



## Issue: Multi-national Corporations with Operations in India – Considerations for the Next Phase of the COVID-19 Pandemic

**Contributor:** Dan Sauvageau, SEC Subject Matter Expert, former Chief Security Officer, Fidelity Investments

**Where this issue may fit in the pandemic scheme:** Regional Deceleration – Overseas Operations

On March 24<sup>th</sup>, India's Prime Minister, Narendra Modi, ordered a 21-day lockdown for its entire population, appx 1.3 billion people. Unlike more developed countries coping with their own struggles posed by shutdowns, India is further challenged by having limited critical infrastructure, health care services, and emergency first responder services. Unless PM Modi extends the lockdown, it is set to end on April 14<sup>th</sup>. Exactly what a re-opening would entail remains unknown.

Multi-national corporations (MNCs) have a lot to gain or lose from how quickly and effectively their operations can return to normal. With four times the population of the U.S. and known for high levels of corruption, poverty and poor infrastructure, India will likely be faced with even greater challenges than the U.S. when it comes to this pandemic. Security leaders and their risk mitigation colleagues must figure out how they will assess, prepare and respond to India's attempt at resuming normal operations weighing all these factors in their decisions while safeguarding their associates, expatriates and workplaces. Please note that some of the items listed below may apply to MNC operations regardless of location while others are unique to the India operating environment.

Since MNCs have different operations, organizational structures and risk tolerances, there is no one size fits all approach. Below are questions and facts that may evoke thoughts, ideas and creative solutions to assist a security team in managing this unprecedented health and economic crisis.

### Health/Security/Safety/Risk Management

- With limited public safety, law enforcement, infrastructure capabilities, the Indian government pushes much of the responsibility for employee safety and security to corporations. Is your company prepared to step up to overcome the shortcomings in all these areas to keep your staff safe in transit and at work? Now is the time to test ALL building and transport security devices, systems and procedures to ensure they are working.
- Companies rely heavily on contractors to support their operations such as housekeeping staff, food service, transport drivers, and security. Many are poorly trained, equipped and supervised. Ensure that your contract security providers have ample surge capacity should a number of people contract the virus. Insist that vendors step up their supervision of guards, drivers, housekeepers, etc., to ensure they are competent and properly performing their normal and any unique COVID-19 related duties.
- What controls are in place to ensure contract staff who live paycheck to paycheck are not showing up to work sick and infecting others?
- Do you have established, communicated and understood protocols should an associate be confirmed to have COVID-19? What if the virus is suspected or confirmed to have been in a building or neighboring office? Since cleaning is different from sanitizing - do housekeeping staff have proper instruction and tools to perform their duties? Are the chemicals they use safe? Guidelines, if any, and their enforcement differ from strict EPA ones found in the U.S. Are your supply chain subject matter experts informing procurement guidelines for CDC, WHO approved products?
- Will your company limit the number of employees in transports or at the office at any given time?

- If you plan to conduct temperature and symptom screening for associates entering the workplace, who will do that work? A healthcare provider, contract guards? Ensure they have the proper training and equipment to carry out these duties as they will be the front line of defense, keeping contagious people away.
- The use of office “tea boys” is common, but rubs against social distancing; will that service be suspended?
- If you have expats and families in India and the hospitals run short of beds, have you considered plans for if they get ill and need medical treatment? Do you have multiple vetted hospitals to choose from?
- Expats rely heavily on domestic help and drivers for their daily activities. Do you have processes and procedures in place to screen them for symptoms, so they don’t infect families?
- Protests or “Bandhs” can happen with little or no notice and can turn violent quickly. Is your transport, building or campus security up for the task if civil unrest erupts?
- What changes will be made to in-country travel practices when stay at home orders are relaxed?
- Are your visitor management and access control systems up to the task if health or law enforcement authorities request them for contact tracing of confirmed cases? This has been quite taxing for security staff in other companies across the globe: do you have extra staff available for this work that requires precision and speed?
- Consider the Security Executive Council’s GSOC and [General Risk Mitigation Checklist](#) that contains many risk mitigations actions you can consider now.

### Legal Risk Mitigation

India has many laws and regulations that an MNC must comply with that are often difficult to understand and interpreted differently.

- Has your in-house or external Legal counsel been involved in all your pandemic planning response and management to date? Are they current with and keeping stakeholders informed of changes to laws, regulations resulting from the Governments COVID-19 response/measures?
- What are the implications of Force Majeure and contractual non-compliance both by the company and third parties, e.g., contract guards, transport and housekeeping? Companies share the responsibility for ensuring third parties properly compensate their staff for wages and over time. What additional challenges will result with the complexities and challenges brought about by the pandemic?
- What is the enforceability of foreign judgements and multi-jurisdictional contracts?
- Labor and employment (issues with wages, surplus labor and retrenchment) should be understood by the security team as needed/appropriate.
- Are COVID-19 compliance expectations being communicated with duty to report expectations?

Contact us if you need assistance in COVID-19 strategic planning, response or recovery at [contact@secleader.com](mailto:contact@secleader.com)