

# Deffebach in Reuters: Emergency and Business Continuity Planning

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January 2, 2025 Matthew Deffebach

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**PRACTICES** OSHA, Crisis Management, Labor and Employment

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Haynes Boone Partner [Matthew Deffebach](#) authored an article for *Reuters* discussing emergency preparedness and business continuity planning for private employers, including the Occupational Safety and Health Act of 1970 (OSH Act), general industry standards, effective emergency planning, and employment law considerations.

Read an excerpt below.

To understand the importance of disaster planning, employers and their counsel need look no further than the events surrounding extreme weather and storms in different parts of the country, such as devastating hurricanes and west coast wildfires, as well as the COVID-19 pandemic. Not only are there legal considerations an employer must evaluate, but there are also many logistical issues that arise when an emergency or disaster displaces a workforce.

This article explains how employers can prepare for business continuity in case of an emergency or a disaster. Specifically, it addresses:

- An employer's duty to protect employees from recognized hazards under the OSH Act.
- Steps for effective emergency planning, including how to create and implement an emergency action plan (EAP).
- Key employment law issues that may arise during and after a disaster.
- Strategies for successful business continuity planning.

## **The OSH Act and Emergency Preparedness**

The OSH Act broadly covers most US employers and employees, mandating safe workplaces free from recognized hazards and requiring emergency preparedness, except for specific exclusions.

## **Scope and Coverage**

The OSH Act covers all employers and their employees in the 50 states and all territories and jurisdictions under federal authority (29 U.S.C. § 653(a)). The OSH Act is interpreted broadly to apply to places where at least one employee works and that work affects interstate commerce, even if the connection to interstate commerce is remote (29 U.S.C. § 652).

To read the full article from *Reuters*, click [here](#).