

A Framework of
Emergency Preparedness Guidelines
For Federal Agencies

PREPARING^{THE} WORKPLACE FOR EVERYONE:

Accounting for the
Needs of People
with Disabilities

Interagency Coordinating Council on Emergency
Preparedness and Individuals with Disabilities

Subcommittee on Emergency Preparedness
in the Workplace

July 2005

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EXECUTIVE ORDER 13347 AND THE COUNCIL



The Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities (The Council) was established under Executive Order (EO) 13347, signed by President George W. Bush on July 22, 2004. The Executive Order, *Individuals with Disabilities in Emergency Preparedness*, calls for the Federal Government to appropriately support safety and security for individuals with disabilities in all types of emergency situations through a coordinated effort among federal agencies that includes the following:

- Considering the unique needs of agency employees with disabilities and individuals with disabilities whom the agency serves;
- Encouraging, through the provision of technical assistance, as appropriate, consideration of the unique needs of employees and individuals with disabilities served by state, local, and tribal governments and private organizations and individuals in emergency preparedness planning; and
- Facilitating cooperation among federal, state, local, and tribal governments as well as private organizations and individuals.

THE WORKPLACE SUBCOMMITTEE

The Council established eight subcommittees to address the many facets of this issue. In particular, the *Emergency Preparedness in the Workplace* Subcommittee has been tasked with addressing emergency preparedness related to individuals with disabilities within the governmental and private sector workplaces. The Subcommittee focuses on strategies for ensuring that the development, implementation, and maintenance of workplace emergency preparedness plans fully include the unique perspectives and needs of individuals with disabilities. The following agencies have participated in the Subcommittee’s work to date:

Department of Labor, Office of Disability Employment Policy (Chair)	
Access Board	Department of State
Department of Homeland Security	Department of Transportation
Department of Agriculture	Department of the Treasury
Department of Commerce	Environmental Protection Agency
Department of Defense	Equal Employment Opportunity Commission
Department of Education	Federal Communications Commission
Department of Energy	General Services Administration
Department of Health and Human Services	Office of Personnel Management
Department of the Interior	Social Security Administration
Department of Justice	

During 2004-05, the Subcommittee primarily focused on the Federal Government, documenting effective emergency preparedness strategies and identifying key issues associated with fully including individuals with disabilities. The lessons learned by federal agencies will ultimately enable the Council to approach other employment sectors with effective practices and model policies that can be readily modified for use by state and local governments, nonprofit organizations, and the business community.

IMPORTANT NOTE TO READERS

Preparing the Workplace for Everyone is meant to serve as a launching point for federal agencies as they re-evaluate and strengthen their Occupant Emergency Plans (OEPs), which are required for all federal agencies by the U.S. General Services Administration (GSA).¹ This framework of guidelines reflects the effective practices of nearly 20 federal agencies gathered from direct input, existing reports and articles, and actual emergency plans.

According to the National Council on Disability (NCD), in its 2005 report, *Saving Lives: Including People with Disabilities in Emergency Planning*:

*In disaster management activities it is important to think about disability broadly. Traditional narrow definitions of disability are not appropriate. The term disability does not apply just to people whose disabilities are noticeable, such as wheelchair users and people who are blind or deaf. The term also applies to people with heart disease, emotional or psychiatric conditions, arthritis, significant allergies, asthma, multiple chemical sensitivities, respiratory conditions, and some visual, hearing, and cognitive disabilities.*²

The U.S. Federal Emergency Management Agency (FEMA) has historically recognized *mitigation, preparedness, response, and recovery* as the phases of emergency management. However, many of the issues addressed in this framework of guidelines may emerge in multiple phases. Consequently, in order to enhance both the usability and readability of *Preparing the Workplace for Everyone*, topics are explored in light of four phases of emergency preparedness plans: *development, implementation, practice, and maintenance*.

For each topic, an explanation is provided, followed by a list of *considerations*. The *critical questions* posed are intended to assist agencies in conducting a quick, informal self-assessment of existing emergency preparedness plans and to aid in plan development and improvement. While careful consideration has been given to including guiding principles, critical questions, and agency examples, this should not be viewed as a comprehensive compilation. Furthermore, the considerations presented are not intended to supersede or replace any existing policy or legislation, but simply provide a framework for ensuring the needs of people with disabilities are taken into account in workplace emergency preparedness. Please consult the appropriate entities for additional details on a particular subject.

As is the nature of emergency preparedness, this framework is an evolving document. It is anticipated that updates will periodically be issued to reflect significant enhancements in the field. The Subcommittee welcomes examples of agency effective practices and/or feedback regarding the ways the framework has aided in formulating or strengthening an agency plan. Please contact the Subcommittee at (202) 693-7880.

TABLE OF CONTENTS

Executive Order 13347 and The Council	i
The Workplace Subcommittee	ii
Important Note to Readers	iii
Table of Contents	iv
Necessity of Plans	1
Societal Changes	2
Legal Considerations	4
Homeland Security Presidential Directive 5 (HSPD-5)	4
The U.S. Access Board's ADA-ABA Accessibility Guidelines	5
The Rehabilitation Act of 1973, as amended (Rehabilitation Act)	7
The Americans with Disabilities Act (ADA)	8
State and Local Guidance	9
Agency Commitment	11
Development	15
Involving Key Personnel	16
Regional and Field Offices	20
Shelter-in-Place (SIP) Plans	23
Evaluating Employee and Customer Needs	26
The Buddy System and Cross-Training	27
Implementation	33
Communicating About and Distributing the Plan	34
Employer Responsibilities and Employee Right to Self-Determination	36
Working with First-Responders:	
First-Responder Responsibilities and Employee Right to Self-Determination	40
Re-thinking the Elevator Policy	44
Emergency Notification Strategies	48

Practice and Maintenance	53
 IN FOCUS TOPICS	
The Role of Federal Executive Boards (FEBs)	5
A Brief History: The Original ADA and ABA Guidelines	6
Engaging the Disability Community	18
Building Security Committees (BSCs)	21
Determining Equipment Needs	28
Service Animals and Emergency Preparedness	29
Deciding Whether to Request Assistance	38
First Responder Considerations in Emergency Situations	42
A Closer Look at Elevator Safety in Emergencies	46
The Importance of Redundancy: Situations and Notification Systems	50
Types of Drills	56
 Appendices	 59
Appendix A: Critical Questions List	60
Appendix B: Resources	64
Appendix C: Executive Order 13347	69
 Endnotes	 72

NECESSITY OF PLANS

NECESSITY OF PLANS

Societal Changes

Americans enjoy relative security in their everyday lives. Yet, the threat of emergency situations remains. From the string of Florida hurricanes and California wildfires to the East Coast blackouts and the September 11th terrorist attacks, Americans have been acutely reminded in recent years of the devastation caused by natural disasters, technological accidents, and acts of terrorism. Like most of the nation, the Federal Government has focused greater attention on not only responding to emergencies, but also preparing for them. This is due, in part, to events such as the bombing of the Oklahoma City federal regional building on April 19, 1995; the terrorist attacks on the Pentagon and the World Trade Center on September 11, 2001; and the shutting down of National Capitol Region (NCR) federal offices due to Hurricane Isabel on September 18-19, 2003.

Like most parts of society, the Federal Government has re-evaluated its approach to emergency preparedness and response. Significant improvements have been made. It is increasingly recognized that while preparedness at home is important, having a plan for the workplace is equally as critical. In addition to keeping employees safe, there is a need to ensure the safety of visitors. Still, research during the last decade has shown that people with disabilities are one segment of the workforce that is often overlooked during such planning efforts.

Explanations for this disparity vary but may

include fear, lack of knowledge, a decision to disregard the seriousness of a potential threat, or even the belief that there will be no personal effect. Employers may be hesitant about recruiting or retaining people with disabilities due to concerns related to securing their safety during an emergency. A recent case filed by the U.S. Equal Employment Opportunity Commission (EEOC) in the U.S. District Court for the Eastern District of Louisiana illustrates this concern:

A former employee was awarded nearly \$1.3 million after being terminated. The employer, an international science and chemical company, asserted that she was a “direct threat” because of being incapable of safely evacuating due to her inability to walk. However, a Human Resources Manager later admitted under oath that the employee was not a direct threat and was capable of safely evacuating by walking.

Keep in mind that job seekers, employees, and visitors with disabilities may also have concerns about their safety in an emergency. They may be reluctant to seek employment in or visit certain locations due to a fear of being trapped or not being accommodated in a dangerous situation. Consequently, emergency preparedness plans that do not include or adequately consider the needs of people with disabilities may hinder equal access to employment, goods, and services.

Plans that do consider the needs of employees and customers with disabilities must also be effectively reviewed, updated, and practiced on a continual basis. Consider this real-life

example of a U.S. Department of Labor (DOL) Occupational Safety and Health Administration (OSHA) Compliance Assistance Officer:

In August 2001, OSHA staff at the Manhattan Area Office completed an uneventful evacuation drill from their offices on the top floor of Building 6 of the World Trade Center complex. Managers felt confident that everyone could escape the building safely in an emergency—including an employee who had recently returned to work and was temporarily using a wheelchair. The evacuation plan had specifically been revised to accommodate his needs.

Within weeks, the practice proved more valuable than anyone could have imagined.

On the morning of September 11, 2001, OSHA employees had begun a routine day when an explosion shook the building. The Assistant Area Director immediately ordered everyone to evacuate. As the first plane hit the North Tower of the World Trade Center, debris began falling on Building 6. Staff rushed into the hallway. Three employees helped their co-worker in the wheelchair down the corridor and into a freight elevator they had used during the practice drill. They descended to the basement, into a garage, down some steps, and into another garage, where they escaped from the building.

The group moved outside just as the second plane hit the South Tower. As the group moved away from the site, the North Tower collapsed, destroying OSHA's Manhattan Area Office as it fell.

While there are no guarantees when it comes to maintaining personal safety or the safety of others in the event of an emergency, this OSHA employee is living proof that taking into account both those with and without disabilities in planning, training, and practice efforts is achievable. And, more importantly, such planning and practice does make a difference. “Sticking to the plan, and using the elevators is probably what saved us,” explained the OSHA employee’s co-worker.³

As federal agency plans continue to evolve, it is vital to consider the needs of all employees and visitors, including those with disabilities. The perspectives of people with disabilities should be taken into account throughout the mitigation, preparedness, response, and recovery phases of emergency management. While much has been accomplished, there remains much to do, throughout the Federal Government, in the Washington, DC area, and at federal facilities nationwide. Employees—including those with disabilities—should not make assumptions with regard to emergency preparedness. It is the responsibility of each individual to actively prepare, to the extent possible, whether on an individual, office, or agency level. It is also important to keep in mind that some individuals with cognitive or developmental disabilities may need additional assistance in preparing for and responding in emergencies. Consequently, thoughtful planning, collaboration, and steadfast commitment by agencies, managers, planners, first responders, employees, and service providers are key to ensuring a safer workplace for all.

Legal Considerations

Recognizing that everyone, including individuals with disabilities, should enjoy the same level of safety and security in their communities and work environments, President George W. Bush issued Executive Order 13347, *Individuals with Disabilities in Emergency Preparedness*, on July 22, 2004. The Executive Order directs the Federal Government to work together with state, local, and tribal governments, as well as private organizations to appropriately address the safety and security needs of people with disabilities. In addition to the Executive Order, there are a number of regulations, codes, and guidelines federal agencies must take into account.

For example, federal agencies located in buildings managed by the U.S. General Services Administration (GSA) must have an Occupant Emergency Plan (OEP), that complies with U.S. Department of Labor's (DOL) Occupational Safety and Health Administration regulations.⁴

The OEP should set forth procedures for safeguarding lives and property in the short-term. Variables such as building location, proximity to prominent landmarks or buildings, design features, and the missions of agencies occupying the building impact security and safety measures. Consequently, security, shelter-in-place, and evacuation procedures should be tailored to the facility. For GSA-controlled property, this is mainly accomplished through recurring threat assessments

completed by the Federal Protective Service/ U.S. Department of Homeland Security (DHS). Federal agencies in buildings not managed by GSA may contact the Federal Bureau of Investigation or local police for emergency preparedness and/or threat assessments.⁵

Homeland Security Presidential Directive 5

Issued in 2003, the Homeland Security Presidential Directive 5 (HSPD-5) established a single, comprehensive National Incident Management System (NIMS). The objective was to ensure that all levels of government had the capability to work efficiently and effectively together. As such, with regard to domestic incidents, crisis management and consequence management are treated as a single, integrated function, rather than as two separate functions.

The Directive requires all federal agencies to develop an Incident Command System (ICS) to facilitate a national, coordinated response to domestic emergencies. The general framework set forth in this Directive was patterned after the U.S. Department of Agriculture's (USDA) Forest Service ICS program. A closer look at the USDA ICS program reveals the establishment of a particularly noteworthy precedent: the position of *Special Needs Advisor to the Incident Commander*. While NIMS does not specifically mention such a position within the ICS, it does allow for this appointment at the discretion of the Incident Commander.

IN FOCUS:

The Role of Federal Executive Boards

One of the key ways information is shared between the Federal Government and field offices is through the 28 Federal Executive Boards (FEBs), which are comprised of federal agency senior staff and employees. The FEBs, which exist in cities with major federal activity, act as points of coordination for the development and operation of federal programs having common characteristics; serve as a means of strengthening field understanding and support of management initiatives and concerns; and provide federal representation and involvement in communities.

While not considered first responders, these boards have aided agencies in their commitment to the safety of federal workers through the dissemination of information. Along with city officials, FEBs provide recommendations to the Director of the U.S. Office of Personnel Management (OPM) and/or the local agency head, who also has the authority to close an agency. Nevertheless, the primary responsibility for emergency preparedness for all employees and for communicating these plans to the regions resides with agencies.

In cities where FEBs do not exist, there are Federal Executive Associations or Councils. They do not function within the same formal set of parameters (i.e., officially established by Presidential Memorandum and policy direction and guidance from the OPM) as do FEBs.

The U.S. Access Board's ADA-ABA Accessibility Guidelines

On July 23, 2004, the U.S. Access Board issued updated accessibility guidelines for new or altered facilities covered by Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA), so a consistent level of access is specified under both laws. Through this update, the Board sought to simplify compliance by making its guidelines more consistent with model building codes and industry standards. The Board coordinated extensively with model code groups and standard-setting bodies in order to reconcile differences. In particular, the Board sought to

align the guidelines with the International Building Code (IBC) and access standards issued through the American National Standards Institute (ANSI).

While the Board's guidelines are not mandatory, they do serve as the baseline for enforceable standards maintained by other federal agencies. In this respect, they are similar to a model building code in that they are not required to be followed except as adopted by an enforcing authority. Under the ADA, the U.S. Department of Justice (DOJ) and, in the case of transit facilities, the U.S. Department of Transportation (DOT) are

IN FOCUS:

A Brief History: The Original ADA and ABA Guidelines

Under the Americans with Disabilities Act (ADA) the U.S. Access Board is responsible for accessibility guidelines covering newly built and altered facilities. In 1991, the Board published the ADA Accessibility Guidelines (ADAAG), which served until July 2004 as the basis for standards used to enforce the law. Similar to its responsibility under the ADA, the Board maintains guidelines under the Architectural Barriers Act (ABA) that serve as the basis for enforceable standards. ADAAG included specifications for accessible means of egress, emergency alarms, and signage. Unlike the ABA guidelines, the ADA guidelines cover places of public accommodation, commercial facilities, and state and local government facilities. The new guidelines, which were published in July 2004, revised the original ADAAG.

ABA requires that buildings and facilities designed, constructed, or altered with federal funds, or leased by a federal agency comply with federal standards for physical accessibility. This requirement includes U.S. Postal Service facilities. ABA requirements apply only to architectural standards in new and altered buildings as well as newly leased facilities; they do not address the activities conducted in those buildings and facilities. The Board has updated its guidelines for ABA facilities jointly with the new ADA guidelines so that a consistent level of access is specified under both laws.

Prior to July 2004, the ABA design requirements were incorporated into the Uniform Federal Accessibility Standards (UFAS). The Rehabilitation Act regulations also use UFAS as the standard for new construction and alterations. UFAS Section 4.3.10: EGRESS provides that: "Accessible routes serving any accessible space or element shall also serve as a means of egress for emergencies or connect to an accessible place of refuge. Such accessible routes and places of refuge shall comply with the requirements of the administrative authority having jurisdiction." UFAS defines administrative authority as "[a] governmental agency that adopts or enforces regulations and standards for the design, construction, or alteration of buildings and facilities." Such a broad definition has made it difficult to articulate a specific standard that an ABA facility would have to meet nowadays.

Consequently, these guidelines have been brought more in line with International Building Code (IBC) and access standards issued through the American National Standards Institute (ANSI). Used by a growing number of states and local jurisdictions, the IBC contains scoping provisions for accessibility. The ANSI A117.1 standard, a voluntary consensus standard, provides technical criteria referenced by the IBC. A number of revisions were made to the guidelines for consistency with these and other model codes and standards. In addition, the Board worked to resolve remaining differences by advocating changes to the IBC and the ANSI A117.1 standard based on the new guidelines.

responsible for enforceable standards based on the Board's guidelines. Several other agencies, including the U.S. General Services Administration (GSA), the U.S. Department of Defense (DOD), the U.S. Department of Housing and Urban Development (HUD), and the U.S. Postal Service (USPS) hold similar responsibilities for standards used to enforce the ABA.

The four agencies responsible for implementing the ABA (HUD, DOD, GSA, and USPS) are now revising their ABA implementing regulations to adopt the new ABA Accessibility Guidelines published by the Board. The USPS has already adopted the new requirements. The DOD's rule is a work in progress. GSA—which covers most federal buildings—expects to publish a final rule in July 2005 that will require federal agencies and other entities subject to the ABA to comply with the new ABA Standards. Those guidelines will require covered entities to comply with the requirements for accessible means of egress established by the IBC in either its 2000 edition (as supplemented in 2001) or its 2003 edition.

The IBC provisions explicitly require “areas of refuge” in newly constructed buildings that do not have supervised sprinkler systems. These technical requirements for areas of refuge are essentially the same as the ADA requirements for areas of rescue assistance.

The Rehabilitation Act of 1973, as amended (Rehabilitation Act)

The Rehabilitation Act of 1973, as amended, prohibits discrimination on the basis of disability in federal programs or those receiving federal funding, and in the employment practices of federal agencies and their contractors. The Rehabilitation Act regulations also use the Uniform Federal Accessibility Standards (UFAS) for new construction and alterations, which makes it difficult to articulate specific standards for a facility covered by the ABA. However, there has been a push to have ABA buildings comply with the IBC provisions, which explicitly require areas of refuge in newly constructed buildings with no supervised sprinkler systems. The IBC model code establishes technical requirements for areas of refuge that are essentially the same as the ADA requirements for areas of rescue assistance.

- **Section 501** requires affirmative action and nondiscrimination in employment by federal agencies of the executive branch. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in Title I of the ADA. To obtain more information or to file a complaint, contact the Equal Employment Opportunity Office at www.eeoc.gov.
- **Section 503** requires affirmative action and prohibits employment discrimination by Federal Government contractors and subcontractors with contracts of more than \$10,000. For more information, visit the U.S. Department of Labor's Office of Federal

Contract Compliance Programs (OFCCP) Web site at www.dol.gov/esa/ofccp.

- **Section 504** states that “no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under” any program or activity that either receives federal financial assistance or is conducted by any Executive agency or the USPS. For information on Section 504, visit the U.S. Department of Justice’s (DOJ) Civil Rights Division Web site at www.ada.gov.
- **Section 508** requires that electronic and information technology developed, maintained, procured, or used by the Federal Government be accessible to people with disabilities, including employees and members of the public. An accessible information technology system is one that can be operated in a variety of ways and does not rely on a single sense or ability of the user. Some individuals with disabilities may still need software or peripheral devices in order to use these systems. More information can be found at www.section508.gov or www.access-board.gov.

The Americans with Disabilities Act (ADA)

The ADA prohibits discrimination on the basis of disability in employment; state and local government; public accommodations; commercial facilities; transportation; and telecommunications. The ADA also prohibits retaliating against, interfering with, coercing, intimidating, or harassing any individual who

opposes actions made unlawful by the ADA or who seeks enjoyment of (or assists others in the enjoyment of) any rights under the ADA. The ADA’s requirements apply to Congress, as well as to private entities and to state and local governments.

In most instances, an individual must have a disability or an association with someone with a disability in order to be protected by the ADA. The ADA defines an individual with a disability as “a person who has a physical or mental impairment that substantially limits one or more major life activities; a person who has a history or record of such an impairment; or a person who is perceived by others as having such an impairment.”

While the ADA does not refer to the development of emergency plans specifically, if plans are in place, they should include those with disabilities. Furthermore, plans may need to be established to fulfill a request for a reasonable accommodation. It should be noted that ADA regulations do require areas of rescue assistance in newly constructed buildings that do not have supervised sprinkler systems. This requirement is contained in the ADA Standards for Accessible Design. Areas of rescue assistance are not required in alterations.⁶

- **Title I: Employment** Employers with 15 or more employees must provide qualified individuals with disabilities equal employment opportunities. Discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment is prohibited. Questions

about an applicant's or employee's disability and/or medical examinations of an applicant or employee are also limited. Employers must make reasonable accommodations for otherwise qualified individuals with disabilities, unless this would result in undue hardship.

- **Title II: State and Local Government Activities** All activities of state and local governments, regardless of the entity's size or receipt of federal funding, are covered. Additionally, state and local governments are required to allow people with disabilities an equal opportunity to benefit from all programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings). This includes relocating programs or otherwise providing access in inaccessible older buildings, and communicating effectively with people who have hearing, vision, or speech disabilities.
- **Title III: Public Accommodations** This title covers businesses and nonprofit service providers that are public accommodations, privately operated entities offering certain types of courses and examinations, privately operated transportation, and commercial facilities. Public accommodations are defined as private entities that own, lease, lease to, or operate facilities. This includes restaurants, retail stores, hotels, private schools, convention centers, doctors' offices, homeless shelters, transportation depots, day care centers, and recreation facilities

(e.g., sports stadiums and fitness clubs). Transportation provided by private entities is also covered.

Public accommodations must comply with basic nondiscrimination requirements that prohibit exclusion, segregation, and unequal treatment, as well as specific architectural standards for new and altered buildings; reasonable modifications to policies, practices, and procedures; effective communication with people with hearing, vision, or speech disabilities; and other access requirements. Barriers in existing buildings must be removed when possible without much difficulty or expense.

State and Local Guidance

State and local anti-discrimination laws provide protections similar to the Rehabilitation Act and the Americans with Disabilities Act (ADA). In addition, state and local laws, regulations, and ordinances may impact general access to facilities as well as emergency planning efforts. Provisions of these laws that are inconsistent with federal laws and provide less protection are likely pre-empted; however, state and local laws that provide greater protection or greater access to facilities are not pre-empted. Such guidance applies to private facilities in which the Federal Government leases space. For more information on specific state codes, please visit the U.S. Access Board Web site at www.access-board.gov/links/statecodes.htm.

Critical Questions

- Are agency emergency preparedness personnel aware of applicable federal, state and/or local laws? If not, what steps are being taken to change this?

- How do each of these laws affect the development, implementation and maintenance of agency emergency preparedness plans?

- In instances in which an agency leases space in facilities owned by private entities or by state or local governments, how will responsibilities for various aspects of the emergency preparedness process be allocated between the parties of the lease?

Follow-Up Items

Agency Commitment

An effective emergency preparedness plan requires support and commitment from senior-level management within an agency. A preparedness plan will only be as good as the financial and personnel resources supporting it. The methods of securing and demonstrating managerial commitment to including people with disabilities in emergency planning vary from agency to agency. At some agencies, this has been accomplished through direct communications from executive-level officials, such as the Secretary or agency head. Because the protocols and forms of communications differ from agency to agency, personnel tasked with creating emergency preparedness plans must think creatively about obtaining and communicating the vital managerial buy-in.

Here are a few ways agencies have demonstrated their commitment:

- Created a position within the agency's Incident Command System (ICS) program to address the needs of special populations, including those with disabilities. This is provided for under the general framework of the Homeland Security Presidential Directive 5 (HSPD-5).

Example:

At the U.S. Department of Agriculture (USDA) headquarters, the position of Special Needs Advisor to the Incident Commander was established under the heading of Technical Specialist: Special Needs. This has given the

disability community a voice in the ICS, and an inside advisory position where the departmental plan for emergency preparedness, occupant emergency, communications, training, and review and evaluation has been designed, written and implemented.

- Established an emergency response team (ERT).

Example:

Established by U.S. Department of Labor (DOL) Secretary Elaine L. Chao and chaired by the Deputy Secretary and Assistant Secretary for Administration and Management (OASAM), the main goal of the ERT team is to develop and implement strategies to safeguard occupants of all DOL facilities. The team met frequently following September 11th and still meets on a quarterly basis. Recommendations are implemented with input from a number of agencies within DOL to ensure that all necessary issues are appropriately addressed.

Initially, forums were conducted to discuss emergency evacuation strategies for people with disabilities. These forums served several functions. First, they gave individuals from the Department's disability community the chance to provide valuable input and recommendations for enhancing procedures. Meetings also provided an opportunity to update personnel on ERT evacuation planning for people with disabilities, respond to concerns, conduct trainings and demonstrations, and listen to rationales for recommendations.

- Ensured everyone has a defined responsibility in emergency preparedness.

Example:

At the U.S. Social Security Administration (SSA), managers throughout the agency are automatically members of their building Occupant Emergency Program Organization. They work closely with the facility designated official, whose primary responsibilities include developing the site Occupant Emergency Program, ensuring appropriate emergency procedures are followed, and preparing occupants for emergencies. They fully cooperate with the Building Occupant Emergency Coordinator, the senior official of the largest department at the headquarters building, who assists the Designated Official. Managers and supervisors assist in clearing work areas; ensuring the evacuation of employees and visitors with disabilities; assisting emergency services as necessary; and accounting for all employees in the assembly area.

Example:

At the U.S. Department of Transportation (DOT), the senior management has oversight responsibility. Supervisors are responsible for ensuring the safety of their employees. Employees with disabilities also participate in planning for their own safety, which may include providing necessary information to personnel responsible for assisting them in the event of

an emergency. Finally, facility, emergency, and security personnel have the responsibility of planning for emergency situations in general, as well as considering the unique needs of people with disabilities.

- Conducted assessments of national and regional facilities.

Example:

In this process, the U.S. Department of Labor's (DOL) Office of the Inspector General concluded that a "cookie cutter" approach was not appropriate. Instead, DOL officials determined a more effective approach would be to address each situation and develop procedures that considered the needs of all employees, including people with disabilities.

Critical Questions

- Have senior-level staff demonstrated a commitment to developing, implementing, and maintaining a plan that includes people with disabilities?

- If not, what can and is being done to increase awareness of the importance of this issue, particularly among senior staff?

- If senior staff have recognized the importance of this issue, describe in some detail evidence of this agency commitment.

- How might this support be strengthened and re-affirmed? Which areas (e.g., communicating the plan, practicing) need particular work? What are some strategies for addressing these areas?

Follow-Up Items

DEVELOPMENT

DEVELOPMENT

Involving Key Personnel

While planning for every situation that may occur in an emergency is impossible, being as prepared as possible is important. One way of accomplishing this is to consider the perspectives of various individuals and entities—from senior staff and employees with disabilities to first responders and agencies in nearby space. Involving these key groups early on will help everyone understand the existing state of plans and the challenges that each stakeholder group faces, whether it is related to physical, sensory, or cognitive ability, or personnel, budget, or resources.

U.S. Office of Personnel Management (OPM) guidance reminds managers, “[E]mployees will look to you for support in a time of emergency. It is important that you understand the plan your agency has in place....”⁷

Considerations

- Are there individuals with disabilities involved in the planning process? If so, do their perspectives represent the broader views of the disability community?

Note:

Not only is it important that many types of disabilities are represented (i.e., vision, mobility, cognitive, developmental, and hearing), but the ideas presented should encompass the views and needs of many individuals within a particular disability category.

Example:

The U.S. Department of Agriculture (USDA) utilizes the Incident Command System (ICS) to enable the Special Needs Advisor to evaluate all emergency preparedness activities. This individual provides input on all emergency plans for personnel and visitor movement (evacuation and shelter-in-place), communication systems (purchases and upgrades), as well as training programs and schedules.

The Special Needs Advisor also studies the potential impact of policies under consideration by the USDA ICS. If a suggested program or system negatively impacts one of the four major disability categories (vision, mobility, cognitive and hearing), then changes are made to ensure all have access to the information or program. Often, accommodations that are made for individuals with disabilities have benefited the entire building population.

- The active support and understanding of senior staff is essential to bringing about effective and lasting change. Do senior-level staff understand and support the plan or the need to make changes, so as to include people with disabilities?

Note:

One possible method of getting management on board is to present the risk(s) for the organization (i.e., One person getting hurt will impact more than 100 people.).

Example:

The U.S. Department of Transportation (DOT) accomplished this critical step through a Secretarial memorandum to the agency's key leaders. The memorandum demonstrated both the significance of this issue to all the Departmental employees and the Secretary's commitment to individuals with disabilities. For example, the memorandum designated specific roles and responsibilities in developing the emergency preparedness plan. It also required that people with disabilities be involved in the plan development, and mandated that the DOT Secretary be provided a summary of steps that had been or would be taken (to fulfill the responsibilities and roles delineated). Accordingly, implementation and maintenance of the plan met with little resistance.

- First responders and service providers are a valuable resource during this phase of the process. They can provide input on the feasibility of plans, as well as coordinate response efforts with an agency.

Example:

The U.S. Department of Labor (DOL) headquarters has its own command center, which is also connected to the police department. The agency has worked closely with authorities to establish protocols regarding who will respond in specific situations. Sometimes the trained DOL staff (e.g., security personnel) handle issues, while local entities are called in other times.

Example:

According to Kathy Hargett of the President's Committee on People with Intellectual Disabilities, in anticipation of possible computer or electrical outages at the change of the Millennium, the New York City Regional Office for Mental Retardation and Developmental Disabilities (NYCRO MR/DD), in partnership with service providers, developed emergency plans for those whom they serve. These plans included identifying the location of 65,000 individuals; establishing alternative respite and residential facilities to accommodate them; and having a 7-day, portable supply of medications. In addition, these partners participated in training exercises prior to the end of 1999.

On September 11, 2001, these plans resulted in the identification and safe evacuation of more than 2,000 people with mental retardation/developmental disabilities (MR/DD) in the area around the World Trade Center. This included people with profound MR/DD in addition to those with higher functioning abilities.⁸

- Working with facilities personnel and agencies in nearby or adjacent spaces ensures that the plan meets federal and local requirements, and does not conflict with established procedures.

Example:

The U.S. Department of Labor (DOL) headquarters worked with nearby employers and first responders to designate assembly areas following an evacuation. The agency also consulted security and facilities personnel to free evacuation routes of barriers (e.g., construction, security barricades, etc.).

IN FOCUS:

Engaging the Disability Community

Not sure of ways to engage the disability community? Here are a few places to start:

- **Federal Agency Disability Advisory Councils**—These informal groups of federal employees often have regular meetings. Check with disability program managers in the agency for more information.
- **National disability organizations and/or their local affiliates**—There are several national cross-disability organizations as well as a number of disability-specific organizations with local affiliates. Check the Web or phone book for more information.
- **State Vocational Rehabilitation agencies**—In addition to providing employment-related services, Vocational Rehabilitation (VR) offices assist people with disabilities in living as independently as possible by providing services and educating the public. They may be listed under Vocational Rehabilitation, Rehabilitation Services Administration, or Rehabilitation on the Web or in the phone book. A complete listing may be found at www.jan.wvu.edu/SBSES/VOCREHAB.HTM.
- **Centers for Independent Living (CILs)**—These community-based resource and advocacy centers are managed by and for people with disabilities. Approximately 550 CILs throughout the United States promote independent living and equal access for all persons with physical, mental, cognitive, and sensory disabilities. Visit www.virtualcil.net/cils/ for a listing of centers.
- **State or local government committee, commission, or council on disabilities**—These are often part of the Governor's office or cabinet.
- **Department of Veterans Affairs (VA) regional offices**—The VA provides education and training; compensation and benefits; medical care, as well as other services to the nation's veterans and their families. Visit www.va.gov/index.htm for more information.
- **Community-based nonprofit organizations and agencies**—There are a variety of community-based organizations and agencies that work with people with disabilities. Check local listings for more information.
- **Local ADA coordinators**—Contact the mayor's office or the county government office for more information.
- **Citizen Corps Councils**—With over 1,600 Citizen Corps Councils nationwide, these councils coordinate the grassroots emergency preparedness efforts of volunteer programs, elected officials, business, emergency managers and citizens. The National Citizen Corps Council, in partnership with the Department of Homeland Security's Office of Civil Rights and Civil Liberties, has convened a subcommittee of various national disability consumer advocacy organizations to address the issues emergency preparedness and response as it related to individuals with varying abilities. Visit www.citizencorps.gov for more information.

Critical Questions

- Are key staff familiar with the Occupant Emergency Plan (OEP)?
- Are individuals with disabilities involved in all aspects of emergency preparedness? If not, what steps have been taken to engage the disability community? Have the broad perspectives of the disability community been considered?
- Do senior staff support the process of updating your agency plan? If not, what steps will be taken to change this?
- Has the plan been reviewed by first responders and facilities personnel?
- Does any part of the plan conflict with procedures established by nearby agencies?

Follow-Up Items

Regional and Field Offices

Approximately 84 percent of all federal employees work outside the National Capital Region (NCR). Not only do field representatives carry out many of the federal programs, but they also serve as the Federal Government's principal means of contact with citizens. Regional and field offices face unique challenges when it comes to emergency preparedness planning. Given their unique function and locations, these offices must consider the needs of employees with disabilities, personnel previously unidentified as having a disability, and the public. It is also essential that federal safety plans take into account the plans of agencies and/or businesses in adjacent space. Below are a few factors to consider when developing, implementing, and maintaining plans, including those for field offices.

Considerations

- Federal agencies that share building space with private companies or other federal agencies must consider how another plan (or lack thereof) will affect their own.

Note:

Federal agencies throughout the country have unique characteristics. Some are located in government-built and owned buildings, while others are located in privately-owned buildings. Some are sole occupants, while others share space with other federal agencies or private employers. Some occupy entire campuses, while others may be isolated industrial-style facilities, such as warehouses. Regardless, a

coordinated approach to evacuation or shelter-in-place is essential to ensure the safety of all building occupants.

- Determine what effect the agency's location will have on egress routes and access to resources.

Note:

Busy streets, construction, and security barriers can all hinder an individual's ability to evacuate. Individuals in rural areas may have difficulty getting home in the event of an emergency, especially if they rely on para-transit services. Working with local first responders, city officials, and building personnel is essential.

- Take into account the personnel and visitors in the building on an average day.

Note:

Some federal agencies have very few non-government personnel in the building. Other offices, especially those that provide services to the public, have a constant flow of visitors and non-government personnel.

- Be aware of employees' needs; however, remember to also consider the needs of others in the building. This may include children in the daycare center, cafeteria workers, contractors, sales representatives, and personal visitors.

IN FOCUS:

Building Security Committees (BSCs)

Security needs vary by location, even among facilities at the same security level. In order to adequately address security concerns at each facility under the control of U.S. General Services Administration (GSA), Building Security Committees (BSCs) have been established. These committees, which meet regularly as well as whenever the building tenants or an agency's mission changes, consist of representative(s) from each of the federal agencies occupying a particular building. In addition to ensuring people follow building security practices and employees receive training related to the Occupant Emergency Plan (OEP) and security awareness, the BSCs must continually evaluate the building security standards.

Routine security assessments (using the U.S. Department of Justice's Vulnerability Assessment of Federal Facilities standards) are typically conducted by a Federal Protective Service (FPS) Inspector or Physical Security Specialist (PSS) designated by the FPS/DHS. The findings from the assessments are shared, discussed, and validated with the BSC. The Committee then conveys its recommendations and cost estimates to GSA.

To determine if an agency has BSC representation, contact a FPS/DHS regional office. More information can be found at www.ice.gov/graphics/fps/contact2.htm.

Shelter-in-Place (SIP) Plans

Sheltering-in-Place means seeking immediate shelter and remaining there during an emergency rather than evacuating. Because evacuating may put individuals at greater risk of harm or injury, SIP may be the preferred method of safely waiting out a hazardous event. In most cases, the latter option only lasts a few hours. Advance preparation can help ensure that everyone remains as comfortable as possible. In some cases, occupants may be instructed to evacuate after a certain period of time. Generally, a SIP plan involves taking the following actions steps:

- Shutting down the building's ventilation system as quickly as possible;
- Turning off the elevators;
- Closing all exits and entrances and securing the loading dock and garage areas;
- Notifying occupants and visitors—via an audible and visual public address system, phone, e-mail, pagers, etc.—of the event and emergency procedures, as well as providing updated information as needed; and
- Asking everyone to remain in the building, until it is safe to leave.

Considerations

- Determine the action steps to be taken under given sets of emergency conditions. Include emergency scenarios that may occur without access to electrical power supplies. Identify and incorporate the steps

needed to assist individuals with disabilities or special needs (see *Evaluating Employee and Customer Needs*). In the event of an actual emergency, responsible officials will be implementing pre-determined and approved protective actions.

- Communicate the procedures for sheltering-in-place to all building occupants prior to an actual emergency, and mark all designated areas with clear signage.
- Ensure there are multiple and redundant means of conveying timely information to both employees and visitors with disabilities, including deaf or hard of hearing individuals. Keep in mind that interpreters, transliterators, assistive listening devices, Communication Access Realtime Translation (CART) as well as other aids or services may not be available during the SIP.
- Encourage staff to store any specific personal supplies (e.g., medications, supplies for service animals, etc.) they may need at their desks.

Example:

U.S. Department of Labor (DOL) headquarters has two separate procedures for sheltering-in-place, depending on the nature of the emergency. *Posture I Advisory* requires that employees and their visitors remain at their workstations and wait for further instruction. *Posture II Advisory*, used in situations deemed highly critical, requires that staff and visitors move to the nearest designated shelter-in-place. Employees are given laminated cards that provide written reminders of the

procedures and designated areas. The information is also available on-line for those needing alternate formats. During both types of SIP, no one is allowed to leave or enter the building. The doors are locked for everyone's protection. Each SIP area has telephone(s) and secured cabinets, which are used to store food and other emergency supplies. There is enough food and supplies for both employees and visitors for a period of time. Floor Wardens, Zone Monitors, and security personnel have key access to these cabinets.

Note:

Zoë Fearon of DOL's Office of the Assistant Secretary for Administration and Management (OASAM) reminds employees and others that the length of time for a shelter-in-place is usually relatively short. "The need to shelter-in-place [due to an airborne substance] only lasts for 4-6 hours." Although agencies should prepare for their employees and visitors, Ms. Fearon urges staff to store any specific personal supplies (e.g., medications, supplies for service animals, assistive listening devices, extra batteries, etc.) at their desks. When the need for a shelter-in-place has passed, authorities explain the reason for it.

Example:

U.S. Department of Agriculture (USDA) headquarters uses several communication systems to keep employees and visitors informed of situations that necessitate sheltering-in place. These include the Computer Emergency Notification System (CENS), the public address system, wireless email devices, and Local Area Network (LAN)

televisions located throughout the complex. These same systems are used to communicate with employees and visitors with disabilities about obtaining assistance, if needed.

Storage lockers throughout the USDA facilities hold emergency supplies such as water, blankets, and medical supplies. The sheer number of employees prevents USDA from stocking enough supplies for everyone, so staff maintain personal *Grab and Go* kits, which contain at least a three-day supply of essential items (e.g., hearing aid batteries, supplies for service animals, and/or personal medical supplies).

The USDA has two SIP movements. Because almost all the offices in the headquarters complex have windows, employees and visitors are instructed to move to interior hallway spaces, closing windows and locking doors as they relocate. For lighter-than-air chemical, gas and biological events, occupants move to the lower three levels of the complex. For heavier than air chemical, gas and biological events, employees and visitors relocate to the upper three floors.

Elevators are used to re-locate persons with mobility impairments. Employees and visitors with mobility impairments are encouraged to self-identify to floor wardens, or to use the "*Warden Phones*" to obtain permission to use the elevators. By monitoring the weather (via the Emergency Command Center) and staying in close contact with other federal agencies, the USDA is able to use the elevators until just prior to the expected arrival time of the hazardous plume.

Critical Questions

- Have the steps for evaluating an emergency situation and subsequent action been clearly defined, agreed upon, and communicated to all necessary staff?

- Are there multiple methods in place to relay timely and relevant information to all staff and visitors?

- Have all SIP areas been clearly marked?

- Are plans in place that would allow for communication with all staff and visitors to the facility, including those who are deaf or hard of hearing or may have communication difficulties? If not, what steps are being taken to ensure that there are plans in place?

- Are employees encouraged to keep extra medication or personal supplies at their desks?

Follow-Up Items

Evaluating Employee and Customer Needs

Privacy is important. The ADA and the Rehabilitation Act strictly limit how, when, and what type of information can be gathered about an employee's medical condition, even for purposes of emergency preparedness. Additionally, the Rehabilitation Act and U.S. Office of Personnel Management (OPM) policies require that medical information be kept in a file separate from the employee's personnel file.

Considerations

- The Rehabilitation Act of 1973 gives agencies and federal contractors permission to gather pertinent information (i.e., the type of emergency assistance an individual needs and how it relates to the individual's disability), and to disseminate it to necessary personnel.⁹

Example:

At the U.S. Department of Energy (DOE), a Self Identification/Needs Form has been used to collect the information. The form, developed by the agency's Disability Action Council (DAC), provides individuals with disabilities an opportunity to voluntarily self-identify their requirements and initiates an action by the Emergency Personnel. The form—which asks for an individual's contact information, work hours, supervisor's name, and the type of assistance needed—is also used in developing personal support networks, promoting cross training, and planning for evacuation. Several co-workers are typically identified to assist an

individual, in the event that the primary person is unavailable.

- It is important to reassure employees of confidentiality: that the information will be shared only with those responsible for safety and emergency preparedness.
- Have a dialogue with employees. Communicate the reasons for gathering any medical information, and inform them that responding is voluntary. In addition, let employees know who will have access to the information.
- There are three key points at which the information may be collected¹⁰:
 - **Before Employment Begins:** After a job offer has been made, but before employment commences, all entering employees in the same job category may be asked disability-related questions, including whether they would require assistance in the event of an emergency and what type of assistance would be necessary.
 - **On the Job:** All employees may be asked to voluntarily self-identify if they have impairments that would make assistance necessary in the event of an emergency. For those who respond affirmatively, employers may ask what type of assistance employees would need.
 - **Employees with Obvious Disabilities:** Even if an employer decides not to ask all employees to voluntarily self-identify as needing assistance in an emergency, employees with known disabilities may be asked whether and what type of assistance they may need in an

emergency. An employer should not assume that employees with obvious disabilities will always need assistance during an evacuation. However, remember that people with cognitive or developmental disabilities may not have the judgment and cognitive skills required to articulate their needs. Generally, people with disabilities are in the best position to determine their own needs.

- The Rehabilitation Act allows disclosure of medical information to first aid and safety personnel, as well as to those who are responsible for implementing the emergency preparedness plan.
- Only medical information necessary to implement the emergency preparedness plan may be disclosed.
- When making equipment decisions, it is best to talk with people with disabilities and other federal agencies, as well as work with local emergency response personnel and community organizations. Communicate regularly with these entities in order to educate new emergency response personnel and to keep abreast of new technology or procedures.
- Those employees with service animals should be encouraged to relay to emergency management personnel their preferences with regard to evacuation and handling of the animal.

Note:

Although it may be difficult, encourage employees to think about under what

circumstances they may have to make a decision about leaving the service animal behind, and share these preferences with the appropriate personnel.

The Buddy System and Cross-Training

In a traditional buddy system, people pair up as partners to assist each other. For most people, the buddy system is a redundant and additional measure that supplements other means of notifying individuals about and responding to an emergency. A buddy can help ensure that an employee with a disability is informed about and appropriately responds to an emergency. It is important that buddies be able to communicate with and assist the employee with a disability.

Reliance on a single buddy can put the employee who needs assistance at risk, especially when the buddy is not present, able, or willing to assist during an emergency. Therefore, flexibility in an emergency preparedness plan is vital.

Note:

According to Bruce McFarlane, Director of the U.S. Department of Agriculture's (USDA) Target Center, plans should not be based on the buddy or employee being in his or her own office at the time of an emergency. He believes that planning that is person- or location-dependent generally has glaring weaknesses. Consequently, he sees the buddy system as not exclusively effective, since it is both person and location dependent.

IN FOCUS:

Determining Equipment Needs

One of the most critical aspects of implementing and maintaining an effective plan is determining the type of equipment necessary to keep individuals safe, whether it be during a shelter-in-place or an evacuation. There is no one model or piece of equipment that is appropriate for every situation or individual. There are currently no standards governing the type of equipment that must be provided for the safe evacuation of people with disabilities. However, below are a few issues to keep in mind during the selection and procurement decision-making process:

- Consider keeping extra equipment (e.g., wheelchairs, assistive listening devices, simple communication boards) in central locations for employees or visitors.
- Employees with disabilities are often a good resource for accommodation ideas. Remember to consider temporary impairments and hidden disabilities.
- Contact other agencies, local first responders and community organizations (e.g., fire and police departments, Centers for Independent Living, etc.) for input and feedback.
- Taking into account all occupants and visitors may necessitate obtaining equipment different from that for specific individuals.

Additionally, architectural realities, budgetary constraints, and agency characteristics should be evaluated, since these factors undoubtedly impact equipment decisions.

When discussing the use of equipment in emergencies, two related aspects of evacuating people with mobility disabilities often arise: moving the individual (either by using a device or carrying the individual) and evacuating his or her personal mobility devices. Whatever the situation, it is essential to involve the individuals with a disability in the discussion. Keep in mind that some people have preferences about being moved and about the handling of their mobility devices. Additional considerations include the following:

- As is the case with any equipment, make sure people are trained on use of the device, and have regular practice sessions.
- Carrying a person can be somewhat cumbersome and even dangerous. Talk with individuals to determine the best way to move them, making sure to rehearse the procedure.
- If there is absolutely no one available to assist the individual, consider instructing him or her to go to a designated area and contact emergency personnel.
- Think about implementing a plan that provides for the evacuation of mobility devices. This makes for a smoother transition for the employees who use these devices. Otherwise, employees will be essentially helpless upon fleeing from the emergency situation.

IN FOCUS:

Service Animals and Emergency Preparedness

Service animals assist people with disabilities with day-to-day activities. While most people may be familiar with guide dogs trained to assist people with visual impairments, service animals may be trained for a variety of tasks, depending on an individual's disability. These tasks may include alerting a person to sounds in the home and workplace, pulling a wheelchair or picking up items, or assisting with balance.

The Americans with Disabilities Act (ADA) defines a service animal “as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.” Service animals do not have to be licensed or certified by state or local government. Under the ADA, they are permitted in private facilities that serve the public, including shelters, hospitals, and emergency vehicles; in state and local government facilities; and in the workplace.

A service animal can be excluded from a facility under the following rare circumstances:

- The animal's behavior poses a direct threat to the health or safety of others;
- The animal's presence would result in a fundamental alteration to the nature of a business or a state or local government's program or activity; or
- The animal would pose an “undue hardship” for an employer.

Such instances include when a service animal displays vicious behavior toward visitors or co-workers, or when a service animal is out of control. Even in these situations, the public accommodation, state or local government, or employer must give the individual with a disability the opportunity to enjoy its goods, services, programs, activities, and/or equal employment opportunities without the service animal (but perhaps with some other accommodation).

Keep in mind that the individual and his/her service animal are a team and should not be separated. The success of this working team is based not only on hours of practice, but also a personal bond. Typically, these animals are trained to remain with the individual and respond only to his or her commands, unless instructed otherwise. With this in mind, consider the talking the following actions in emergency preparedness:

- Practice the evacuation drills with the individual and his/her service animal.
- Discuss how to best assist if the service animal becomes hesitant or disoriented in the situation. Make sure everyone, including the service animal, is comfortable with this routine.
- Notify first responders of the employee with a disability and his/her service animal.
- Encourage the employee to keep extra food and supplies on hand for the service animal. Consider keeping supplies or food on hand for the service animals of visitors as well.

Having an effective procedure in place may mean augmenting the traditional buddy system with additional supports for the employee; in other words, have multiple individuals prepared to assist in an emergency, thus creating personal support networks. For example, the U.S. Access Board chose not to use the buddy system, given staff travel and training schedules and the agency size (less than 30 staff). Instead, staff who volunteered to work with people with disabilities during an emergency situation were cross-trained.

Note:

Whether an agency utilizes the buddy system or personal support networks, Peg Blechman, a Compliance Specialist with the U.S. Access Board, recommends that “participation be voluntary, volunteers be cross-trained and have volunteers assemble at central location(s).” If the buddy or the employee is unavailable, a backup system should be utilized. Blechman emphasizes that redundancy is key!

With either approach, cross training is essential. Individuals (and their co-workers) needing to use emergency evacuation devices, such as evacuation chairs, should be trained regarding their proper operation. This will allow these employees to better direct others on the use of the equipment, in the event that “trained” personnel are not available.

Example:

At the U.S. Social Security Administration (SSA), evacuation chairs have been issued to every employee who will require a chair for emergency evacuation. Additionally,

evacuation chairs have been mounted in or near every emergency stairwell above the ground floor in SSA space to accommodate visitors or individuals injured during an emergency, providing a rapid means of evacuation. Monitors are trained on the use of the chair and employees with disabilities are encouraged to participate in the training. Chair training is part of the Occupant Emergency Organization training conducted by SSA’s Office of Protective Security Services, Office of Facilities Management, with its training partner, the University of Maryland’s Fire and Rescue Institute at College Park, Maryland. Training occurs through various means, at SSA sites across the nation.

A few additional considerations:

- Include training for those who work after normal business hours.
- Check with buddies or personal support networks quarterly to make sure the individuals are still willing and able to assist in an emergency; also, be sure to notify them of changes in work schedules.
- Consider one-on-one training or evaluation of evacuation devices for individuals who may be uncomfortable practicing evacuation procedures in a group setting.

Critical Questions

- Has information about an employee’s need for assistance in the event of an emergency evacuation been collected in a manner that is consistent with the Rehabilitation Act?

- Have steps been taken to clearly communicate the reasons for gathering the information and the importance of maintaining the employee’s confidentiality?

- Has only the essential medical information been shared with just those who need to know (e.g., first aid personnel, safety staff, and those responsible for implementing the plan)?

- Has the agency consulted with other agencies, entities, and individuals with disabilities in selecting equipment?

- Are there employees with service animals? What specific plans have been put in place for individual and service animal teams? Have plans been made for visitors with service animals?

- Have efforts been made to facilitate the establishment of personal support networks?

- Have all employees needing and providing assistance had adequate training on equipment and emergency procedures?

Follow-Up Items

IMPLEMENTATION

IMPLEMENTATION

Communicating About and Distributing the Plan

Communicating effectively is vital in any emergency preparedness plan. It can impact the establishment of emergency plans, maintenance of an effective plan, and response to drills and/or an actual emergency. In short, it directly affects an individual's ability to remain safe in an emergency, and can mean the difference between life and death, or well-being and injury. One aspect of communication involves ensuring that everyone understands the plan and can easily locate the necessary information. An agency may communicate information about its emergency preparedness plan in a number of ways (e.g., through an internal Web site available to all employees, through written procedures or memoranda, and at staff meetings). Regardless of the methods used, communications to employees with disabilities must be as effective as those to non-disabled employees.

Considerations

- Information distributed through the agency's Web site or intranet should be accessible to blind/low-vision employees who use screen readers, as well as those employees who may use speech recognition technology.

Note:

PDF files and PowerPoint presentations may be inaccessible using screen readers. If an agency uses such formats to communicate emergency preparedness information, the

documents should also be made available in a word processing application or plain text. Text descriptions should be provided for images, graphics, and charts.

- Hard copy documents should also be provided electronically, whether on e-mail, disk, or CD. Text descriptions should be provided for graphics, images, and charts.
- Use simple language and different formatting techniques to highlight key points and make the document more reader-friendly.
- Locate the plans in a prominent place(s) on the agency's intranet and, if possible, throughout the building.
- Conduct meetings or training sessions for staff in locations accessible to employees who use wheelchairs.
- Ensure effective communication with employees who are deaf or hard of hearing (i.e., by providing qualified sign language interpreters, transliterators, Communication Access Realtime Translation [CART], assistive listening devices, or other aids/services) at emergency preparedness training sessions and meetings.
- For buildings or agencies that issue frequent-visitor identification badges (in order to expedite security clearance each time the non-agency personnel visits the facility), distribute emergency evacuation and shelter-in-place (SIP) information at the time the identification badge is issued.

Critical Questions

- Is emergency preparedness information communicated with the same frequency and level of detail to all employees? If not, what steps will be taken to correct this?
- Is the information on emergency preparedness on the agency Web site or intranet easy to locate and available in a text version? Are there text descriptions for every image, graphic, and chart?
- Are emergency preparedness training sessions and meetings in accessible locations? Are qualified sign language interpreters, transliterators, CART, assistive listening devices, or other aids/ services provided when necessary to ensure effective communication with deaf or hard of hearing employees?
- If possible, are copies of the plan placed in prominent locations throughout the building?
- Are emergency-evacuation and general SIP information distributed to those who have frequent-visitor identification badges?

Follow-Up Items

Employer Responsibilities and Employee Right to Self-Determination

Each agency must provide a safe workplace for all employees, including those with disabilities. It is incumbent upon managers who oversee employees with disabilities to be aware of specific emergency preparedness guidance outlined in the agency's Occupant Emergency Plan (OEP). Furthermore, managers should be proactive in discussing the topic with all employees. At the same time, people with disabilities must take responsibility for engaging in emergency preparedness.

Neither the Rehabilitation Act of 1973 nor the Americans with Disabilities Act (ADA) specifically require emergency preparedness plans. They do, however, require equal access for people with disabilities to the benefits and privileges of employment, the programs and activities conducted or funded by the Federal Government or state and local governments as well as to the goods and services made available by places of public accommodation. If a plan is in place, it must include people with disabilities. Employers who do not have emergency evacuation plans may still have to address emergency evacuation for employees and visitors with disabilities under Sections 501 and 504 of the Rehabilitation Act and/or under the ADA.

Employers undoubtedly bear much of the responsibility for emergency preparedness, but employees with disabilities must also actively

participate in the process. Dr. Richard Horne, Supervisory Research Analyst in the Office of Disability Employment Policy (ODEP) at the U.S. Department of Labor (DOL), stresses that if employees do not plan, then what they need will not be in place when it is needed. A dialogue between employees and employers is essential in successful planning. While an employer should make every effort to ensure the safety of all employees, the reality is that not everyone who may need assistance in an emergency will know that they should or will want to ask for help in advance of an emergency. More importantly, employees should not assume that plans have been made to assist them.

Considerations

- *If a person believes he/she does not need assistance, but impedes others during an evacuation drill, talk to the individual directly and privately to try and work out a solution. Generally, the Rehabilitation Act prohibits an employer from requiring that an employee with a disability accept a reasonable accommodation. At the same time, an employer may take appropriate action to ensure that an individual with a disability does not pose a "direct threat" (i.e., a significant risk of substantial harm to the individual or others) in the workplace.*
- *Reconsider your agency's definition of disability, or at least the means of identifying who will need assistance during an emergency. Think broadly. Do not limit assistance to only those who meet the Rehabilitation Act's definition of "disability."*

This will maximize the effectiveness of an emergency preparedness program and may encourage individuals who do not consider themselves “disabled” to plan ahead. Additionally, conducting practice drills can be helpful in determining whether or not assistance is needed during an emergency.

Note:

June Isaacson Kailes, Associate Director at the Center for Disability Issues and the Health Professions at Western University of Health Sciences, insists, “Many people who need assistance will never, ever identify as having a disability or having ... a special need.” She attributes this primarily to the fact that “...Unfortunately, many people still attach a broad amount of stigma to disability and do whatever they can to stay away from that effort.”

- Regardless of whether individuals choose to self-identify, they should be encouraged to plan. Avoid the avoidance tendency!

Note:

*As mentioned earlier, employees must take the initiative to ensure that plans are in place for them. Whether or not people choose to self-identify, plans are essential to mitigating the impact of any emergency. As June Isaacson Kailes explains in *Evacuation Preparedness: Taking Responsibility For Your Safety: A Guide For People With Disabilities and Other Activity Limitations*, “There is a universal human tendency to avoid thinking about possible emergencies. This avoidance has greater consequences for people with disabilities than for people without disabilities.”¹¹*

- Involve people with disabilities in all stages of the process. If you are constructing an individual plan, talking with the employee is key. The disability community motto, “Nothing About Us Without Us,” should be a guiding principle in emergency preparedness planning.

Example:

During a 1993 fire drill at the U.S. Department of Agriculture (USDA) headquarters, multiple employees with disabilities were either left behind or unable to evacuate. Following that event, a panel consisting of six employees convened to ensure this would not happen again. In 1994, the panel prepared *Occupant Emergency Plan Review for Employees with Disabilities*. A key recommendation of the report was the call for autonomy and independent decision-making authority in emergency planning.

- Do not exclude individuals with disabilities from employment or employment-related activities because of fears about workplace emergencies. Only when the agency can demonstrate that a person with a disability will pose a “direct threat” can it lawfully exclude the individual from employment or other employment-related activities.

Definition:

A direct threat means a significant risk of substantial harm to the individual or others that cannot be reduced or eliminated through reasonable accommodation. Assessments should take into account the needs of individual employees. Avoid making generalizations based on an individual's disability. Concerns

about evacuating an individual will rarely, if ever, meet the direct threat standard.

- Keep in mind that the Rehabilitation Act generally prohibits agencies from limiting, segregating, or classifying individuals with disabilities in a manner that discriminates against them.

Example:

If an agency places all employees with disabilities, or those needing assistance in the event of an emergency, in a single workspace, this would likely violate provisions of the Act.

- When requested as a reasonable accommodation, an employer may relocate a particular employee with a disability to a different part of the facility (e.g., to the first floor) in order to aid in the evacuation process, as long as it is not an undue hardship for the organization.

IN FOCUS:

Deciding Whether to Request Assistance

Employees consider the following situations when determining whether to request assistance:

- Limitations that interfere with walking or using stairs;
- Reduced stamina, fatigue, or tire easily;
- Emotional, cognitive, thinking, or learning difficulties;
- Vision or hearing loss;
- Temporary limitations (surgery, accidents, pregnancy); or
- Use of technology or medications.

Critical Questions

- Are there employees who impede the evacuation of others? Has the issue been addressed privately and directly? Have solutions or alternatives been suggested?
- Have all of the following factors been thoroughly considered when determining whether a particular applicant or employee with a disability would pose a "direct threat"?
 - The nature and severity of the potential harm
 - The likelihood that the potential harm will occur
 - The duration of any risk posed by the individual
 - The imminence of the potential harm
 - The availability of any reasonable accommodation(s) that would reduce or eliminate the risk
- Has every effort been made to ensure that people with disabilities have been included in the emergency planning process?
- Has every effort been made to ensure that people with disabilities have not been segregated or discriminated against in establishing emergency procedures?
- Have employees made requests for reasonable accommodations with regard to emergency preparedness? If so, have all these requests been fulfilled? If not, can the agency show that providing the accommodation(s) would impose an undue hardship?

Follow-Up Items

Working with First-Responders: First-Responder Responsibilities and Employee Right to Self-Determination

The priorities of first-responders and people with disabilities sometimes seem at odds. Accounts from September 11, 2001, indicated that several individuals with disabilities decided to wait in the stairwells for rescuers. Rescuers never reached them. Others with disabilities chose to evacuate, with the help of co-workers and rehearsed plans. This situation was not unique, and it exemplifies a common dilemma: To what extent should an agency or individual rely on first responders to evacuate an employee? By the same token, to what degree should an individual be able to decide how to get out of the building? Remember that choosing whether to wait for first responders in order to evacuate is a personal decision. Nevertheless, all options should be clearly and thoroughly explained, so the employee can make an informed decision.

Considerations

- Create opportunities for employees with disabilities to make their preferences known, and share the agency's policy with all staff.

Example:

Prior to September 11, 2001, at the DOL headquarters, there was a lack of employee knowledge regarding the *Frances Perkins Building Evacuation & Emergency Response*

Handbook, and procedures related to evacuation, what to do once outside, and re-entry into the building. Furthermore, people with disabilities were often told to “stay put” or were confused about exactly where they should go. Now, when appropriate, there is an “everyone out” policy, which means that plans provide a means for all employees to evacuate.

- Inform the local fire department about any particular issues that you have identified with respect to the employees with disabilities.

Example:

The U.S. Access Board has learned that the police and fire department go to the front desk first. This gives them an overview of what is happening in the building. It is here the Board maintains a list of all the people with disabilities and their preferences for evacuation (i.e., staff members who preferred to wait in the office's safe area for firefighters or law enforcement officers rather than use an evacuation chair). Briefings regarding the Board's plans have been held for local fire departments.

- Involve first responders in the planning, implementation, and maintenance phases. This is important to ensure all procedures facilitate getting everyone to safety as quickly as possible.

Example:

The U.S. Department of Defense's Defense Intelligence Agency (DOD/DIA) periodically conducts drills in which firefighters go to where the employees are located in the building. The firefighters talk to employees, either as a group

or individually, about next steps and give advice in accordance with the employees' specific limitations. DOD/DIA's plan also calls for the provision of counseling, by trained personnel, for individuals who may have a debilitating emotional or psychiatric reaction to the stress of an emergency.

- The Rehabilitation Act "reasonable accommodation" mandate is intended to provide the same level of safety and utility for people with disabilities as is provided to everyone.
- Consider purchasing evacuation chairs, and evacuating any mobility devices (e.g., wheelchairs) that individuals may require once they have been removed from the emergency situation.

Note:

Many fire departments have ladders that cannot reach the entire height of a multiple story building. By having evacuation chairs available, people with disabilities can, at the very least, be moved to an area or floor where emergency response personnel can assist them further. Additionally, having a plan in place for evacuating mobility devices makes for a smoother transition for employees who use them. Otherwise, employees will be essentially helpless once they have left the emergency situation.

Example:

The DOL headquarters has purchased extra wheelchairs that remain in strategic locations throughout the building (e.g., stairwells and the main lobby). This facilitates the safe and quick

evacuation of wheelchair users and others needing assistance.

- Areas of refuge or areas of rescue assistance are a requirement under the Americans with Disabilities Act (ADA), the Uniform Federal Accessibility Standards (UFAS) and the International Building Code (IBC). Such areas are only necessary in new buildings. Structures with an approved sprinkler system are an exception and do not require an area of refuge. (See *Legal Considerations* section for more information.)

Note:

If an aerial evacuation (fire department equipment with a ladder and/or a "cherry picker") is utilized, be sure the equipment can reach to the room window. The rule of thumb is that the equipment can reach up to the seventh story, assuming the area below the window is perfectly level and has a solid "footing."

- Explore the pros and cons of various evacuation procedures, and involve employees with disabilities and first responders in the decision-making process.

Note:

Agencies must consider such issues as elevator use, areas of refuge, the type of equipment available, and which employees will require assistance. Research, training, and practice are essential in helping both agencies and individuals evaluate the options and determine the most effective practices. When evaluating and prioritizing options, it is also critical to consider the type of emergency.

IN FOCUS:

First-Responder Considerations in Emergency Situations

While architects and occupants may have months to design, analyze, and plan a means of egress in an emergency, rescuers may be faced with an evolving situation. The dynamics of the emergency may leave the first-responder with only one course of action. It may be helpful when working with first-responders to keep in mind some of the issues they must address, depending on the type of emergency:

- Evaluating the situation/scene;
 - Determining the stability of the structure;
 - Gaining access to the facility;
 - Making contact with and evaluating individuals (including medical needs);
 - Determining number of individuals;
 - Evaluating individual rescue factors;
 - Assessing resource requirements (staffing and equipment); and
 - Considering time limits.
-

Critical Questions

- Have first-responders been notified of particular issues related to employees with disabilities? Does all staff have the same level of safety?
- Does the agency have a policy regarding evacuation? Has it been clearly communicated? Have any expressed strong opposition? If so, how has the issue been addressed?
- Have first-responders been involved throughout the process? If not, how will this be addressed?

Follow-Up Items

Re-thinking the Elevator Policy

Since the September 11th attacks, there has been renewed interest in elevator use for both occupant egress and firefighter access. This seems to be in direct conflict with what we, as a society have been taught. Historically, elevator use has been regarded as dangerous, prohibited in virtually all emergency situations. However, according to current standards, some elevators are indeed operable under certain circumstances. More importantly, fire experts have begun advocating elevator use in high-rise buildings as one method of taking firefighters to the blaze and evacuating building occupants.¹²

Considerations

- Talk with first responders to get a clearer understanding of both who can operate approved elevators and under what circumstances this can be done.

Note:

According to The American Society of Mechanical Engineers (ASME), Phase I is also referred to as Emergency Recall Operation. It is defined as “the operation of an elevator where it is automatically or manually recalled to a specific landing and removed from normal service because of activation of firefighters’ service”¹³. Following an emergency (in which an alarm is activated), elevators automatically move to the main floor (or floor exiting to the outside) and lock down in Phase I. Once fire

personnel arrive and ensure the elevators are safe to use, authorized personnel can operate them manually (Phase II). Most new elevators have buttons (marked with a red fire hat) that flash when they are unsafe for use.

- Review the agency’s current policy on elevator use in the event of an emergency. Keep in mind that elevators may only be operated in certain situations by authorized personnel if they meet the specific criteria and comply with appropriate local codes.

Note:

Such elevators share several characteristics intended to ensure safety and reliability. They must be installed in a smoke-proof hoistway constructed to a two-hour fire resistance and pressurized against smoke infiltration. In addition, these elevators must be pressurized and have enclosed lobbies with a two-hour resistance (one-hour in buildings fully equipped with sprinklers). Fire codes in some locations, such as New York, preclude the use of elevators in high rise buildings during fire emergencies.

Example:

The U.S. Department of State headquarters has three freight elevators powered by emergency diesel generators. They are specifically designated for people with disabilities, and will continue operating during a fire, even in the event of a power failure. If the fire is near an elevator, the elevator will not operate. As such, employees are encouraged to learn the location of all these elevators. Facility personnel can activate an elevator’s

override and ensure the operation of elevators, as can the District of Columbia Fire Department.

Some of the over 40 State Department annexes are in leased spaces where all elevators are recalled to the main exit floor and can only be operated by incoming firefighters. Other buildings have elevators that continue operating during emergencies as long as smoke is not detected in the elevator lobbies or in the elevator shaft.

- Establish a policy regarding who will be permitted to use the elevator in an emergency, and how the determination will be made.

Example:

At the U.S. Department of Transportation (DOT) headquarters, any individual requesting to use the elevator during an emergency evacuation is allowed to do so. DOT believes this is the safest approach because many individuals may have hidden disabilities. In the event of an actual emergency, this saves fire wardens critical time, since they are not in the position of determining whether an individual has an actual need.

- Determine one or more means of evacuating individuals in the event that all the building elevators are inoperable.

Example:

At the DOL headquarters, the use of elevators depends on the nature of the emergency. Due to the steel and stone makeup of the elevators, there is a low incidence of burning. In the event of an emergency, some elevators return to the first floor. Others are manually operated by Emergency Elevator Operators (EEOs) and serve as a means of assisting persons with disabilities out of the building.

Note:

If all of the elevators are deemed unsafe, Zoë Fearon of DOL's Office of the Assistant Secretary for Administration and Management (OASAM), says, "We would use our last line of defense [the stairwell and an evacuation device] to evacuate people with disabilities from the building."

IN FOCUS:

A Closer Look at Elevator Safety in Emergencies

In the last several years, recognized building experts have increasingly joined forces to carefully consider building elevators that are safer for use in the event of an emergency.

In October 2003, the National Institute of Standards and Technology (NIST) began working with the elevator industry to develop and test more reliable emergency power systems and waterproof components. Under consideration are software and sensing systems that adapt to changing smoke and heat conditions, helping to maintain safe and reliable elevator operation during fire emergencies. Such changes could allow the remote operation of the elevators during fires, thus freeing firefighters to assist in other ways during an emergency.¹⁴

The topic was further examined in March 2004 during a workshop co-sponsored by the American Society of Mechanical Engineers (ASME International), NIST, International Code Council (ICC), National Fire Protection Association (NFPA), the U.S. Access Board, and the International Association of Fire Fighters (IAFF). The *Workshop on the Use of Elevators in Fires and Other Emergencies* provided a forum for brainstorming and formulating recommendations to the various groups in an effort improve codes and standards.

The majority of recommendations led to the formation of two new task groups: *The Use of Elevators by Firefighters*, and *The Use of Elevators for Occupant Egress*. Please visit www.asme.org for more information. The project is a collaborative effort of ASME, NIST, ICC, NFPA, IAFF, the U.S. Department of Homeland Security (DHS), and the Access Board.

Emergency Notification Strategies

In a broad level, the need for an accessible, consistent, reliable and redundant multi-platform emergency notification system that effectively serves people with disabilities is recognized by both the Federal Communications Commission (FCC) and the Department of Homeland Security (DHS). People with disabilities, like others, need access to timely information in the event of an emergency. This holds true not only in the community, but also in the workplace. Consider the following example of a deaf employee on September 11, 2001:

Employees were told to evacuate a building and go home. For a deaf individual, a co-worker hand-signed the word “war” and told him to get out. He had no knowledge of what had happened at the Twin Towers or the Pentagon. When he was outside the building, he didn’t see any of his co-workers, so he went back into the office. One co-worker, who was still in the building, again spelled out in sign alphabet the word ‘war’ and told him to go home. He eventually did but was unable to obtain detailed information about what was going on while at work.

This experience was not unique. Reports from organizations “indicate[d] that widespread difficulties were experienced across the nation.”¹⁵ A national follow-up survey in Spring 2003 asked what plans or procedures had been implemented. “This second survey found that only a few isolated attempts had been

made across the U.S. and that there was little or no sharing of information or coordination of efforts.”¹⁶

Considerations

- Implement a variety of systems, rather than just one system to communicate information.

Note:

Keep in mind that the specific type of emergency will affect the method of notification. When an emergency is combined with a loss of power, the problem becomes even more severe, as back-up sources of information may not be usable by people with sensory disabilities. Radios and telephones are not an option for many people with hearing loss, and text telephones (TTYs or TDDs) require power. Web-based information and cell phone menus are often inaccessible to people with vision loss.

Example:

Originally, the U.S. Office of Personnel Management (OPM) had provided pagers to employees who were deaf and hard of hearing so they could be notified during an emergency. However, recently a Mylar coating was applied to the windows of the building, which interfered with the transmission of the alert to the employees using the pagers. OPM then provided wireless hand-held communication devices to alert these employees in the event of an evacuation or shelter-in-place.

OPM has also installed the *E-POP* system, which when activated by security and

emergency actions displays a pop-up screen on every computer, directing employees to evacuate or shelter-in-place or provides other pertinent emergency information.

- **Develop strategies for communicating with people who are away from their desk or out of the building.**

Example:

The USDA uses a pager system to notify deaf or hard of hearing employees during emergencies. These pagers have two numbers, one for the pager itself and the other to let individuals know that there is an emergency. All other pagers are dialed remotely.

- **Ensure that the emergency-planning manual has information specific to people who are deaf or hard of hearing.**
- **Make sure individuals with disabilities who have speech or communication difficulties can convey information quickly to those who need to know. This can be accomplished by whatever means works best for the individual.**

Agencies must ensure that a variety of notification systems that are understood by all employees are in place. Below are some systems and situations in which they can be utilized.

- **Fire alarms:** Evacuation only
- **Hearing-Impaired Pager System (HIPS) devices (for persons who are deaf or hard of hearing):** Fire alarms only.

- **Computer Electronic Notification Systems (CENS):** These systems can be used in all situations, but the software system must afford access to all. This requires them to be compatible with screen readers and speech recognition software (a good system for shelter-in-place).

- **Warden Phones:** These are phones located at elevators that connect to a command center. The command center informs persons with mobility impairments whether or not it is safe to use elevators. A button inside the elevators can allow individuals to contact the command center. Some people believe TTYs should also be installed in elevators to ensure similar access for deaf or hard of hearing employees.

- **Public Address Systems (PAS)**

- **Wireless Communication Devices** (e.g., pagers, PDAs, cell phones)

- **Short-Wave Radios:** Floor Monitors and drivers use these radios.

- **Emergency Hotline:** Concerned individuals or employers may call in (using a phone or TTY) and obtain more information about the situation.

- **Web Site Information**

IN FOCUS:

The Importance of Redundancy: Situations and Notification Systems

Bruce McFarlane, Director of the U.S. Department of Agriculture's (USDA) TARGET Center, says that all notification systems should have backup alternatives. For example, messages should be repeated at least two to three times and kept very short when announced over the PA system. Below are some of the possible notification systems for use in emergency preparedness and response, as well as situations in which they may be most beneficial:

Preventive Measures:

- Accessible signage for areas designated as sanctuaries
- Emergency phone and TTY (teletypewriter) numbers on the agency Web site
- Accessible signage by fire marshal phones (red phones)
- Lobby posters or other visual devices indicating the building situation
- Increased number of televisions in public areas—with the closed caption feature turned on—along with correct cabling to allow television use
- Occupant Emergency Plans (OEPs) in place in leased buildings
- Evaluation of fire alarms to determine if more than one sound and visual options is available

Immediate Communications:

- Two-way radios
- Personal messages from Emergency Command Centers
- Personal messages from Operations Situation Rooms
- Telephone tree/personal contacts
- System manager messages
- Fire alarms
- Pagers/cell phone/handheld devices/e-mail
- Fire marshal phones
- Public Address Systems (PAS)
- Internal television systems

Following an emergency:

- System manager/memorandum message to employees
- Periodic and regular Senior Action Team meetings
- Weekly Management Council meetings
- After Action Reports from Operations

Critical Questions

- Have efforts been made to ensure that all employees and visitors—including those who are deaf or hard of hearing and/or blind/low vision—have access to the same information in a detailed and timely manner?

- Are there multiple methods in place to notify individuals of emergency plans and procedures?

- Do these methods account for those who may be away from their desks or the office?

- Do agency plans take the possible loss of electric power into consideration?

- Do the plans take visitors into account?

Follow-Up Items

PRACTICE AND MAINTENANCE

PRACTICE AND MAINTENANCE

The importance of practicing a plan cannot be overemphasized. It solidifies employees' grasp of the plan, assists employees in recognizing they may need assistance in an emergency, and unveils weaknesses in emergency planning through a comprehensive analysis of employee feedback. To this end, it is imperative that all people participate and provide feedback regarding the successes and failures of a drill.

While conducting standard drills is important, varying the drills and imbedding “stumbling blocks” is vital to helping employees prepare for the unexpected. Both announced and unannounced drills should be conducted several times a year. Drills should vary (evacuation and shelter-in-place [SIP]) and pose a variety of challenges, such as closed off hallways/stairwells, blocked doors, or unconscious individuals, along designated evacuation routes.

Practice does make a difference. In 1993, during the World Trade Center bombing, a woman could not discern how to leave the building until two co-workers came by and reminded her about the evacuation chair under her desk. Human factor studies support the idea of practice: people tend to come and go from the same place using the same route.

Considerations

- Establish regular opportunities to practice agency plans for both evacuation and shelter-in-place.
- Ensure that all employees are familiar with the established shelter-in-place procedures and evacuation routes. For visitors and customers, consider posting the plans and exit routes in public areas, and provide prepared “tip sheets” to visitors on days that drills are planned.
- Many occupants may ignore or avoid the drills, since there are often no penalties for not participating. Encourage everyone to participate in practice drills.

Example:

The U.S. Environmental Protection Agency (EPA) is finalizing computer-based training modules on the agency's Occupant Emergency Plan, which will be available to all headquarters' employees online. The training includes floor plans and maps for all headquarters buildings.

- Vary the type of drills and the time at which they occur. For unannounced drills, it may be helpful to appoint key people that know when the drill will occur, especially managers and supervisors of individuals with disabilities. They can assist in evaluating all that happens and in developing appropriate action steps.

- Consider establishing a policy allowing visitors and staff to quickly exit the building during practice drills under extenuating circumstances.

Note:

Visitors may not want to be detained during a SIP drill. Those who intended to be in the building for only a brief time (e.g., delivering a document) and have other commitments may protest about participating in such drills. Consider establishing a safe exit route for such exceptions.

- Place roadblocks, such as blocked entrances, “injured” individuals, or unusable stairwells along exit routes and in the midst of SIP drills. This will provide an opportunity for individuals to learn new routes and help them avoid complacency.
- Conduct regular debriefings to determine how improvements can be made to the plans, and provide opportunities for employees to provide feedback related to what did and did not work.

Example:

The U.S. Department of Defense/Defense Intelligence Agency (DOD/DIA) plan contains an innovative system of assessing the strengths and weaknesses of DIA’s emergency preparedness plan. A *red*, *yellow*, and *green* grading system is used. A grade of *yellow* indicates that modifications in specific areas are needed, while a grade of *red* requires all personnel involved in an area to be retrained regarding the DIA emergency preparedness plan.

- An agency plan should be viewed as a living document. Establish a procedure for reviewing feedback from drills and incorporating approved changes into the agency plan. The plan must be continually revised and updated to reflect changes in technology and procedures. Both research and practice drills are essential to continuously strengthening a plan.

Example:

At the U.S. Department of Transportation (DOT) headquarters, lessons learned from drills, practices, and other issues that present themselves are reviewed by facilities, security, and emergency support personnel. The Department’s civil rights organizations are also consulted on these matters. Additionally, the civil rights organizations often raise specific concerns with the above-identified personnel. The DOT emergency preparedness plan is continually updated. Employees are regularly educated on the substance of the plan, and the equipment is consistently updated.

Example:

One process born out of the DOD/DIA plan is identifying training programs geared toward DIA emergency personnel (e.g., floor wardens) and requiring them in turn to train other DIA employees.

IN FOCUS:

Types of Drills

There are three types of drills: walkthrough drills, scheduled drills, and unannounced drills.

- **Walkthrough drills:** These allow personnel to discuss possible difficulties and slowly practice evacuation techniques. For example, people might practice using an evacuation chair or carrying someone.
- **Scheduled Drills:** Such drills provide an opportunity to practice evacuating people with disabilities in a slow and controlled environment. The procedures are methodically practiced by all.
- **Unannounced Drills:** It is critical that unannounced drills occur only after scheduled drills. This ensures that the problems are corrected, and people do not practice incorrectly. In addition, it is important that surprise drills are not held when emotions are high (e.g., around the anniversary of September 11th or following a highly-publicized criminal case). Edwina Juillet, Co-Founder of the National Taskforce on Fire/Life Safety for People with Disabilities, recommends that emergency response staff (e.g., floor wardens) be notified prior to such drills, so that they can practice their responsibilities.

Critical Questions

- Does the agency have a clearly established policy regarding the regular and continual practice of emergency preparedness plans? If not, is a policy in the process of being established? If so, does the policy include both evacuation and SIP?
- Has the agency met and exceeded these requirements?
- Have first responders been involved in multiple practice drills and/or has their feedback been solicited regularly on practice drills? Have they been consulted to ensure that equipment is as current as possible?
- Has an effort been made to ensure that drills are both varied in type and time of day?
- Have various roadblocks been incorporated into all types of drills?
- Are people with disabilities expected and able to participate fully in all drills?
- Does the agency have an established policy for employees or visitors who may need to leave the building during a practice drill?

Follow-Up Items

APPENDICES

APPENDIX A: CRITICAL QUESTIONS LIST

Legal Considerations

- Are agency emergency preparedness personnel aware of applicable federal, state and/or local laws? If not, what steps are being taken to change this?
- How do each of these laws affect the development, implementation and maintenance of agency emergency preparedness plans?
- In instances in which an agency leases space in facilities owned by private entities or by state or local governments, how will responsibilities for various aspects of the emergency preparedness process be allocated between the parties of the lease?

Agency Commitment

- Have senior-level staff demonstrated a commitment to developing, implementing, and maintaining a plan that includes people with disabilities?
- If not, what can and is being done to increase awareness of the importance of this issue, particularly among senior staff?
- If senior staff have recognized the importance of this issue, describe in some detail evidence of this agency commitment.
- How might this support can be strengthened and re-affirmed? Which areas (e.g., communicating the plan, practicing) need particular work? What are some strategies for addressing these areas?

Involving Key Personnel

- Are key staff familiar with the Occupant Emergency Plan (OEP)?
- Are individuals with disabilities involved in all aspects of emergency preparedness? If not, what steps have been taken to engage the disability community? Have the broad perspectives of the disability community been considered?
- Do senior staff support the process of updating your agency plan? If not, what steps will be taken to change this?
- Has the plan been reviewed by first responders and facilities personnel?
- Does any part of the plan conflict with procedures established by nearby agencies?

Regional and Field Offices

- Is the building inside or outside the National Capital Region (NCR)?
- Does the agency partially occupy, but not control, the building?
- What is the approximate number of occupants?
- Does the agency have representation on the Building Security Committee (BSC)?
- Does the building population consist mostly of Federal Government personnel? Are the personnel from the same agency or several federal agencies?

- Do private sector businesses or state or local government agencies occupy a portion of the building?
- What is the flow of employees and visitors and customers on a typical day and week?

Shelter-in-Place (SIP) Plans

- Have the steps for evaluating an emergency situation and subsequent action been clearly defined, agreed upon, and communicated to all necessary staff?
- Are there multiple methods in place to relay timely and relevant information to all staff and visitors?
- Have all SIP areas been clearly marked?
- Are plans in place that would allow for communication with all staff and visitors to the facility, including those who are deaf or hard of hearing or may have communication difficulties? If not, what steps are being taken to ensure that there are plans in place?
- Are employees encouraged to keep extra medication or personal supplies at their desks?

Evaluating Employee and Customer Needs

- Has information about an employee's need for assistance in the event of an emergency evacuation been collected in a manner that is consistent with the Rehabilitation Act?
- Have steps been taken to clearly communicate the reasons for gathering

the information and the importance of maintaining the employee's confidentiality?

- Has only the essential medical information been shared with just those who need to know (e.g., first aid personnel, safety staff, and those responsible for implementing the plan)?
- Has the agency consulted with other agencies, entities, and individuals with disabilities in selecting equipment?
- Are there employees with service animals? What specific plans have been put in place for individual and service animal teams? Have plans been considered for visitors with service animals?
- Have efforts been made to facilitate the establishment of personal support networks?
- Have all employees needing and providing assistance had adequate training on equipment and emergency procedures?

Communicating About and Distributing the Plan

- Is emergency preparedness information communicated with the same frequency and level of detail to all employees? If not, what steps will be taken to correct this?
- Is the information on emergency preparedness on the agency Web site or intranet easy to locate and available in a text version? Are there text descriptions for every image, graphic, and chart?

- Are emergency preparedness training sessions and meetings in accessible locations? Are qualified sign language interpreters, transliterators, CART, assistive listening devices, or other aids/services provided when necessary to ensure effective communication with deaf or hard of hearing employees?
- If possible, are copies of the plan placed in prominent locations throughout the building?
- Are emergency-evacuation and general SIP information distributed to those who have frequent-visitor identification badges?

Employer Responsibilities and Employee Right to Self-Determination

- Are there employees who impeded the evacuation of others during a drill or prior to an actual emergency? Has the issue been addressed privately and directly? Have solutions or alternatives been suggested?
- Have all of the following factors been thoroughly considered when determining whether a particular applicant or employee with a disability would pose a “direct threat”?
 - The nature and severity of the potential harm
 - The likelihood that the potential harm will occur
 - The duration of any risk posed by the individual
 - The imminence of the potential harm

- The availability of any reasonable accommodation(s) that would reduce or eliminate the risk
- Has every effort been made to ensure that people with disabilities have been included in the emergency planning process?
- Has every effort been made to ensure that people with disabilities have not been segregated or discriminated against in establishing emergency procedures?
- Have any employees made requests for reasonable accommodations with regard to emergency preparedness? If so, have all these requests been fulfilled? If not, can the agency show that providing the accommodation(s) would impose an undue hardship?

Working with First-Responders: First-Responder Responsibilities and Employee Right to Self-Determination

- Have first-responders been notified of particular issues related to employees with disabilities? Do all staff have the same level of safety?
- Does the agency have a policy regarding evacuation? Has it been clearly communicated? Have any expressed strong opposition? If so, how has the issue been addressed?
- Have first-responders been involved throughout the process? If not, how will this be addressed?

Re-thinking the Elevator Policy

- Does the agency have a policy on elevator use during an emergency?
- Have first-responders been consulted in the development of this policy? If so, under what circumstances may elevators be used, and who is permitted to operate them?
- Has a determination been made regarding who gets priority use of the elevators?
- What are the alternative means of evacuating an individual in the event that designated elevators are inoperable?

Emergency Notification Strategies

- Have efforts been made to ensure that all employees and visitors—including those who are deaf or hard of hearing and/or blind/low vision—have access to the same information in a detailed and timely manner?
- Are there multiple methods in place to notify individuals of emergency plans and procedures?
- Do these methods account for those who may be away from their desks or the office?
- Do agency plans take the possible loss of power into consideration?
- Do the plans take visitors into account?

Practice and Maintenance

- Does the agency have a clearly established policy regarding the regular and continual practice of emergency preparedness plans? If not, is a policy in the process of being established? If so, does the policy include both evacuation and SIP?
- Has the agency met and exceeded these requirements?
- Have first responders been involved in multiple practice drills and/or has their feedback been solicited on practice drills? Have they been consulted to ensure that equipment is as current as possible?
- Has an effort been made to ensure that drills are both varied in type and time of day?
- Have various roadblocks been incorporated into all types of drills?
- Are people with disabilities expected and able to participate fully in all drills?
- Does the agency have an established policy for employees or visitors who may need to leave the building during a practice drill?

APPENDIX B: RESOURCES

Key Contacts

Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities

www.dhs.gov/disabilitypreparedness

Disability Preparedness Resource Center

[www.dhs.gov/disabilitypreparedness/
resourcecenter](http://www.dhs.gov/disabilitypreparedness/resourcecenter)

Department of Labor (DOL)

200 Constitution Avenue, N.W.

Washington, DC 20210

Voice: (866) 4-USA-DOL (4-872-365)

TTY: (877) 889-5627

www.dol.gov

Office of Disability Employment Policy (ODEP)

U.S. Department of Labor (DOL)

200 Constitution Avenue, N.W.

Washington, DC 20210

Voice: (866) ODEP-DOL (633-7365)

TTY: (877) 889-5627

www.dol.gov/odep

DisabilityInfo.gov

www.disabilityinfo.gov

Job Accommodation Network (JAN)

P.O. Box 6080

Morgantown, WV 26506-6080

Voice/TTY: (800) ADA-WORK

(800) 232-9675)

Fax: (304) 293-5407

E-mail: jan@jan.wvu.edu

www.jan.wvu.edu

Calls are answered from 8 a.m. to 8 p.m.
Eastern Time Monday through Thursday
and on Fridays from 8 a.m. to 7 p.m. Ma-
chines answer after-hours calls.

Department of Homeland Security (DHS)

Washington, DC 20528

www.dhs.gov

Office for Civil Rights and Civil Liberties

Washington, DC 20528

Voice: (202) 401-1474

TTY: (202) 401-0470

Fax: (202) 401-4708

www.dhs.gov

Citizen Corps

800 K Street, N.W.

Suite 950

Washington, DC 20001-8000

www.citizencorps.gov

Federal Protective Service (FPS)

Voice: (877) 4FPS-411 ((877) 437-7411)

www.ice.gov

Federal Emergency Management Agency (FEMA)

500 C Street, S.W.

Washington, DC 20472

Phone: (202) 566-1600

www.fema.gov

Fire Administration (USFA)

16825 S. Seton Avenue

Emmitsburg, MD 21727

Voice: (301) 447-1000

Fax: (301) 447-1052

www.usfa.fema.gov

Homeland Security Presidential Directive 5 (HSPD-5)

www.whitehouse.gov

Additional Resources

The following reflects publically available information. While every effort has been made to ensure comprehensiveness, the level of specificity may differ among listing.

Access Board

1331 F Street, N.W.
Suite 1000
Washington, DC 20004-1111
Voice: (202) 272-0080
(800) 872-2253
TTY: (202) 272-0082
(800) 993-2822
Fax: (202) 272-0081
E-mail: info@access-board.gov
www.access-board.gov

American Red Cross National Headquarters

2025 E Street, N.W.
Washington, DC 20006
Phone: (202) 303-4498
www.redcross.org

American Society of Mechanical Engineers (ASME)

Voice: (800) 843-2763/ (973) 882-1167
E-mail: infocentral@asme.org
www.asme.org

Center for Disability Issues and the Health Professions

Western University of Health Sciences
309 E. Second Street
College Plaza
Pomona, CA 91766-1854
Phone: (909) 469-5380
E-mail: evac@westernu.edu
www.cdihp.org

Department of Agriculture (USDA)

1400 Independence Avenue, S.W.
Washington, DC 20250
www.usda.gov

USDA TARGET Center

Room 1006 South Building
1400 Independence Avenue, S.W.
Washington DC 20250-9876
Voice/TTY: (202) 720-2600 (V / TTY)
Fax: (202) 720-2681 (FAX)
target-center@usda.gov

Department of Commerce (DOC)

1401 Constitution Avenue, N.W.
Washington, DC 20230
www.doc.gov

Department of Defense (DOD)

www.dod.gov

Defense Intelligence Agency (DIA)

Voice: (202) 231-8601
www.dia.mil/

Department of Education (ED)

400 Maryland Avenue, S.W.
Washington, DC 20202
Voice: (800) USA-LEARN ((800) 872-5327)
TTY: (800) 437-0833
Fax: (202) 401-0689

Office of Special Education and Rehabilitative Services (OSERS)

400 Maryland Avenue, S.W.
Washington, DC 20202-7100
Voice: (202) 245-7468
www.ed.gov/about/offices/list/osers

Department of Energy (DOE)
1000 Independence Avenue, S.W.
Washington, DC 20585
Voice: (800) dial-DOE
www.energy.gov

Department of Health and Human Services (HHS)
200 Independence Avenue, S.W.
Washington, DC 20201
Voice: (202) 619-0257/ (877) 696-6775
www.hhs.gov

Department of Interior (DOI)
1849 C St., N.W.
Washington, DC 20240
Voice: (202) 208-3100
www.doi.gov

Department of Justice (DOJ)
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001
www.usdoj.gov

Disability Rights Section
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Civil Rights Division
Disability Rights Section - NYAV
Washington, D.C. 20530
Fax: (202) 307-1198
www.usdoj.gov/disabilities.htm

For information and technical assistance about the Americans with Disabilities Act (ADA) contact the ADA Information Line. ADA Specialists are available to provide ADA information and answers to technical questions on Monday, Tuesday, Wednesday, and Friday from 9:30 a.m. until 5:30 p.m. or on Thursday from 12:30 p.m. until

5:30 p.m. (Eastern Time).
Voice: (800) 514-0301
TTY: (800) 514-0383

Department of State (DOS)
2201 C Street N.W.
Washington, DC 20520
Voice: (202) 647-4000
TTY: (800) 877-8339
(Federal Relay Service)
www.state.gov

Department of Transportation (DOT)
400 7th Street, S.W.
Washington, DC 20590
E-mail: dot.comments@ost.dot.gov
www.dot.gov

Disability Resource Center
400 7th Street, S.W.
M-14.4.4, Room 2110
Washington, DC 20590
Voice: (202) 493-0625
TTY: (202) 366-5273
Fax: (202) 366-3571
Email: drc@dot.gov
www.drc.dot.gov
www.dotcr.ost.dot.gov/asp/emergencyprep.asp

Department of Treasury (TREAS)
1500 Pennsylvania Avenue, N.W.
Washington, DC 20220
Phone: (202) 622-2000
Fax: (202) 622-6415
www.treas.gov

Disability Preparedness Center

1010 Wisconsin Avenue, N.W.
Suite 340
Washington, DC 20007
Voice/TTY: (202) 338-7158 x201
Fax: (202) 338-7216
E-mail: DPC@inclusioninc.com
www.disabilitypreparedness.com

Environmental Protection Agency (EPA)

Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Voice: (202) 272-0167
www.epa.gov

Equal Employment Opportunity Commission (EEOC)

1801 L Street, N.W.
Washington, DC 20507
Voice: (202) 663-4900
TTY: (202) 663-4494

You can be automatically connected to your nearest Field Office by calling:

Voice: (800) 669-4000
TTY: (800) 669-6820

Federal Communications Commission (FCC)

445 12th Street, S.W.
Washington, DC 20554
Voice: (888) 225-5322
TTY: (888) 835-5322
fccinfo@fcc.gov
www.fcc.gov

Disability Rights Office
www.fcc.gov/cgb/dro/

General Services Administration (GSA)

www.gsa.gov

*U.S. Code of Federal Regulations Title 41
Chapter 102-74, which specifies the need
for an Occupant Emergency Plan (OEP):
[www.access.gpo.gov/nara/cfr/waisidx_04/
41cfr102-74_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/41cfr102-74_04.html)*

National Institute of Standards and Technology (NIST)

100 Bureau Drive, Stop 1070
Gaithersburg, MD 20899-1070
Voice: (301) 975-NIST (6478)
TTY: (301) 975-8295
E-mail: inquiries@nist.gov
www.nist.gov

National Council on Disability (NCD)

1331 F Street, N.W.
Suite 850
Washington, DC 20004
Voice: (202) 272-2004
TTY: (202) 272-2074
E-mail: info@ncd.gov
www.ncd.gov

National Council on Independent Living (NCIL)

1916 Wilson Boulevard
Suite 209
Arlington, VA 22201
Voice: (703) 525-3406
TTY: (703) 525-4153
Fax: (703) 525-3409
Email: ncil@ncil.org

For a listing of Centers for Independent Living (CILs) by state visit www.virtualcil.net/cils/

National Fire Protection Association (NFPA)

1 Batterymarch Park
Quincy, MA 02169-7471
Phone: (617) 770-3000
Fax: (617) 770-0700
www.nfpa.org

National Organization on Disability (NOD)

910 Sixteenth Street, N.W., Suite 600
Washington, DC 20006
Voice: (202) 293-5960
Fax: (202) 293-7999
TTY: (202) 293-5968
Email: ability@nod.org
www.nod.org

National Taskforce on Fire/Life Safety for People with Disabilities

637 Riverside Drive
Luray, VA 22835-2910
Voice/Fax (by appointment): (540) 743-4601
E-mail: edwina@shentel.net

Northern Virginia Resource Center for Deaf and Hard of Hearing Persons (NVRC)

3951 Pender Drive, Suite 130
Fairfax, VA 22030
Voice: (703) 352-9055
TTY: (703) 352-9056
Fax: (703) 352-9058
E-mail: info@nvrc.org

Office of Personnel Management (OPM)

1900 E Street, N.W.
Washington, DC 20415-1000
Voice: (202) 606-1800
TTY: (202) 606-2532
www.opm.gov

President's Committee for People with Intellectual Disabilities

U.S. Department of Health and Human Services
Administration for Children and Families
Aerospace Center, Suite 701
370 L'Enfant Promenade, S.W.
Washington, DC 20447
Voice: (202) 619-0634
www.acf.hhs.gov/programs/pcpid/

Social Security Administration (SSA)

6401 Security Boulevard
Baltimore, MD 21235-0001
Voice: (800) 772-1213
TTY: (800) 325-0778
www.socialsecurity.gov

APPENDIX C: EXECUTIVE ORDER 13347

July 22, 2004

Individuals With Disabilities In Emergency Preparedness

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to strengthen emergency preparedness with respect to individuals with disabilities, it is hereby ordered as follows:

Section 1. Policy. To ensure that the Federal Government appropriately supports safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism, it shall be the policy of the United States that executive departments and agencies of the Federal Government (agencies):

- (a) consider, in their emergency preparedness planning, the unique needs of agency employees with disabilities and individuals with disabilities whom the agency serves;
- (b) encourage, including through the provision of technical assistance, as appropriate, consideration of the unique needs of employees and individuals with disabilities served by State, local, and tribal governments and private organizations and individuals in emergency preparedness planning; and
- (c) facilitate cooperation among Federal, State, local, and tribal governments and private organizations and individuals in the implementation of emergency preparedness plans as they relate to individuals with disabilities.

Sec. 2. Establishment of Council. (a) There is hereby established, within the Department of Homeland Security for administrative purposes, the Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities (the "Council"). The Council shall consist exclusively of the following members or their designees:

- (i) the heads of executive departments, the Administrator of the Environmental Protection Agency, the Administrator of General Services, the Director of the Office of Personnel Management, and the Commissioner of Social Security; and
- (ii) any other agency head as the Secretary of Homeland Security may, with the concurrence of the agency head, designate.

(b) The Secretary of Homeland Security shall chair the Council, convene and preside at its meetings, determine its agenda, direct its work, and, as appropriate to particular subject matters, establish and direct subgroups of the Council, which shall consist exclusively of Council members.

(c) A member of the Council may designate, to perform the Council functions of the member, an employee of the member's department or agency who is either an officer of the United States appointed by the President, or a full-time employee serving in a position with pay equal to or greater than the minimum rate payable for GS-15 of the General Schedule.

Sec. 3. Functions of Council. (a) The Council shall:

(i) coordinate implementation by agencies of the policy set forth in section 1 of this order;

(ii) whenever the Council obtains in the performance of its functions information or advice from any individual who is not a full-time or permanent part-time Federal employee, obtain such information and advice only in a manner that seeks individual advice and does not involve collective judgment or consensus advice or deliberation; and

(iii) at the request of any agency head (or the agency head's designee under section 2(c) of this order) who is a member of the Council, unless the Secretary of Homeland Security declines the request, promptly review and provide advice, for the purpose of furthering the policy set forth in section 1, on a proposed action by that agency.

(b) The Council shall submit to the President each year beginning 1 year after the date of this order, through the Assistant to the President for Homeland Security, a report that describes:

(i) the achievements of the Council in implementing the policy set forth in section 1;

(ii) the best practices among Federal, State, local, and tribal governments and private organizations and individuals for emergency preparedness planning with respect to individuals with disabilities; and

(iii) recommendations of the Council for advancing the policy set forth in section 1.

Sec. 4. General. (a) To the extent permitted by law:

(i) agencies shall assist and provide information to the Council for the performance of its functions under this order; and

(ii) the Department of Homeland Security shall provide funding and administrative support for the Council.

(b) Nothing in this order shall be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(c) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

THE WHITE HOUSE,
July 22, 2004.

ENDNOTES

- ¹ *Preparing the Workplace for Everyone* assumes that an OEP has been prepared by the agency and is intended to supplement the OEP with information specific to individuals with disabilities. For more information on OEPs and GSA's Occupant Emergency Program for federal buildings it manages, see www.ice.gov/graphics/fps/org_oep.htm.
- ² National Council on Disability. *Saving Lives: Including People with Disabilities in Emergency Planning*. Washington: (NCD), 11.
- ³ Miles, Donna. (2001). An OSHA Office Evacuates. *Job Safety & Health Quarterly* (Fall), 20–22; U.S. Department of Labor. *Emergency Preparedness for People with Disabilities*. Washington: (DOL), 75–76.
- ⁴ See 41 C.F.R. § 102–74.230 and 29 C.F.R. § 1910.38–39. For additional clarification, see Occupational Safety and Health Administration's (OSHA) Compliance Directive CPL 2-1.037. Available at www.osha.gov/OshDoc/Directive_pdf/CPL_2-1_037.pdf.
- ⁵ A guide to assist agencies in the development of OEPs, and contact information for the FPS/DHS, are available at www.ice.gov/graphics/fps/org_oep.htm.
- ⁶ See 28 C.F.R. pt. 36, App. A, and § 4.1.3 (9).
- ⁷ U.S. Office of Personnel Management. *Federal Manager's/Decision Maker's Emergency Guide*, 4. Available at <http://www.opm.gov/emergency/PDF/ManagersGuide.pdf>.
- ⁸ Hargett, Kathy (PCPID). E-mail to the Office of Disability Employment Policy (ODEP). 21 May 2005.
- ⁹ The complete text of the Rehabilitation Act of 1973, as amended, is available at www.access-board.gov/enforcement/Rehab-Act-text/intro.htm.
- ¹⁰ For more information, see the Equal Employment Opportunity Commission's (EEOC) *Fact Sheet on Obtaining and Using Employee Medical Information as Part of Emergency Evacuation Procedures*, available online at www.eeoc.gov/facts/evacuation.html.
- ¹¹ Kailes, June Isaacson. *Evacuation Preparedness: Taking Responsibility For Your Safety: A Guide For People With Disabilities and Other Activity Limitations*, 2002, 6. Published and distributed by Center for Disability Issues and the Health Professions, Western University of Health Sciences, 309 E. Second Street, Pomona, CA 91766-1854, Phone: (909) 469-5380, TTY (909) 469-5520, Fax: (909) 469-5407, Email: evac@westernu.edu. Available at www.cdihp.org/products.htm#evac-guide

¹² National Institute of Standards and Technology (NIST). (24 October 2003). *Developing Elevators that Function During Fires*. National Institute of Standards and Technology (NIST) Tech Beat.

¹³The American Society of Mechanical Engineers. *A17.1 Handbook on Safety Code for Elevators and Escalators*.

¹⁴ Id.

¹⁵ Brick, K.N., & Heppner, C.A. (2003). *Excerpts from Personal Experiences of Deaf and Hard of Hearing Persons: September 11, 2001 and Its Aftermath*, p. 2. Deaf and Hard of Hearing Consumer Advocacy Network & Northern Virginia Resource for Deaf and Hard of Hearing Persons;
See also Stout, C. et al. (2003). *Emergency Preparedness and Communication Access: Lessons Learned Since 9/11 and Recommendations*. Deaf and Hard of Hearing Consumer Advocacy Network & Northern Virginia Resource for Deaf and Hard of Hearing Persons.

¹⁶ Id.



