



## Emergency Planning and Response

### *Overview*

**Natural disasters, extreme weather events, and other catastrophes can disrupt business operations overnight and employers must respond quickly to protect employees, comply with safety regulations and otherwise manage these situations in compliance with applicable employment laws. In the first days and weeks after a disaster or other emergency events, your actions can reduce risk, safeguard your workforce, and speed recovery.**

Fisher Phillips' cross-disciplinary Emergency Response Team helps employers address the many workplace issues related to extreme weather events such as high heat and deep freeze conditions, and natural disasters including wildfires, hurricanes, tornadoes, and earthquakes. Located across the country, our attorneys provide highly-skilled advice to help businesses:

- **Protect workers and meet safety obligations** during the event and before reopening
- **Communicate clearly** with employees, customers, regulators, and the public
- **Navigate wage and hour, leave, and accommodation requirements** during closures, reduced operations, or remote work
- **Manage staffing changes** including furloughs, layoffs, recalls, and reassignments while avoiding legal missteps
- **Respond to OSHA safety inspections and defend against citations** tied to post-disaster conditions.

Our team can also work with you to prepare ahead of time by updating disaster response policies, training managers, and ensuring your business continuity plan meets both operational and legal needs.

We offer numerous resources to aid employers, ranging from comprehensive FAQs and other Insights, webinars, and weather trackers.

If your business is recovering from a disaster – or you want to be prepared before the next one occurs – our team is here to guide you every step of the way.

## **How We Can Help**

*Our Services Include:*

**Immediate Legal Counsel:** Our attorneys respond promptly to ensure your rights are protected and the situation is handled appropriately.

### **Workplace Safety**

- Advising on workplace safety requirements, including your obligations under federal and state occupational safety and health laws as applicable (e.g., Federal OSHA's General Duty Clause, and State Plan Injury and Illness Prevention Program, Wildfire Smoke and Heat Illness Prevention Standards)
- Reviewing whether post-incident workplaces are safe to enter or operate in and coordinating necessary hazard assessments and cleanup
- Ensuring proper documentation of safety measures, personal protective equipment provided, and hazard mitigation steps
- Responding to OSHA inspections and defending against any resulting citations

### **Wage and Hour/Leaves of Absence**

- Advising on pay obligations during closures, reduced schedules, or remote work situations (FLSA, WARN Act, and state wage and hour laws)
- Addressing how to handle exempt vs. non-exempt pay when operations are disrupted
- Interpreting rights under the FMLA, ADA, and other federal and state leave laws
- Managing absences due to displacement, injury, or family care needs
- Assisting/accommodating employees with new medical or mental health conditions through the interactive process

### **Crisis Communications**

- Crafting clear, compliant employee communications about safety, pay, schedules, and benefits during recovery
- Communicating with external stakeholders to maintain confidence

- Create public statements and press releases, and monitor coverage to protect brand equity

## **Labor**

- Assistance in adhering or proposing changes to obligations under collective bargaining agreements
- Assuring continuous compliance with all applicable employment laws (e.g., wages, leaves, and safety)
- Preparing notices for business cessation

## **Employment Benefits**

- Guidance on benefits obligations under FLSA, FMLA, COBRA, and ERISA
- Advising on applications for tax-free assistance to employees

## **Governmental Affairs**

- Advocating for federal and state disaster relief funds or industry-specific relief measures
- Liaising with state workforce development boards to facilitate reemployment/retraining for displaced staff
- Tracking and interpreting emergency employment laws passed in response to the disaster
- Policy advocacy

## ***Insights***

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INSIGHTS

09/30/25

### **NYC Expands Safe and Sick Leave Requirements: What Employers Need to Know**

Melissa Camire

[Read more →](#)

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INSIGHTS

07/01/25

### **4 Ways Nevada Employers Can Prepare for Wildfire Smoke Regulations**

Brandon Born, Todd B. Logsdon, Mark J. Ricciardi

[Read more →](#)

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INSIGHTS

05/15/25

### **Get Ready for the Heat: 7 Practical Summer Safety Tips for Employers as OSHA Takes Next Steps for National Rule**

Todd B. Logsdon, Kristin R.B. White

[Read more →](#)

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INSIGHTS

01/10/25

## **Employer FAQs for the California Wildfires: Your Role in Protecting Workers' Health, Safety, and Workplace Rights**

Sheldon J. Blumling, Benjamin M. Ebbink, Nicole Kamm, Aymara Ledezma, Jacklin Rad, Andrew J. Sommer, Megan C. Winter

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INSIGHTS

09/05/24

## **So You Think This COVID Thing Has Ended? Not So Fast! 5 Tips for Employers to Prepare for Cold, Flu, and COVID Season**

Katherine M. DiCicco, Deniz Uzel Reilly, Robert M. Robenalt

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INSIGHTS

08/05/24

## **Comprehensive FAQs For Employers on Hurricanes and Other Workplace Disasters: 2024 Edition**

Victoria Abercrombie, Steven M. Bernstein, Sheldon J. Blumling, Kathleen McLeod Caminiti, Caroline Cheek, Usama Kahf, Matthew R. Korn, Todd B. Logsdon, Todd A. Lyon, C. F. W. Manning II, Lindsay Massillon, Kelly Ahern, Alen A. Samuel, Shanon R. Stevenson, Terri R. Stewart, Spencer W. Waldron

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07/02/24

## **OSHA Releases First-Ever National Heat Safety Rule: 10 Steps for Employers**

J. Micah Dickie, Edwin G. Foulke Jr., Robin Repass

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06/25/24

## **Louisiana Dismantles Concealed Carry Requirements: Key Employer Takeaways and 4 Steps You Can Take to Create a Safer Workplace**

Michelle I. Anderson

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