



# Influenza Preparedness Guide

The H1N1 pandemic has the business community on edge. Will the frightening scenario of empty offices and unserved clients come to pass? Or will flu season come and go as usual, with minimal disruption? The fact is, the impact for employers can be very real, whatever the outcome.

In the spirit of “forewarned, forearmed,” *Benefits Canada* has compiled an extensive array of pandemic planning material from a range of experts, bringing you the most relevant, up-to-date information to assist your decision-making in these difficult times.

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# H1N1 101

By Jody White

With the change in season, organizations across North America are experiencing a second wave of the H1N1 flu virus. While there are many aspects of this pandemic for employers to consider, a firm grasp of the fundamentals of H1N1 will guide the pandemic planning process.

## The facts

Even an influenza event with a low percentage of lethality can cause a large number of deaths if it infects vast areas of the population that have little immunity over time.

Influenza is transmitted from person to person when germs enter the body via the mucosal linings of the eyes, nose and mouth.

## Specifically, effective infection control measures include:

- hand hygiene;
- covering coughs and sneezes;
- isolation of sick people;
- voluntary home quarantine;
- environmental cleaning; and
- social distancing measures, including the cancellation of mass gatherings, alternatives to face-to-face contact at work and increasing the physical distance between people.

## Recommendations to employers include the following:

- Encourage employees to cover coughs and sneezes. Work to develop a culture that supports this practice. This will provide benefits toward preventing the spread of flus and other respiratory illnesses.
- Use restrooms to post information that encourages proper hand-washing technique.
- Provide information and make tissues, hand sanitizer and other appropriate materials (i.e., for tissue disposal) available.

Coughs and sneezes release germs into the air, where they can be inhaled by others. Germs can also rest on hard surfaces like counters and doorknobs, where they can enter the body when someone touches his or her mouth or nose.

The H1N1 virus can live outside the body on hard surfaces (such as stainless steel and plastic) for 24 to 48 hours and on soft surfaces (such as cloth, paper and tissues) for eight to 12 hours or less. It can infect a person for up to two to eight hours after being deposited on hard surfaces, and only for up to a few minutes after being deposited on soft surfaces.

The World Health Organization (WHO) has raised the pandemic alert level to Phase 6, the Pandemic Phase. To date, the total number of deaths due to virus in Canada stands at 357, the majority occurring in Ontario and Quebec. A vaccine is now available to the general public.

## What employers can do

According to a report by the U.S. Conference Board, Key Questions in Pandemic Planning, the three main areas of activity where infection control steps must be taken are planning for business, planning to protect people and establishing policies. ■

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# Is your business prepared?

By Susan Novo

Public health officials are busy dealing with H1N1 flu cases as the regular flu season has begun. But it seems that many companies don't feel the same urgency to prepare. Up to 87% of Canadian companies still don't have a contingency plan to deal with a situation like a pandemic, according to a recent survey by the Canadian Manufacturers & Exporters.

The case for a business pandemic plan is strong in the midst of what has become the world's first pandemic in 40 years. In a moderately severe pandemic, the Public Health Agency of Canada predicts that between 15% and 35% of Canadians could become ill, 34,000 to 138,000 individuals may need to be hospitalized, and between 11,000 and 58,000 deaths could occur.

The agency says businesses should plan for one-third to one-half of their workers being absent for about two weeks at the height of a severe pandemic, which could last about eight weeks.

## Pandemic planning and communication

Now that we have established that the H1N1 pandemic could have a serious impact on your workforce, what can you do to help prevent the spread of the virus within your workforce? It is all in the planning. Planning for a pandemic will support your employees and strengthen your corporate reputation with clients and business partners.

There are three stages of intervention for pandemic planning and communication:

1. Pre-pandemic
2. Pandemic
3. Post-pandemic

### Pre-pandemic stage

We recommend your company develop corporate policies and procedures to create awareness among your employees regarding the pandemic and methods to prevent the spread of any virus. You do not need to reinvent the wheel. Public health units will share their pandemic plan with the public. Once you identify your company's fundamental needs, devise your plan.

The plan should be tested more than once to ensure all of the "wrinkles" have been ironed out before heading into the actual pandemic stage to ensure a smooth transition and smooth operation. It will be helpful to inform your clients, suppliers and employees of the testing stage, especially if there are several wrinkles in the plan.

### Pandemic stage

Communication to your employees regarding the status of H1N1, your local community and ongoing operational aspects of your organization will be essential, especially if it becomes necessary to have employees work from outside of the office. It is during this

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## Risk factors for flu-related complications:

- Pregnancy: Pregnant women who get H1N1 flu are at least four times as likely to be hospitalized as other people with the virus, says a study from the U.S. Centers of Disease Control and Prevention.
- Obesity
- Existing cardiovascular disease
- Respiratory disease
- Diabetes
- Cancer
- Asthma and other forms of respiratory disease

## Prevention:

Health officials recommend that people follow these preventive measures:

- Wash your hands frequently with warm, soapy water and use hand sanitizer if soap and water are not available;
- Cough and sneeze into your arm;
- Keep common surfaces clean and disinfected; and
- Stay home if sick, unless directed to seek medical care.



## Is your business prepared?

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stage that the most aggressive methods of control will be put into place. The following options are available to help you maintain a healthy and productive workforce:

**1) Social distancing measures:** These measures can significantly limit the spread of infection and are fairly easy to implement (i.e., cancelling face-to-face meetings and client functions). These measures, however, will disrupt business practices and require strict compliance to be effective.

**2) Teleworking:** With today's technology, it is easier than ever to have employees work from a remote location (i.e., home) in order to limit contact and the spread of infection. This measure requires specific IT capabilities and infrastructure resources.

**3) Infection control and education:** Proper hand washing and coughing/sneezing etiquette should be encouraged at all times. Education regarding these principles should also be provided as proper hygiene has been shown to significantly reduce the spread of infection during a pandemic. Increasing the cleaning of high-touch areas (i.e., doorknobs, photocopier buttons) may also assist in mitigating the contamination of employees.

**4) Communication:** Updates on your company website, mass internal emails or intranet bulletins will help ensure that your employees and clients feel connected.

**5) Antivirals:** Outside of the workplace, infected employees may be prescribed an antiviral, the main one being Tamiflu. As an employer, it's important to know that there have been

some rare Tamiflu-resistant strains of H1N1 flu – one of them in Quebec. So we recommend you take this into consideration when developing your pandemic plan. Currently, the Public Health Agency of Canada does not recommend that family members and other close contacts of people who are sick with the H1N1 flu virus take antivirals as a preventative measure.

**6) Vaccines:** The H1N1 vaccine was released in October in Canada. While it was initially made available only to certain groups, such as pregnant women and those with chronic conditions, many areas of Canada are now offering the vaccine to the broader population.

### Post-pandemic stage

This stage focuses on communicating updates to employees, clients and business partners, in addition to providing an assessment of your status following the pandemic.

Regardless of what measures you take in terms of managing the pandemic threat in your workplace, it is essential that communication between all stakeholders and employee education are maintained in order to ensure that everyone is ready and the impact is minimized. ■

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# Employment considerations of the H1N1 pandemic

By Hena K. Singh

In June of 2009, the World Health Organization (WHO) announced a pandemic alert, Phase 6, for the H1N1 virus. This classification means that H1N1 is now officially considered a widespread human infection, although the WHO has indicated that it is only moderate in severity.

This fall marks H1N1's first flu season as a widespread human infection. There are some serious legal implications of the H1N1 virus that employers should consider. We have set out below some practical advice that will assist employers as they deal with H1N1's first flu season as a widespread human infection.

## Employer's duty to protect

Occupational health and safety legislation across the country provides that employers have an obligation to keep their workers safe. For example, in Ontario, the Occupational Health and Safety Act states that employers have a duty to "take every precaution reasonable in the circumstances for the protection of a worker." This means that Ontario employers have a duty to protect their employees in all circumstances, including taking reasonable steps to ensure that infectious diseases are not spread in the workplace.

Despite the dangers posed by H1N1, an employer cannot legally require an employee to

get a vaccination. However, employers can encourage vaccination through free on-site vaccine clinics or by providing time off for employees to allow them to get vaccinated. Employers can also encourage employees to get vaccinated by sending out a memorandum advising them of the availability of a vaccination and outlining some of the benefits of obtaining the vaccine.

To ensure the safety of the workplace, an employer should require that any employee infected with H1N1 or who exhibits flu-like symptoms remain away from the workplace. However, in doing so, employers should be mindful of any other potential legal issues (e.g., human rights and/or privacy issues) that may arise from an employee's temporary removal from the workplace.

Canadian human rights law generally provides that employers are only allowed to request information that is relevant to the accommodation of a disability. Although it is typically thought that the flu will not be considered a disability under human rights legislation, it is unclear whether H1N1 will be considered a disability, given its classification as a pandemic virus. Employers, accordingly, should be aware of the potential for human rights complaints arising from mandatory disclosure of a diagnosis of H1N1.

## Communication

Particularly at a time when employee safety is in issue, as is the case during a pandemic, employers should ensure that they communicate their expectations to their employees. Employers may want to consider drafting a "Pandemic Policy" for employees that outlines, among other things:

- health and safety expectations (e.g., hand washing, sanitizing workstations, remaining home when sick, etc.);
- how the employer will communicate with an employee in case of emergency (e.g., by phone, email, etc.);
- the call-in procedure in case of sickness or emergency requiring an absence from the workplace (including who to contact and by what means);
- responsibilities while away from the workplace; and
- disclosure requirements (i.e., to what degree do employees have to disclose the symptoms and/or diagnosis of their sickness).

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## Employment considerations of the H1N1 pandemic

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Employers must ultimately balance their obligation to maintain a safe and healthy workplace with an employee's right to privacy with respect to an illness or disability. Therefore, if an employee is exhibiting H1N1 symptoms, an employer should request that the employee obtain medical documentation indicating whether or not they are fit to continue to work and/or if they require any accommodations for the safety of themselves or other workers. However, an employer should avoid asking for a specific diagnosis of the employee.

Employers should ensure that they maintain an updated record of contact information for all employees, so they can communicate with employees who are off sick, should they need to do so. In addition, employers should ensure that they have an emergency contact person on file in case an emergency occurs while the employee is in the workplace.

### Sick leave

In certain jurisdictions, employees have a right to take statutory leaves of absence when they are sick or caring for sick relatives. Employers need to be aware of such employee rights and ensure compliance when dealing with absences due to flu.

For example, the Ontario Employment Standards Act, 2000 provides for a statutorily protected, unpaid leave for the care of prescribed family members (Personal Emergency Leave). If a prescribed family member suffers from a personal illness, injury or medical emergency, an Ontario employee of an employer with 50 or more employees will be entitled to take an unpaid leave for a total

of 10 days per calendar year. Note that an employer can require an employee taking a Personal Emergency Leave to provide reasonable evidence of the circumstances entitling them to the leave.

Employers would also be wise to review their internal policies dealing with sick time/pay and disability benefits to ensure that these are clear and communicated to all employees.

### Working from home

Unless there is an agreement, policy or legislation stating otherwise, employees generally do not have a legal right to be paid unless they work. Therefore, absent a legal right to take paid time off work, if an employee wishes to be paid while off of work, an employer can insist that they either work from home or take vacation time in order to get paid. Otherwise, employees may opt to take an unpaid leave while away from the workplace while sick or while caring for sick family members. ■

*Hena Singh is a lawyer with the employment law boutique Rubin Thomlinson LLP.*



# Hope is not an option

By Jody White

The H1N1 pandemic isn't behaving the way many business leaders expected it to, and the window of opportunity for organizations to manage the second wave of the virus is quickly closing.

Ready or not: effective pandemic response, the Conference Board's latest report on the issue, warns business leaders they need the ability to shift from a planning mindset to being flexible and responsive in order to navigate the virus's potential danger.

"To build trust, organizations must provide information in a timely manner and need spokespersons who genuinely display empathy and care," says the report. It explains that a central challenge during a pandemic is to effectively communicate with employees, customers, supply chain partners and authorities. By providing clear messaging based on credible sources, organizations can build trust in the midst of a crisis.

In order to properly prepare for a pandemic, the Conference Board suggests the following steps:

## **Develop internal support and capacity**

Senior leaders are critical to achieving organization-wide support, and by having supportive departments, organizations can develop comprehensive plans and nuanced policies. Sharing these plans will also clarify

roles and responsibilities and educate all personnel.

## **Garner external support**

Organizations need to understand and plan for the dependencies and interdependencies that exist in their business network — and for the potential effects of a failure of one or more of these relationships. Working closely with external stakeholders and sharing information can help organizations adapt their responses.

## **Establish "dark" websites**

A "dark" website — typically a small site that has been designed in advance of a crisis and can be launched quickly — can contain fundamental information on personal hygiene, resources, tips on preparing one's families and information specific to the operations of the organization. Having a separate website ahead of time can be used to divert increased traffic from the regular site and save time in issuing official statements.

## **Choose a single credible voice**

It's critical to maintain the same spokesperson and monitor the tone and content of external messages for consistency throughout a response. Failure to do so can reduce trust and credibility.

## **Stay focused on operations**

Organizations need to tune out any noise and hysteria during a pandemic and maintain focus on operations. Foremost on their minds

should be the protection of staff, managing expectations and understanding the interactions employees have—with co-workers, supply chain partners, customers and others—that could lead to the contraction of the H1N1 virus.

## **Monitor absenteeism carefully**

Keeping track of absenteeism and predicting future absentee rates can be of great importance to organizations. For companies that rely on highly specialized individuals to perform critical functions — such as the nuclear energy industry — this is particularly important. As a result, the power generation industry has been particularly proactive in preparing its staff, developing and implementing its plans, and establishing protocols to ensure its ability to operate.

## **Legal issues**

"Organizations have a duty of care not just for their customers, but also for their own employees and supply chain partners," warns the report. "They must exercise a reasonable level of care similar to that provided by others. Without adequate levels of preparedness, an organization may fail to provide due diligence and could be held publicly and legally liable." ■

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# “Head in the sand” attitude toward pandemic preparedness is bad for business

By Sarah Beech

Two years ago, Hewitt Associates conducted one of its short online Rapid Response surveys and learned that only a quarter of the 155 organizations that responded had a complete pandemic preparedness plan in place — even after the 2003 SARS outbreak and subsequent outbreaks of Avian Flu. Another 26% of respondents were working on a plan. Less than a year ago, in a survey sponsored by GlaxoSmithKline of Canadian businesses with at least 500 employees, half of the respondents had no plan. Of those without a plan, 40% did not intend to create one.

It's clear that many Canadian organizations are not taking pandemic preparedness seriously, despite the fact that we again find ourselves in the midst of a global influenza pandemic. Having a plan in place is obviously important to stop the spread of infection within a workplace. If that wasn't reason enough to create a plan, the economic case for being ready to address business interruptions, especially high absenteeism, is compelling.

But companies know and understand this, so why is there any reluctance to create a pandemic preparedness plan? The answer likely lies in the fact that creating an effective plan can be complicated and time-consuming. However, there are several resources available to help:

1. The World Health Organization (WHO) has

published a guidance document, the WHO Checklist for Influenza Pandemic Preparedness Planning. While this publication is not directed primarily at businesses, it highlights the essential and desirable aspects of a plan. It is also a good idea to become familiar with the WHO and its website, as it's the international authority on pandemics and other world health issues.

2. For Canada-specific information, visit the Public Health Agency of Canada's website. Note that a plan created by a global organization may require some tailoring for Canada.

3. The Canadian Centre for Occupational Health & Safety (CCOHS) has a more specific business-oriented Business Continuity Plan guide on its website. This thorough publication outlines a four-step approach, starting with developing a policy and then designing, implementing and testing/maintaining/auditing a plan. Handy checklists are also included. Likewise, see the Canadian Manufacturers & Exporters' website.

4. The Canadian Centre for Emergency Preparedness has templates on its website for business continuity plans, including pandemic preparedness. Certain industry associations have templates that are tailored for its members.

None of these resources, of course, provides the perfect how-to kit for creating a pandemic preparedness plan, as the ideal program will

be tailored to an individual company's circumstances. When embarking on the process of creating a plan, organizations may want to think more widely than just pandemics and create an emergency response plan that covers all sorts of crises, from power outages to terrorist attacks.

Of course, the best time to create a pandemic preparedness plan is not when a pandemic is looming. Even if employers don't have a plan, certain actions are imperative now: organizations must inform themselves (see the WHO and Public Health Agency of Canada sites, above); then they must inform employees, answering their questions as completely as possible; and, finally, given the dynamic nature of the virus, they must keep themselves updated and continue to communicate with their staff. Here are some important questions to answer in a corporate communiqué:

- What is H1N1 flu?
- How does the flu spread?
- What should employees and their families do to stay healthy? CCOHS has “Slow the Spread!” posters as well as those promoting hand washing available on its site.
- Is there treatment for the flu?
- What happens if an employee or

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## “Head in the sand” attitude toward pandemic preparedness is bad for business

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family members become ill or are quarantined? Quarantined employees are generally entitled to the same consideration as if they were actually ill, in the eyes of the law. Schools may close down, meaning that employees’ children may have nowhere to go during the day. Employers will need to determine whether employees can work from home or if children can come to the workplace.

- Are there limitations on travel? It’s important to note that some group insurance policies that provide out-of-Canada medical coverage will not reimburse expenses incurred if employees contract H1N1 while in a country that they were advised not to travel to by their home government.

Employees may have additional questions about pandemic issues. Organizations may want to provide them with a means to ask questions that the communication team can respond to quickly and easily. Alternatively — or, in addition — employers can refer their staff to the information sites noted above.

It is too early to tell at this point whether the spread of H1N1 flu will escalate to a full-blown pandemic. Even if short-lived, it will hopefully have been enough of a wake-up call to finally convince organizations to better prepare themselves for the next pandemic. ■

*Sarah Beech is managing principal, consulting, with Hewitt Associates in Canada.*



# Flu preparedness critical, mandatory

**By Jody White**

While the H1N1 flu pandemic has yet to reach crisis proportions, plan sponsors have an operational and legal obligation to plan for the worst.

According to Gisele Norris, national director of Aon Healthcare's alternative risk practice, the potential business impact of a second wave of the H1N1 pandemic is real and must be addressed.

"Disease in the workplace can cause high incidences of absenteeism, stress and productivity loss," she says. "Today's highly mobile, interdependent and interconnected business environment provides a myriad of opportunities for the rapid spread of infectious disease."

Norris offers five immediate steps for businesses to take to protect their staff and other stakeholders:

- Determine the availability of backup suppliers to ensure the supply chain is uninterrupted.
- Look at succession planning for all levels of the organization.
- Create a process for communicating critical messages to employees.

- Develop a protocol to facilitate arrangements for employees to work from home.
- Inform employees of any travel protocols or restrictions that may be in place.
- Construct a plan of action to take should an employee be suspected of having H1N1 influenza when he or she is at work or has been in the workplace three to four days before the onset of symptoms.

The Labour Ministry recently issued the Labour Focus Newsletter Volume 1, H1N1 Special Issue, reminding employers of their obligations under the Canada Labour Code and the Canada Occupational Health and Safety Regulations concerning health and safety measures in the workplace.

"I want to remind Canadian employers concerned about the human swine influenza situation to continue monitoring the information and advice provided by the Public Health Agency of Canada and take appropriate steps to protect the health and safety of employees in the workplace," she says. "The Government of Canada will continue to work closely with provincial and territorial labour departments to protect the health and safety of Canadian workers." ■

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# Communicating with your employees can help reduce fear and infection

By Lindsey Thompson

A healthy business is largely dependent on the productivity of its employees. If a flu pandemic hits, an estimated 15% to 35% of employees may stay home because of personal illness, caregiving responsibilities and/or fear of contracting illness.

Providing the right communications to your employees can help to reassure them of their safety and value, as well as help to reduce both stress and the spread of infection. Here are a few tips for effective employee communication during the flu season.

## Establish a pandemic team

The first major step to keeping your employees informed is to create a pandemic team. This team can implement infection control techniques, communicate updates and recommendations to employees, track illness in the office and serve as an information resource for employees with questions or concerns.

## Provide regular flu updates

The primary goal of employee flu updates is to keep employees informed, creating awareness but not fear. Updates should provide only information on large-scale changes or recommendations. New guidelines surrounding infection control or medication use should be part of an update, but not the tracking of provincial or national case numbers, as they may change frequently.

Information should be obtained directly from widely recognized Canadian governmental bodies and be instructive on how to prevent or manage influenza once it strikes. Encouraging employees to get vaccinated through flu shot clinics held at the workplace (when available) or through local clinics can also help to limit the spread of both seasonal and H1N1 influenza viruses. To aid employers, *Benefits Canada* has provided a guide to the 2009/10 H1N1 and seasonal flu vaccinations.

The Flu Vaccination Guide provides up-to-date information on how to obtain the seasonal and H1N1 flu shots across Canada. The guide also includes regional health contact information and Web links for additional support and guidance. The Flu Vaccination Guide can be found at [www.pandemicready.ca/benefitscanada](http://www.pandemicready.ca/benefitscanada).

## Encourage proper infection control

Instituting consistent and effective infection control measures should be an organization-wide initiative led and enforced by management. Infection control measures against H1N1 can also help your staff avoid the seasonal flu.

Did you know? Hands are responsible for spreading approximately 80% of common infectious diseases. Educating your employees about proper hand-washing and sanitizing techniques is crucial.

Strategically placed hand-washing or sanitiz-

ing stations in the workplace are crucial to the success of proper infection control. Put up reminder posters around the office and communicate step-by-step recommendations to all your employees.

Encourage your employees to clean and disinfect their workstations and any common surfaces on a regular basis. You may want to set aside a specific time, company-wide, for employees to do so.

## Advise employees to stay home if they are sick

Ill employees who attend work pose a significant threat to their colleagues. An employee infected with H1N1 or seasonal flu can infect their co-workers simply by coughing or sneezing. Part of infection control activities must be devoted to educating employees about when to stay home and how to get better. You may want to include the following information in your communications:

- A symptom checklist to help employees understand what symptoms to be aware of;
- Recommendations on when to contact a doctor or seek medical advice and how to take care of themselves or loved ones;
- Information on illness notification process in the office — how to get a hold of the pandemic team or the employee's supervisor; and

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## Communicating with your employees can help reduce fear and infection

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- Pandemic sick leave policies. Anxiety about lost wages is the largest deterrent to self-quarantine. Institute flexible sick leave policies to encourage voluntary isolation.

Don't be afraid of employees staying home sick. When you consider the risk of spreading infections, a sick employee at home costs less in lost productivity than a sick employee at work.

Communicating openly and regularly about your company's policies, recommendations and updates throughout the flu season will help your employees feel protected. By reducing anxiety and keeping everyone properly informed, you can ensure productivity and minimize the risk to your business caused by the 2009/10 flu season. ■

*Lindsey Thompson RN, clinical coordinator with Novus Health.*

**For more information on employee communications and pandemic planning, including communication templates, order the Pandemic Ready Kit from Novus Health at [www.pandemicready.ca](http://www.pandemicready.ca).**