of water damage from a broken pipe, the Disaster Team will immediately notify the building management office and request a maintenance team to evaluate the problem.

All employees should be extremely cautious around damp or wet computers, office equipment, electrical cords and outlets due to danger of electrocution.

If there is no apparent threat of life, computers and office equipment should be protected by covering or removing it to a dry area.

If possible, remove any case files and business records from the area.

The Plan Administrator will determine whether an evacuation is necessary.

If the power failure occurs after normal business hours the I.T. staff will contact the Plan Administrator and the facility to determine the best course of action.

## Natural Disasters

**Tornado**

There are two defined conditions recognized by the National Weather Service:

Tornado Watch: Although the conditions are right for a tornado to occur, none have been sighted in the area. In the event of a tornado watch, employees should remain at their desks and continue to work, as this is only a precautionary alert.

Tornado Warning: This means a tornado has actually been spotted in the local area.

In the event of a tornado watch affecting the immediate area, a member of the Disaster Team should turn on a battery-operated radio and make sure spare batteries are immediately available.

In the case of a ***tornado warning or an actual sighting***, the Plan Administrator will direct a member of the Disaster Team to issue a Tornado Emergency Announcement (Appendix F:). The following procedures should be followed:

* Remain calm.
* Do not attempt to evacuate the building unless instructed by the authorities.
* If time permits take the emergency action kit and move immediately away from the perimeter of the building and exterior glass.
* If applicable and possible, proceed to the nearest stairwell. A member of the Disaster Team will bring the radio to the stairwell. Wait until danger has passed.
* If time does not permit evacuation to the stairwell, move to an interior room or interior hallway.
* As a last resort, if time does not allow evacuation from exterior offices, position yourself under a desk or sturdy table.
* Wherever you are when a tornado strike is imminent, sit or kneel, and protect yourself by putting your head as close to your lap as possible.
* If you are caught outside and do not have time to reach a safe building, go to a low/safe place. Remember to be alert for flash floods that often accompany tornadoes.
* Provide first aid if needed.
* Call 9-1-1 if a tornado causes serious injuries.
* The assigned disaster team member will do a head count when danger has passed.

**Earthquake**

If you are indoors when an earthquake occurs, take shelter under your desk or a table. If this is not possible, stand in a doorframe or under any strong object to protect you from falling debris. Keep away from areas containing glass. Avoid windows, outside doors, and shelving units or filing cabinets.

If you are trapped in debris: Use a flashlight. Stay in your area so that you don't kick up dust. Cover your mouth with a handkerchief or clothing. Tap on a pipe or wall so that rescuers can hear where you are. Use a whistle if one is available. Shout only as a last resort--shouting can cause a person to inhale dangerous amounts of dust.

If you are outdoors when an earthquake occurs, stay outdoors, preferably away from structures. Do not attempt to enter or leave a building until you are instructed to do so. Stay away from overhead electric wire, poles, or anything that might shake loose and fall.

Remain in your sheltered area until advised. When it is safe to exit the building, staff should remain calm and follow the Evacuation Exit Plan.

Aftershocks can be as dangerous as the initial quake. Do not re‑enter the building or work areas until the structure has been evaluated. Stay away from fallen or damaged electrical wires, and be aware of the smell of ruptured natural gas lines that have a potential to cause explosion or fire. A decision to re‑enter the building and resume business will be made by the Plan Administrator (Appendix C:), building management, and/or local authorities.

**Winter Storms**

Winter storms may cause hazardous walking and driving conditions. If a major storm occurs or is imminent prior to the commencement of work, the Trustee may decide not to open the office. If so, the Trustee will activate the calling tree (Appendix E:). Unless contacted, staff members are to assume the office will be open and should report for work as usual.

If the storm occurs during the day while employees are at work, a decision will be made by the Plan Administrator as to the closing of business and allowing employees to return to their homes. Sometimes it is safer to remain in the building as opposed to venturing out into the elements.

# Disaster Recovery

The Plan Administrator is primarily responsible for overseeing and organizing loss recovery efforts. Given the many tasks that must be accomplished in a short amount of time following a disaster, the assistance of the Disaster Team is essential. The Disaster Recovery Plan (below) should be used as a guideline for quickly restoring normal business operations.

**The short-term recovery objective is to restore critical functions of the office within a week following the disaster.** The long-term recovery objective is to re‑establish the Chapter 13 Trustee office to full capacity as quickly and efficiently as possible.

##  The Assessments

Following a disaster, the Disaster Team must perform a damage assessment (Appendix F:). The following **disaster levels** are listed in order of priority from lowest to highest.

**0** - No damage

**1** - Minimal destruction of property and/or data; and/or no injury to personnel; and/or minimal absence of personnel - minimal disruption of normal operations (estimated 5 business days or less to return to normal).
**2** - Partial destruction of property and/or data; and/or minor injuries to personnel; and/or absences of multiple personnel - partial disruption of normal operations (estimated 6 to 10 business days to return to normal)

**3** - Complete destruction of property and/or data; and/or injuries or loss of life; and/or extended absences of multiple personnel - major disruption of normal operations (estimated 10 business days or more to return to normal).

In addition, the **scope** of the disaster may affect the recovery plan.

**Local** – damage is limited to the building and/or data and/or equipment and/or personnel.

**Community** – damage impacts the Greater area.

**Regional** – damage is widespread, extending throughout the region.

## Disaster Recovery Plan

 Initial Response

1. The Plan Administrator will assemble all available Disaster Team members for initial project planning.
2. The Plan Administrator will initiate a personnel assessment to determine from each employee if s/he is physically able to work and to travel to work.
3. Notify the U.S. Trustee, your banking institution, your case management vendor, insurance companies,the Clerk’s office, and Judges’ Chambers.
4. The Disaster Team will perform a damage assessment in each area of the office, record the amount and type of damage on the Disaster Assessment Form (Appendix K:), and submit the completed forms to the Plan Administrator.
5. The Plan Administrator and Information Technology Manager will determine what computer equipment is essential to restoring critical operations, and if necessary will begin purchasing the replacement equipment.

1. The Information Technology Manager will assess the condition of the backup media and will begin the process of data recovery, if necessary.
2. The Plan Administrator, in consultation with building management, will determine if temporary relocation of the office is necessary, and will determine an estimated duration of the relocation.
3. If relocation is necessary, the Disaster Team will search for temporary office space.
4. The Disaster Team will notify the Post Office and key vendors.
5. If necessary, the Disaster Team may need to secure a new permanent office location if the existing office cannot be rebuilt in a reasonable amount of time. If so, the checklists used by the Trustee when the office moved to its present location may be helpful.
6. The Disaster Team will contact vendors and arrange for replacement equipment, furniture, and office supplies as necessary.
7. If necessary, the Disaster Team will purchase mobile telephones for office use and establish new mobile service. Where applicable, mobile broadband cards for laptop computers and mobile broadband service may be useful in resuming access to ECF and emails quickly.

 Re-establishing Operations

The priorities will be set based on what is needed to get the office up and running as quickly as possible. It will be impossible to state what the priorities will be to get the office functioning, each scenario will be different based on the damages caused by the disaster. A typical set of priorities will focus on.

1. Determine the best method of communication with employees, debtors, creditors, attorney, the UST office and the court.
2. Restore hardware and software and recover and secure any physical and computer files.
3. Establish a secure way to handle incoming receipts and posting receipts to existing cases.
4. Establishing a secure way to disburse receipts.
5. Establishing a way to retrieve documents from the court and the creation and input of new cases. Input of claims, amendments, motions and orders on the cases.
6. Preparing cases for confirmation and dismissal.
7. Establishment of Process to Administer accounts payable and receivable and employee payroll system.
8. Establishment of a security system.
9. Floor Plan
10. Designated Assembly Area
* Indicate both locations if different for fire and bomb threat
1. Disaster Team Members

1. *Member One*

2. *Member Two*

3. *Member Three*

4. *Member Four…*

PLAN ADMINISTRATOR:

1. Trustee, or in his/her absence, the next person in the following chain of command:

2. *Second in Command*

3. *Third in Command*

4. *Fourth in Command*

EVACUATION TEAM:

1. *Team Member1* – Responsible for Head Count

*2. Team Member2 – Responsible for Head Count in absence of Team* Member1

OFFICE EMPLOYEES:

*List Staff Members Here*

1. Staff Phone Directory & Contact Info.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** | **Home Phone** | **Cell Phone** | **Email** | **Emer. Contact** |
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1. Employee Calling Tree
2. Emergency Announcements

**Evacuation**

In the event of an emergency **that requires evacuation of the building**, the Plan Administrator will issue the following announcement:

“Attention. Attention. An emergency has been reported. Please exit the office and evacuate the building immediately. Report to the assembly area [*specify where*]. Repeat – an emergency has been reported. Please exit the office and evacuate the building immediately. Report to the assembly area [*specify where*].”

Active Shooter-if possible, issue the above announcement, specifying that the emergency is an active shooter.

Fire Alarm-no announcement necessary. See page 13.

**Tornado**

In the event of a **tornado** thatdoes notrequire evacuation of the building, the Plan Administrator will issue or designate a member of the Disaster Committee to issue the following announcement:

“Attention. Attention. A tornado has been reported. Please exit the office and meet [*specify where*]. Repeat – a tornado has been reported. Please exit the office and meet [*specify where*]. DO NOT LEAVE THE BUILDING. Repeat – DO NOT LEAVE THE BUILDING.”

**Remain in Building**

In the event of an emergency that requires employees to remain in their offices until further notice (such as receipt of contaminated mail), the responsible person should make the following announcement:

“Attention. Attention. Please stay in your office and close your door until further notice. Repeat – stay in your office and keep your door closed until further notice.”

1. Bomb Threat Emergency Checklist

INSTRUCTIONS: **BE CALM, BE COURTEOUS. LISTEN. *DO NOT INTERRUPT THE CALLER*.**

YOUR NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ TIME: \_\_\_\_\_\_\_\_\_\_\_\_\_ DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CALLER'S IDENTITY SEX: Male \_\_\_\_\_ Female \_\_\_\_ Adult \_\_\_\_ Juvenile \_\_\_\_ APPROXIMATE AGE: \_\_\_\_\_

ORIGIN OF CALL: Local \_\_\_\_\_\_\_\_\_\_ Long Distance \_\_\_\_\_\_\_\_\_\_\_ Telephone Booth \_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| VOICE CHARACTERISTICS | SPEECH | LANGUAGE |
| \_\_\_ Loud\_\_\_ High Pitch\_\_\_ Raspy\_\_\_ Intoxicated | \_\_\_ Soft\_\_\_ Deep\_\_\_ Pleasant\_\_\_\_\_\_\_\_\_\_\_\_ Other | \_\_\_ Fast\_\_\_ Distinct\_\_\_ Stutter\_\_\_ Slurred | \_\_\_ Slow\_\_\_ Distorted\_\_\_ Nasal\_\_\_\_\_\_\_\_\_\_\_\_ Other | \_\_\_ Excellent\_\_\_ Fair\_\_\_ Foul | \_\_\_ Good\_\_\_ Poor\_\_\_\_\_\_\_\_\_\_ Other |
| ACCENT | MANNER | BACKGROUND NOISES |
| \_\_\_ Local\_\_\_ Foreign\_\_\_ Race | \_\_\_ Not Local\_\_\_ Region | \_\_\_ Calm\_\_\_ Rational\_\_\_ Coherent\_\_\_ Deliberate\_\_\_ Righteous | \_\_\_ Angry\_\_\_ Irrational\_\_\_ Incoherent\_\_\_ Emotional\_\_\_ Laughing | \_\_\_ Factory\_\_\_ Machines\_\_\_ Music\_\_\_ Office\_\_\_ Machines\_\_\_ Street\_\_\_ Traffic | \_\_\_ Trains\_\_\_ Animals\_\_\_ Quiet\_\_\_ Voices\_\_\_ Airplanes\_\_\_ Party\_\_\_ Atmosphere |

 **BOMB FACTS**

**PRETEND DIFFICULTY HEARING ‑ KEEP CALLER TALKING ‑ IF CALLER SEEMS AGREEABLE TO FURTHER CONVERSATION, ASK QUESTIONS LIKE:**

When will it go off? Certain Hour \_\_\_\_ Time Remaining

Where is it located? Building Area

What kind of bomb? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

What kind of package? \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Why was it placed? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

How do you know so much about the bomb?\_\_\_

What is your name and address?

If building is occupied, inform caller that detonation could cause injury or death.

Activate malicious call trace: Hang up phone and do not answer another line. Choose same line and dial \*57 (if your phone system has this capability). Listen for the confirmation announcement and hang up.

Call Security at \_\_\_\_\_\_\_\_\_\_ and relay information about call.

Did the caller appear familiar with plant or building (by his/her description of the bomb location)? Write out the message in its entirety and any other comments on a separate sheet of paper and attach to this checklist.

Notify your supervisor immediately.

1. Bomb Threat Warning Card

**BOMB THREAT WARNING CARD**

**BOMB**

**THREAT**

**WARNING**

**Caller is on the line.**

**Notify supervisor!**

1. Disaster Notification Phone Directory

|  |
| --- |
| Office of the U.S. Trustee*Enter name and address***Phone:**  |
| *Case Management Vendor name and address*Phone: Fax:  |

|  |
| --- |
| Financial Institution addressPhone: Fax:  |
| Office of the ClerkUnited States Bankruptcy CourtYOUR REGIONAL AREA**Phone:**  |

1. Vendor List

**Vendor Address Account No. Contact Phone**

1. Disaster Assessment Form

After a disaster, the following scale will be used to assess damage:

0 – No Damage

1 – Minimal destruction of property and/or data (minimal disruption of normal operations)

2 – Partial destruction of property and/or data (partial disruption of normal operations)

3 – Complete destruction of property and/or data (major disruption of normal operations)

**ITEM SCALE (0 – 3) NOTES**

Computers and monitors \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Server & Connectivity \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printers \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Fax machine \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone system \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Security system \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Cubicles, desks, chairs \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Office supplies \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Filing cabinets & shelving \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Case files \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. System Hardware And Software List
2. Inventory (Asset) List
3. Emergency Action Kits

Main Office Kit

* Helmets
* Rope
* Work Gloves
* Radio
* Flashlights (snap lights)
* Duct Tape
* Multi-head Screwdriver
* Insulated Blankets
* Vise-grips
* Goggles
* Crowbar
* Dust masks
* Ponchos
* Walkie Talkies (1 per disaster team member)

Employee Evacuation Kits

* First Aid Pack (wipes, ointment, Band-Aids)
* Gauze pads
* Burn gel
* Toothbrush
* Eye pads
* Tongue depressor, q-tips
* Insulated Blanket
* Toilet Pack (wipes, tissue, paper cups)
* Drinking Water Pouches
* Food Bars
* Snap lights
* Medical tape
* Dust mask
* Latex gloves
* Whistle
* Strike anywhere matches
1. Form List
2. Check Stock: Expense & Trustee Accounts
3. …..
4. ….
5. Essentials for Quick Reference

**IN CASE OF EMERGENCY :**

* **CALL BUILDING SECURITY IF APPLICABLE**
* **DIAL 9-1-1**

**FIRE EXTINGUISHERS :**

* How many, location, expiration date, who monitors?

**FIRE ALARM :**

* How many and where are they located?

**FIRST AID KITS:**

* How many and where are they located?

**DISASTER TEAM & PLAN ADMINISTRATOR**

1. Trustee Name, Plan Administrator, (Telephone Contact Number)

2. Team Member Name/Position (Back-up Plan Administrator)

 (Telephone Contact Number)

3. Team Member Name/Position, (Telephone Contact Number)

4. Team Member Name/Position, (Telephone Contact Number)

**EMERGENCY PHONE NUMBERS**

FIRE DEPARTMENT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

POLICE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

FEDERAL PROTECTIVE SERVICE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SECURITY (If applicable): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

BUILDING MANAGER (If applicable): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Evacuation Checklist

|  |  |  |
| --- | --- | --- |
| **Steps** | **Action Complete** | **Actions Taken** |
| **1** |  | Take Emergency Action Kit (Appendix N:) and the Emergency Action Plan Handbook as you exit the building. |
| **2** |  | If time and safety permits, attempt to take the backup and/or hard drive storage media from the datacenter. |
| **3** |  | If time and safety permits, check the work areas to make sure everyone has exited. |
| **4** |  | Exit the building via the closest or safest exit route determined by the Plan Administrator or by building management/security. |
| **5** |  | After exiting the building, proceed immediately to the pre-determined assembly area to rejoin coworkers. |
| **6** |  | Upon arrival at the pre-determined assembly area, take a head count and identify anyone who is missing or injured. |
| **7** |  | Report any missing or injured individuals to the safety or rescue personnel as soon as possible. |

1. Sheltering Checklist Card

|  |  |  |
| --- | --- | --- |
| **Steps** | **Action Complete** | **Actions Taken** |
| **1** |  | Take Emergency Action Kit (Appendix N:), Emergency Action Plan Handbook and **WEATHER** **RADIO**. |
| **2** |  | INSTRUCT STAFF NOT TO ATTEMPT TO LEAVE THE BUILDING FOR ANY REASON! |
| **3** |  | Move as far away from windows and exterior walls as possible. |
| **4** |  | If time and safety permits, attempt to take the backup and/or hard drive storage media from the datacenter. |
| **5** |  | If time and safety permits, check the work areas to make sure everyone has exited. |
| **6** |  | Meet at the pre-determined assembly area nearest to the center of the building. |
| **7** |  | Upon arrival at the pre-determined assembly area, take a head count and identify anyone who is missing or injured. |
| **8** |  | Report any missing or injured individuals to the safety or rescue personnel as soon as possible. |