

Ministry of Commerce, Industry and Labour Matagaluega o Pisinisi, Alamanuia ma Leipa



Occupational Safety and Health Guide







Acknowledgement

In the ongoing efforts of the Government of Samoa through the Ministry of Commerce Industry and Labour ('MCIL') and the Samoa National Occupational Safety and Health Taskforce ('NOSH') to raise the profile of Occupational Safety and Health ('OSH') nationally, this Guideline was develop to support the business community in particularly employers and employees in complying with requirements of OSH Legislation.

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Government Representatives:

- Samoa Ports Authority
- Ministry of Works, Transport & Infrastructure
- Ministry of Natural Resources & Environment
- Ministry of Agriculture & Fisheries
- MCIL

Private Sector Representatives:

- Accident Compensation Corporations
- Samoa Fire Services Authority
- Samoa Airport Authority
- Ott Construction
- Samoa Breweries Limited
- ACP Vaitele
- BAT Samoa
- Silva Transport
- Taula Beverage
- Bluebird Construction

This Guide was developed using guidance from the Australian, Safe Work Australia Model Code of Practice for Managing Hazardous Manual Tasks in the Workplace (2018)

Disclaimer:

- MCIL has made every effort to ensure that the information in this Guide is reliable but makes no guarantee as to its
 completeness.
- Note this guide may be changed at any time without notice

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Key Definitions

Best Practice Approach refers to suggested actions which currently go beyond specific legal obligations pursuant to the Occupational Health and Safety Act, 2002 and the Occupational Health and Safety Regulations, 2017.

Commissioner means the Commissioner of Labour, or a person lawfully acting in the role of the Commissioner

Duty holder A person, either an individual and includes a body of persons corporate or non-corporate who holds a legal obligation under the Occupational Health and Safety Act, 2002 and the Occupational Health and Safety Regulations, 2017.



Scope and Aim of this Guide

This guide is intended for duty holders under the Occupational Safety and Health Act, 2002 (the OSH Act) and Occupational Safety and Health Regulations, 2017 (the OSH Regulations) and provides guidance on what is required to comply with their duties under this legislation.

In addition, this Guide provides supplemental information of a 'best practice approach'* for the management of risks associated with manual tasks in Samoan workplaces. Although the best practice approach may go beyond a strictly legal obligations, duty holders are encouraged to work towards best practice. It is anticipated that future regulatory changes to Samoan OSH law will reflect aspects of the 'best practice approach' found in this Guide.

This guide provides information and advice to employers on how to prepare for emergencies in the workplace.

To identify which are **current legal obligations**, compared to those which are **suggested best practice**, the following symbols are used.

*Denoted with the symbol:



current mandatory legal obligations, duty holder must ensure they comply



recommended best practice approach, a recommended approach

Exclusions

This Guide focuses primarily on emergencies in the **workplace** based on accidents or incidents that occur due to workplace activity. It does not intend to provide a comprehensive Guide to natural disasters which may also occur nor for workplaces that have major hazards (eg explosives, sites that transport or hold large quantities of hazardous substances or gases).

This Guide does not replace or remove obligations found in other areas of Samoan legislation such as Building Codes etc.

1.0 Introduction

This guide provides information on how to ensure compliance with the current Samoan law regarding managing emergencies in the workplace, specifically, making plans in the event of an emergency or incident including ensuring appropriate exits, procedures, training and first aid plans are in place should an emergency occur.

1.1 What kind of risks do emergencies pose in the workplace?

Failure to plan for, test and train workers in emergencies procedures may result in an increased severity of the incident both in terms of property and human life.

Emergency plans and procedures ensure that there is an **effective response** to an emergency that may occur in the workplace.

Basic requirements of an emergency plan

An emergency plan should include;`



- Evacuation procedures, so that workers and others can leave the area as efficiently and safely as
 possible
- Other emergency procedures as required by the nature of the hazard
- Clear procedures to **notify emergency services** (fire, ambulance, police) in a timely manner
- Timely and suitable provision of medical treatment (first aid) and assistance
- Effective means of communication between emergency co-ordinators and those at the workplace
- Regular **testing** of emergency procedures to ensure that they are effective
- Providing information, training and instruction to those at the workplace on implementing emergency procedures

1.2 Who has safety and health obligations to ensure emergency facilities and procedures are in place?

Under both the OSH Act and OSH Regulations employers, have a legal obligation surrounding the management, and in particular, the elimination or minimisation of risk.

OSH Act Part 3 General Duties of Care, Section 11



General duty of employers to employees

An employer must take all reasonably practicable steps to protect the safety, health and welfare, at work of employees and to provide and maintain a safe and healthy work environment including;

- substances,
- systems of work,
- and,
- any building or public or private area in which work takes place.



Emergency plans and associated procedures can be considered 'a system of work'.

Specific legal obligations specifically surrounding emergency preparedness in Samoan law include:

- Emergency Evacuation Procedures
- Emergency Facilities for fire-fighting and chemical release
- Rescue arrangements
- Fire Prevention
- Safe Lighting
- Personal Protective Equipment

2.0 Step One identify 'reasonably foreseeable' emergencies which could occur in the workplace

2.1 Identify what emergencies could occur?

Consider:

Type of work carried out at the workplace;

Who could be impacted; e.g. visitors as well as workers

The current hazards and possible emergencies

- Fire
- Explosion
- Gas leak
- Medical emergencies
- Rescues
- Outages
- · Hazardous substance incidents- poisoning, burns, fire, spill
- Electrical incidents
- Bomb threats
- Violence robberies
- Natural disasters

Consider, also, the risked posed by neighbouring businesses, remoteness or proximity to hospitals

2.2 Increased obligations on higher risk workplaces

Some workplaces have higher risks than most workplaces. These workplaces have additional obligations around emergency planning: Such workplaces include:

- Confined spaces- refer to specific regulations
- Fall from heights- see Guide How to manage risks from working at heights at workplaces
- Workplaces that handle or manage asbestos-refer to specific regulations
- Workplaces that store or handle hazardous chemicals see Guide How to manage risks of hazardous substances at the workplace

2.3 Emergency Evacuations



OSH Regulations Part 7 Emergency Facilities and Procedures:

Regulation 37. Emergency exits, procedures and training-

- (1) A workplace must provide for the safe and rapid evacuation of persons in the event of an emergency.
- (2) If the failure of artificial lighting system at a workplace could cause a risk to the safety of a person at work, or the safe and rapid evacuation of persons, a suitable emergency lighting system must be provided and maintained.
- (3) If a workplace is within a building or located at a fixed site:
 - (a) Adequate arrangements must exist for the shutdown or evacuation of the workplace in the event of an emergency, and the details of the arrangements for evacuation must be kept on display in an appropriate place; and
 - (b) (1) A more responsible person must be appointed and trained in accordance with sub-regulation (2) to oversee the evacuation and where appropriate, the use of first-attack fire-fighting equipment.
- (4) The following provisions apply in relation to the appointment and training of responsible persons under sub regulation (3):
 - (a) The number of persons appointed at a particular workplace must be adequate to ensure the reasonable protection of employees who work at a workplace, and in determining the number to be appointed the following factors must be taken into account-
 - (i) the nature of the hazards at the workplace
 - (ii) the size, location and type of workplace; and

- (iii) the number and mobility of the employees; and
- (b) The training that must be provided must be adequate to ensure that the person can carry out his or her task competently and must include-
 - (i) training that must be provided must be adequate to ensure that the person can carry out his or her task competently and must include-
 - (i) training in evacuation procedures;and
 - (ii) the use of fire extinguishers

Current Samoan law requires employers in workplaces to have a **plan for emergency** evacuation, including suitable **emergency lighting (eg consider independent power source),** as well as identified workers **trained in evacuation procedures** and the use **of fire extinguishers.**

Evacuation procedures are essential so that workers and others can leave the area as efficiently and safely as possible.

In the best practice approach all workplaces should have an emergency plan detailing the **evacuation** which must be readily **available at the worksite** for easy access in an emergency. All workers must be **trained about the plan** and the plan should include **a map of the site showing** the location of **safe exits**, where **emergency equipment** is located, how and who should raise the alarm, as well as who they should receive instructions from.

Other parts of an emergency evacuation plan

- Planned escape routes
- Exits marked and free of obstructions
- Signs and lighting to assist evacuation
- Plans to evacuating people including the vulnerable
- Regular drills (at least once per year* for an evacuation- unless a change is made)

2.4 Emergency facilities

Fire-fighting equipment

Regulation 38 Emergency Facilities (1) Appropriate fire-fighting facilities and, where appropriate, fire-protection facilities, must be

- (a) available at a workplace, and in determining the appropriateness of the facilities the nature of the hazards at the workplace must be assessed; and
- (b) maintained in an effective condition by a competent person.
- (2) Portable fire extinguishers must be provided and installed at a workplace.

Current Samoan law requires employers to ensure fire-fighting facilities, and where appropriate fire-protection facilities and portable fire extinguishers.

Chemical Release- suitable equipment and deluge systems

(3) If the accidental escape of a hazardous substance at a workplace could give risk to a risk to health and safety of a person involved in a shutdown or clean-up procedure, suitable protective equipment and clothing must be provided and maintained.

(4) If there is a risk at a workplace that a person could come into contact with a corrosive substance, or any other substance that could cause injury to the skin or eyes, appropriate deluge facilities that are immediately accessible from the place of work must be provided and maintained.

Current Samoan law requires employers to have **procedures and equipment for the clean-up** of hazardous spills. Further details are provided in **the Guide How to manage risks of Hazardous Substances in the Workplace.**

2.5 Rescue Arrangements

Regulation 39 Rescue arrangements (1) If the nature of work involves any of the following then the measure in sub regulation (2) must be provided;

- (a) the nature of any work or the location of any workplace is particularly dangerous; or
- (b) a safety harness or safety belt must be worn during the performance or work;
- (c) or there is a risk of a person falling into water and drowning during the performance of work; or
- (d) a person must enter a confined space during the performance of the work, then
- (2) For sub regulation (1) the measures are as follow;
- (a) adequate and suitable rescue equipment must be provided and maintained; and
- (b) appropriate arrangements must be in place for the immediate rescue of a person in an emergency; and
- (c) persons involved in the work must receive appropriate training and instruction in the action to be taken in an emergency (including established rescues procedures and the safe and proper use of rescue equipment provided).

Current Samoan law requires employers to ensure appropriate arrangements for the timely rescue workers at high risk due to dangerous activity, specifically including working in a confined space, fall from height when wearing a safety harness/belt and drowning.

2.6 Fire Prevention

Regulation 40 Fire Prevention- For the purposes of fire prevention at a workplace;

- (a) waste materials and accumulated dust must be removed on a regular basis; and
- (b) flammable materials must be kept and handled in a manner that minimises the risk of fire; and
- (c) warning signs must be displayed wherever a person could encounter material that
 - (i) burn with extraordinary speed; or
 - (ii) cause an explosion

Current Samoan law requires employers to ensure that flammable materials be removed or handled to minimise the risk of fire. It also requires warning signage.

2.7 Lighting

Regulation 41 Lighting (1) Adequate and appropriate lighting must be provided at a workplace, and at any other place where a person may be required to go in the normal course of work (including access ways and emergency exists).



Current Samoan law requires appropriate lighting.

2.8 First aid in the workplace

Regulation 51 Occupational health and first aid in the workplace- The commissioner may approve course of training for the purpose of establishing appropriate standards in relation to the provision of first aid under the act.



There is provision in current Samoan law to approve training courses for first aid.

Ensure suitable first aid equipment (based on type of hazards, nature of work) is available and that there are trained first aid providers available.

3.0 Beyond evacuations to other emergency responses

The best practice approach to emergency planning goes beyond an 'evacuation plan' to include responses to other **types of emergencies** that may not include evacuation. Emergency responses might include a rescue, medical emergency, hazardous substance spill etc.

An emergency plan should be available in a suitable location and workers trained in its contents which should include:

- the necessary response based on the hazard (e.g. rescue, medical emergency)
- who is responsible for raising the ambulance, police) in a timely manner including Phone numbers, manifests, site access?
- who is responsible for first aid arrangements?
- responsibilities for other tasks
- an effective means of communication between emergency co-ordinators and those at the workplace

3.1 Training in emergency plans and procedures

It is important for employers to provide **information**, **training and instruction** to those at the workplace on implementing emergency procedures or template inline eg MOH/SFESA.

Training should include; who to report an emergency to, where to find emergency services telephone numbers, evacuation procedures and designated meeting place, other emergency procedures as identified.

Employers should ensure that training occurs at:

- Induction for new workers
- As required to ensure those with responsibilities can undertake their roles, e.g. first aid, use of fire extinguisher, fire wardens,
- Refresher training and drills
- Information to others that periodically visit the workplace

3.2 Consultation

Consulting workers in the suitability of emergency plans ensures that a broad view of opinion is obtained.

3.3 Review

All emergency plans must regularly be tested to ensure they are effective, e.g. fire evacuation drills, other tests based on the type of emergency. It is expected that notes and records would be kept of any review which occurs including dates and changes made.

4.0 Notification of injury, illness or accident

OSH Regulations Part 10 Occupational health and first aid in the workplace- The Commissioner may approve courses of training for the purpose of establishing appropriate standards in relation to the provision of first aid under the Act.



OSH Regulations Part 13 Notification of work related injuries, Regulation 79 and Illness Regulation

80:



Regulation 81 Notification of Serious Accidents

Subject to these Regulations, if a serious accident occurs at a workplace, the person-in-charge of the workplace must give notice of the accident as follows:

- (a) the person must give preliminary notice of the serious accident by contacting as soon as practicable after it occurs; and
- (b) the person must give written notice of the serious accident by sending to the office of the Commissioner a prescribed notice within 24 hours.
- (5) A serious accident (whether an injury occurs) includes;
- a) The collapse, overturning or failure of the load-bearing part of a scaffold, lift, crane, hoist or minewinding equipment
- b) Damage to or malfunction of other major plant
- c) The unintended collapse or failure of an excavation that is more than 1.5 m deep, or of any shoring
- d) The unintended collapse or partial collapse of a building or structure under construction, reconstruction, alteration, repair or demolition; or the floor, wall or ceiling of a building being used as a workplace;
- e) An uncontrolled explosion, fire or escape of any gas, hazardous substance or steam;
- f) The unintended ignition or explosion of an explosive;
- g) An electrical short circuit, malfunction or explosion
- h) An unintended event involving a flood of water, rock burst, rock fall or any collapse of the ground;
- i) An incident where breathing apparatus intended to permit the user to breathe independently of the surrounding atmosphere malfunctions in such a way that the wearer is deprived of breathing air or exposed to an atmospheric contaminant to an extent that may endanger health;
- j) Any other intended or uncontrolled incident or event arising from operations carried on at a workplace

Samoan law requires employers to notify the Commissioner, as soon as practicable after the occurrence of the injury or illness or a serious accident.

Appendix One Best Practice Emergency Plan Checklist

Safework Australia Emergency Plan Checklist 2020

Bes	t Practice Emergency Plan Checklist	Yes			No
Res	ponsibilities	alloti	Yes	No	
•	Has someone with appropriate skills been made responsible for specific actions in an emergency, for example managing an evacuation or assigning area wardens?				
•	Is someone responsible for making sure all workers		Yes	No	
	and others in the workplace, for example contractors, customers and visitors are accounted for in an evacuation?				
•	Do workers working alone know what to do in an emergency? Is there a record of training?		Yes	No	
	emergency? is there a record or training?				
•	Are specific procedures in place for critical functions,		Yes	No	
	for example power shut-downs?				
Eme	ergency contact details		Yes	No	
•	Are emergency contact details relevant to the types of possible threats, for example fire brigade, police and poison information centre?				
	Are the emergency contact details displayed at the workplace in an easily accessible location?		Yes	No	
			Yes	No	
	Are contact details updated regularly? Eg date last updated within 12 months				
Eva	cuations		Yes	No	
•	Have all emergencies requiring an evacuation at the workplace been identified?				
•	Has an evacuation procedure been prepared (if				
	applicable)?		Yes	No	
	Unit-V				107
					100

	s the procedure: address all types of situations and ards which may arise at the workplace			21
	r everyone who may be present at the workplace, v for quick and safe evacuation when needed	Yes	No	1
spec	rly identify routes to safe assembly areas consider italiassistance for hearing, vision or mobility-impaired ble, and include a process for accounting for persons?	ety		
Evac	cuations for a fixed workplace	Yes	No	
	Is the evacuation procedure clearly and prominently displayed at the workplace, where practicable?			
•	Is there a mechanism, for example a siren or bell alarm for alerting staff of an emergency? If yes, is it regularly tested to ensure its effectiveness?	Yes	No	
	Is there a documented site plan that illustrates the location of fire protection equipment, emergency exits	Yes	No	
	and assembly points? If yes, is it posted in key locations throughout the workplace?			
		Yes	No	
	Are all exits, corridors and aisles readily accessible and kept clear of obstructions?			
		Yes	No	
	Does the workplace have illuminated exit signs?			
ire ı	protection equipment			
г	Does the workplace have appropriate fire protection	Yes	No	
	equipment? Is it suitable for the types of risks at the workplace, for example foam or dry powder type			
	extinguishers for fires that involve flammable liquids? Is it properly maintained and regularly checked and	Yes	No	
	tested by the local fire authority or fire equipment supplier?			
	Is the area where the equipment is stored kept clear of obstructions?	Yes	No	
	Lacour Control			
	Are adequate numbers of workers trained to use fire extinguishers? Do they know what type of	Yes	No	1/22
	extinguisher to use for different types of fires?			10174

Extreme weather conditions If there is a risk of extreme or dangerous weather conditions, floods or storms, will the control No Yes measures be effective in these conditions? Do emergency procedures accommodate П declarations of extreme weather warnings? Do procedures identify the closest designated Yes No 'safe place'? Do workers have access to reliable communications equipment? Yes No Are workers trained in emergency evacuation and related procedures? If workers travel into areas where extreme weather Yes No warnings may be declared, have appropriate policies and procedures been developed for when such declarations are made? **Chemical release** Yes No Are current safety data sheets available for all hazardous chemicals on site? Are all hazardous chemicals labelled and stored in a Yes No safe manner? П П No Is appropriate equipment available to initially respond Yes to a chemical incident, for example absorbent material to contain a liquid spill? Yes No Is appropriate personal protective equipment and training provided to protect workers who are called on to deal with an unplanned chemical release? Yes No Are deluge systems available?

·Irs	t aid	Yes	No
	Has a first aid assessment been conducted?	nole:	oni
	Does the workplace have trained first aiders and	Yes	No
	suitable first aid facilities?	elv-	
	Are workers aware of where first aid facilities are kept and who first aiders are?	Yes	No
	NOT -		
	ghbouring bus <mark>inesse</mark> s	Yes	No
	Have neighbouring businesses been considered if an emergency occurs? How would they be advised of an emergency situation arises (if applicable)?		
		Yes	No
	Have the risks from neighbouring businesses been considered, for example fire		
S	t incident follow-up	Yes	No
	Are there procedures in place to notify the relevant regulator about a notifiable incident where necessary?		
		Yes	No
	Are there procedures in place to ensure the cause of the emergency is determined and action is taken to prevent a similar incident occurring again?		
		Yes	No
	Are there procedures in place to ensure the welfare of workers after an emergency or an incident, for example medical treatment or trauma counselling?		

Appendix Two Emergency plan

Safe Work Australia Emergency Plan Template (2020)

Date:

Last revision: [Where working operations have changed as a result of the COVID-19 pandemic, emergency plans must be reviewed and, if necessary, updated.]

Scope and application

[Set out the scope and application of your emergency plan

Emergency management team – roles and responsibilities

Identify the kind of emergency events and occurrences that your business or location could experience, such as fire, chemical spills, bomb threats, electrical outages, security breaches, natural disasters, significant injuries, medical events and pandemics. You may wish to include a specific scenario of a worker being diagnosed with COVID-19.

Explain how the emergency plan gets activated.] Emergency contacts

[List your local emergency services here as well as useful workplace contacts such as wardens, first aid officers and the like, and other emergency contacts relevant to your business. If you work in close proximity to other businesses it can be helpful to include their contact details here too, in case they need to be notified of an emergency that may affect them.]

Contact	Name Name	Phone number	
Emergency services –	Fire/police/ambula	ance	
Police			
Fire warden			
First aid officer			
OSH officer			
Security office			
Reception			
State Emergency Services	s (SES)		
Ne <mark>ar</mark> by businesses			
Poison information line			
Utilities	100	(LV)	
COVID-19 information line	es	17-1	11/7/1 0

[Outline the roles and responsibilities of your emergency management team. Your emergency management team may include your wardens, first aid officers and others. Explain each person's responsibilities both in an emergency and in planning for an emergency. This can include specific instructions for each person, if relevant. For example, you might outline the training and planning procedures that are required for a fire warden.]

Supervisors – roles and responsibilities

[Outline the roles and responsibilities of supervisors both in an emergency and in planning for an emergency.]

Workers - roles and responsibilities

[Outline the roles and responsibilities of workers both in an emergency and in planning for an emergency.]

Evacuation procedures

[Outline your evacuation procedures here. You should include a copy of your floor plan with detailed locations of emergency exits, evacuation routes, safety equipment and locations of wardens clearly marked. If you have workers across multiple locations, ensure procedures are outlined for everyone.]

Emergency procedures

[Set out procedures for the potential emergency events and occurrences you have identified for your business, based on the hazards in your workplace and location. These could include fire, chemical spills, bomb threats, electrical outages, security breaches, natural disasters, significant injuries, medical events and pandemics. You may wish to include a specific scenario of a worker being diagnosed with COVID-19.

Your plan must outline who should be contacted and at what stages, and the best means of contact.

Outline medical treatment options – i.e. where to find emergency kits, first aid officers and supplies and instructions. Make sure you consider how you will account for people with disability or specific needs in the case of an emergency.

If you need to provide for a large number of scenarios, you may choose to include only a brief outline of procedures in the document and refer to another document/s that contains more detailed information on the procedure for each scenario.

Consider whether precautions you have taken as a result of COVID-19 may affect your risks and procedures – i.e. if key personnel are no longer working from their usual workplace, or if there are less staff to undertake key tasks. Physical distancing measures may also affect how easily workers can communicate in an emergency situation, so ensure you consider these factors when reviewing your plan.]

After an emergency

[Include information on what should be done after an emergency has occurred, including who must be notified and how and when this should occur. You may wish to include a template for recording the incident and outline the debriefing process to review what happened, how the plan was followed and lessons learned.

If staff are working from different locations, including from home, make clear what is expected for an emergency that occurs outside of the usual workplace. This may be particularly relevant during the COVID-19 pandemic.]

Testing the emergency plan

[Your emergency plan must include information on how and how often your procedures will be tested – i.e. evacuation drills, fire alarm testing.]

Training

[Your emergency plan must include information on the provision of information, training and instruction to workers on their roles and responsibilities in implementing procedures.

If your work processes change, may require new or additional information or training. For example, some workplaces will have undergone significant changes as a result of the COVID-19 pandemic.]

Reviewing, reporting and record-keeping

[Your emergency plan should detail how you will review, report on, and what records will be kept on, emergency responses and on compliance with the plan.

Emergency plans should be developed and reviewed in consultation with workers.

If you have a shared workplace (i.e. a construction site, office building), then you must also consult, cooperate and coordinate activities with all other persons who have a work health or safety duty in relation to the same matter, so far as is reasonably practicable. This includes when preparing, reviewing and revising emergency plans. You may have a shared emergency plan in place if applicable.]



