HO-CHUNK NATION CODE (HCC)
TITLE 6 – PERSONNEL, EMPLOYMENT AND LABOR CODE
SECTION 8 – OCCUPATIONAL SAFETY AND HEALTH PROGRAM ACT OF 2002
SUBSECTION 9 – EMERGENCY PREPAREDNESS AND DISASTER PLANNING

ENACTED BY LEGISLATURE: MAY 20, 2002

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CITE AS: 6 HCC § 8-9

1. **Authority.** See basic document (Occupational Safety and Health Program Act).

2. **Purpose.** This subsection of the Occupational Safety and Health Program Act provides guidelines to foresee potential emergency situations and to make plans to handle them in order to minimize the consequences of an emergency situation. It is the expressed intent of the Ho-Chunk Nation to establish and implement effective Emergency Action Plans (EAP) to protect the Nation's employees, patrons, assets, and other resources.

3. **General.**

a. This planning guidance is prepared pursuant to applicable local, state, federal, and Nation statutes, codes, and ordinances that prescribe responsibility for emergency preparedness planning, emergency assistance, and emergency response. It also details the business recovery/continuation plans required in the event of disasters of minor, major and catastrophic levels (e.g., power outages, utility outages, or physical destruction of equipment or buildings, etc.).

b. Emergency Action Plan for the Ho-Chunk Nation details the actions and steps necessary for Executive Departments and their subordinate divisions to take during an emergency situation and during a declaration of emergency.

4. **Responsibilities**.

a. Under the provisions of this Subsection, the President of the Ho-Chunk Nation may declare an emergency for the Ho-Chunk Nation due to threats to life and property associated with a disaster. The Ho-Chunk Nation Presidential Emergency Declaration will authorize the Emergency Management Coordinator, or in his or her absence, the Administrator of Safety, of the Division of Safety, Department of Labor to coordinate and provide necessary emergency assistance to individuals and families and protect Tribal infrastructure, natural and cultural resources, and other assets.

b. The Emergency Management Coordinator, or in his or her absence, the Administrator of Safety, shall providing supporting documentation such as area/community impacted, summary of damages, Tribal response efforts, and any other information that will help the President determine whether or not to make a declaration

c. Facilities, Offices and Enterprises.

(1) Each facility, government office, and enterprise owned or operated by the Nation shall develop an Emergency Action Plan (EAP) and Business Recovery/ Continuation Plan (BR/CP) to meet the local needs and requirements.

(2) Each facility shall appoint an Emergency Planning Coordinator with the responsibility for the development, establishment, implementation, and updating of the EAP.

(3) Each facility shall maintain a copy of their EAP and BR/CP. A copy and any updates will be forwarded to the governmental department with oversight authority and to the Department of Labor, ATTN: Safety Administrator, Division of Safety.

d. The following Departments are responsible for EAP and BR/CP's at the facilities indicated:

(1) Department of Business. All gaming facilities and other enterprise operations.

(2) Department of Labor. All government facilities and operations.

(3) Department of Administration.

(a) Executive Director of Administration.

(b) Management Information Systems (MIS) Department. All systems and records necessary for business and governmental recovery and continuation, both short term and long term.

5. **Scope.** The guidance herein is provided in a topical format. The topics are not self-standing. As such for effective EAP and BR/CP's, each topic requires knowledge and understanding of all other topics. While this subsection is a generic outlined, specific and comprehensive plans are required for each facility. Each facility is encouraged to use whatever local assets are available in the planning, implementation, and establishment of their Emergency Action Plan (EAP).

6. **Planning Procedure.** Before a facility can initiate an emergency plan it should identify and evaluate the potential disasters that might occur.

a. Emergencies. Emergencies are placed into three categories minor, major, and catastrophic. Within these categories emergencies are defined as:

(1) Fire.

(2) Medical.

(3) Severe Weather.

(4) Explosion.

(5) Bomb Threat.

(6) Utility Outage.

(7) Hazardous Material Release.

(8) Natural Disaster.

b. The next step is to assess and prioritize the potential harm to people, the environment, and property. Time of day and work shift patterns are other factors that need to be considered in assessing potential damage. Planning should take into consideration the impact of a catastrophe that might occur during weekends or holidays when business and governmental facilities are at full utilization.

c. Once the risk assessment of potential emergencies has been completed, the next step of the planning process is preparing a plan of action.

(1) The Emergency Planning Coordinator is specifically responsible for ensuring the EAP provides for the following functions:

(a) Emergency operation center management.

(b) Communications.

(c) Fire fighting.

(d) Security and law enforcement.

(e) Rescue operations.

(f) Emergency medical services.

(g) Damage assessment.

(h) Mitigation and investigation.

(i) Public information and media briefings.

(j) Rumor control.

(k) On-scene safety functions.

(l) Warning and evacuation of the facility.

(m) Utilities and engineering functions.

(n) Sheltering, feeding, and counseling functions.

(o) Notification of the SARA Title III authorities in the event of hazardous material release.

(p) Business Recovery/Continuation Plan.

(2) All these functions are likely to be essential at each facility they should be assigned to various members of the management team. Managers, supervisors, and employees should be familiar with all parts of the plan and should have experience in the area they are to serve.

(3) Other considerations that the Emergency Planning Coordinator must take into consideration are the amount of external help needed or necessary.

(a) MIS Department for business recovery/continuation.

(b) Occupational Safety and Health Department for disaster planning.

(c) Local law enforcement (county and municipal) for security and traffic control.

(d) Emergency services for fire and medical assistance.

(e) Local government emergency office to coordinate emergency plans.

(f) Tribal Emergency Response Teams (TERT). See Section 10.

7. **Elements of the EAP**. This checklist covers the broad aspects of on-site emergency planning and response. Every aspect will not be required at all locations and facilities. Similarly, additional provisions may be needed at others. Local management with an in-depth understanding of local needs is in the best position to determine which apply.

a. General.

(1) What types of emergencies are covered.

(2) Who is responsible for developing and maintaining the EAP & BR/CP.

(3) Who is authorized to activate the EAP & BR/CP.

b. Emergency Response Organization.

(1) Organizational chart that clearly defines responsibilities.

(2) Who has overall responsibility.

(3) Who directs the emergency control activity.

(4) How are key facility positions in the organizational chart covered during off-hours.

c. Emergency Alarm.

(1) How is the alarm normally activated.

(2) What are the provisions for activating an alarm in the event of a power failure.

(3) Can all employees and patrons hear or see the alarms.

(4) If an alarm activates the emergency response organization, what actions are to be taken by other employees.

(5) Does the site alarm differentiate between various types.

(6) Does the alarm system allow for notification without creating panic with patrons.

(7) How is key management notified during off-hours.

(8) What maintenance and testing procedures are conducted on the alarm system.

d. Communications.

(1) Who handles and how are communications coordinated with Public affairs, Main Office, etc.

(2) Do unlisted numbers exist in case normal phones are jammed.

(3) Who has access to the unlisted phone numbers.

(4) What the instructions to employees on use of phones in an emergency.

(5) Radio Communications.

(a) Frequencies compatible with other emergency organizations.

(b) How many sets available.

(c) Location of sets prior to and during emergencies.

(6) What methods are used at the facility to communicate with local emergency response agencies.

e. Control Centers.

(1) Who is responsible for establishing the Control Center.

(2) Location of the main center.

(3) Location of off-site center.

(4) Who reports to control centers.

(5) What is availability and adequacy of the following equipment and materials at each center.

(a) Copy of EAP and BR/CP.

(b) Drawings of utilities, fire lines, and locations of emergency control equipment.

(c) Names, addresses, telephone number of employees.

(d) Radio equipment.

(e) Emergency lighting.

f. Evacuation.

(1) Where are the designated locations.

(2) Where are the alternate locations.

(3) Where are the off-site locations.

g. Accounting for People.

(1) Who maintains up-to-date records of employee names, addresses, and telephone numbers.

(2) Who coordinates the "head count" procedure.

(3) Who actually makes the "head count".

(4) How are patrons, contractors, vendors accounted for.

(5) Who registers persons entering and leaving the site.

(6) Who has shift rosters to account for employees.

h. Fire Fighting.

(1) Who is responsible for maintaining adequate fire-fighting equipment and supplies.

(2) Who is responsible for fire-fighting training.

i. Material Releases.

(1) Who identifies the substance.

(2) Who checks on toxicity, flammability, etc., of the material.

(3) Who is responsible for control of hazardous spills and control of run-off.

(4) Who is responsible for maintaining adequate spill control and supplies.

j. Shutdown of Operations.

(1) What is the estimated amount of time needed to shut down and/or secure each unit under emergency conditions.

(2) Who has the responsibility for developing and maintaining these procedures.

(3) Who has the authority to initiate shutdown and secure operations.

(4) Are roles clearly defined.

(5) What are critical shutdown features.

(6) Are shutdown checklists used.

(7) Are procedures concise, clear and easily followed.

k. First Aid.

(1) Where are the designated first aid stations.

(2) Who is responsible for providing first aid/medical care/triage for injured persons.

(3) How is the control center notified and advised on status of injured persons.

(4) What information has been provided to help prepare off-site medical facilities for a major emergency.

l. Transportation.

(1) What provisions have been made for transporting the following:

(a) Injured, disabled, and handicapped persons.

(b) First aid, rescue and fire-fight personnel.

(c) Medical or Emergency Supplies.

(2) Are special vehicles (such as trucks, front end loaders, etc.) available.

m. Security.

(1) Who is responsible for securing the site perimeter.

(2) What is responsibility of facility security.

(3) What is the responsibility of law enforcement.

(4) What instructions have been given.

n. Utilities and Services.

(1) Who is responsible for maintaining the fire pumps.

(2) Who is responsible for maintaining the water supply.

(3) Who is responsible for maintaining or cutting off electrical power for vital services.

(4) Who is responsible for obtaining emergency lighting in case of a power failure.

(5) Who is responsible for maintaining drawings on essential utilities for use during emergencies.

o. Outside Agencies (Notification, Alert, Request for Assistance).

(1) How alerted.

(2) Who decides.

(3) Do procedures exist for contacting the following: fire department, police department, hospital, telephone, power companies, and Nation offices.

(4) Who is responsible for maintaining liaison with each organization.

(5) How are the responsibilities/capabilities of each of the above organizations defines.

p. Public Affairs and Media Control.

(1) Who handles public and media contacts.

(2) What procedures exist for setting up news conferences.

(3) What arrangements have been made to keep off-site employees, relatives and public informed.

(4) Who is responsible for receiving and escorting visitors and representatives of news media to proper locations.

q. Community Relationships.

(1) Who interfaces and coordinates with local political officials.

(2) Have working relationships been established.

r. Restoration to Normal Operations.

(1) Are there procedures for testing the reliability of systems before starting up.

(2) Are the business recovery and business continuation plans current.

s. Legal Issues.

(1) Who handles and coordinates communication with the Nation's Department of Justice.

(2) Who handles and coordinates communications with the Nation's Division of Insurance.

t. Training

(1) Who is responsible for training key EAP personnel.

(2) Who is responsible for training and orientation of employees.

(3) How is training evaluated.

(4) Is training conducted at least annually.

u. Drills.

(1) What aspects of the plan are tested.

(2) How often are drills held.

(3) What shifts do drills cover.

(4) How is feedback obtained.

v. Detailed Action Plans.

(1) Do detailed actions plans exist.

(2) Are plans reviewed with employees during training.

(3) Are the practicality of the plans tested through drills.

(4) Are plans current.

w. Follow-up on Audit Findings/Implementation of Plan Revisions.

(1) Is responsibility for audit follow-up clearly defines.

(2) Are necessary plan revisions made and checked.

9. **Business Recovery and Business Continuation Plans.** Business recovery and continuation plans are under the direct authority of MIS and the Business Department. Plans shall include but are not limited to:

a. Telecommunications lines and facilities.

b. Computer systems.

c. Equipment and personnel.

d. Reference materials/manuals/reports.

e. Vital records.

f. Restoration of property/equipment/vital records/materials.

g. Insurance company verification of losses.

10. **Tribal Emergency Response Teams (TERT)**.

a. Following a disaster which affects the Ho-Chunk Nation, it can be predicted that first responders who provide fire and medical services may not be able to meet the demand for these services. The Ho-Chunk Nation therefore establishes a volunteer organization know as TERT. This volunteer organization is modeled after the national model called CERT (Community Emergency Response Teams). These TERT teams will be trained and equipped to augment and assist local emergency response personnel in the following areas:

(1) Disaster preparedness, disaster fire suppression.

(2) Disaster medical operations.

(3) Light search and rescue operations.

(4) Pre- and post-emergency operations.

b. TERTs shall have the following emergency and non-emergency functions:

(1) Emergency.

(a) Conducting an initial size-up in their homes or workplaces.

(b) Reducing immediate dangers by turning off utilities, suppressing small fires, evacuating the area, and helping others.

(c) Treating people in the immediate area.

(d) Working with CERT members and volunteers to establish a command post, staging area, and medical triage and treatment areas.

(e) Collecting damage information and developing a plan of operation based on life-saving priorities and available resources.

(f) Applying their training to situations where CERT members can make a difference.

(g) Establishing and maintaining communication with responders.

(2) Non-Emergency.

(a) Distributing and/or installing smoke alarms and batteries to the elderly and disabled.

(b) Assisting with evacuations and traffic control.

(c) Promoting community awareness of potential hazards and preparedness measures.

(d) Supplement staffing at special events, such as parades.

(e) Acting as victims in training exercises.

c. TERT activation will be at the direction of the Nation's Emergency Management Coordinator after the declaration of emergency by the President of the Ho-Chunk Nation.

11. **Notification Procedures**.

a. In the event of an emergency that necessitates the activation of any portion or all of the Ho-Chunk Nation's or its facilities Emergency Action Plans the following departments of the Nations will be notified.

(1) Office of the President.

(2) Applicable Department(s).

(3) Division of Safety.

(4) Newsletter (for public affairs assistance).

(5) Management Information Systems Department.

b. All those listed on the Emergency Call List, Executive Directors of applicable Departments, Office of the President and Safety shall be contacted and informed of the nature of the emergency any time it occurs.

12. **Administration and Enforcement.** See paragraph 12 of basic document (Occupational Safety and Health Program Act).

Legislative History:

12/6/01	Reviewed by Administration Committee.
1/9/02	Legislature posts for 45-Day Public Review.
5/20/02	Enacted as Emergency Preparedness/Disaster Planning (6 HCC § 8-9) by Legislative Resolution 5/20/02E.
1/28/05	Legislature approves placing out amending draft for 45-Day Public Review.
2/16/05	Draft Emergency Preparedness/Disaster Planning (6 HCC § 8-9) sent out for 45-Day Public Review.
5/5/05	Legislature tables for representation.
10/19/05	Legislative Resolution 10/19/05A enacts the amended and restated Emergency Preparedness and Disaster Planning (6 HHC § 8-9).