



## **ACC's Global Membership Reacts to the Coronavirus**

**Compliance and Ethics**



The *ACC Docket* has been in contact with ACC members around the world as it does its part to share resources and reactions to this unprecedented global pandemic.

If you want to share how your company is handling the crisis, email [docket@acc.com](mailto:docket@acc.com). Feel free to answer the questions below or respond in other constructive ways.

This article will be updated as we receive more answers.



*Update: March 26, 2020*

**Maree Myerscough, general counsel at Conergy and ACC Singapore board member, recently wrote this [LinkedIn post](#), and gave us permission to share it here:**

### **Covid-19 ?— How can you help to share the burden?**

Covid-19 is indiscriminately hitting us all. How can you help to share the burden?

While many contracts technically put the risk of such a situation on the customer (let's not get caught up in force majeure arguments here), I have observed that many businesses have, for various reasons, opted to take the hit directly. Customers rejoice! But how sustainable is this in the long run (and unfortunately, we may be here for a longer run).

I have been impressed by stories of companies that have been going above and beyond their #contractual terms to help cushion their customers from the burden of their lost bookings, holidays, functions, memberships, etc. While I have celebrated for friends who have been able to secure full refunds/credit notes for their abandoned bookings (many of which were technically non-refundable), I can't help but worry about the businesses that are offering such refunds or waivers and how their balance sheets will absorb the sheer magnitude of cancellations.

When my F45 gym offered to facilitate a (free) pause for any members that were not able (or uncomfortable) to continue their training — I was appreciative. But then it occurred to me: What about their overheads? Who will cover the rent? What about our trainers? So I reached out and offered to split the cost 50/50. Frankly, that's the very least I could do. This very small gesture was graciously received by my studio. In the broader scheme of things, it's a drop in the ocean, but if other members can do the same (or similar) it will make a tangible difference.

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This isn't a question of contractual terms. As a lawyer, I don't often get the opportunity to say 'forget about the contract' — but that's exactly what I am encouraging at this time. Look beyond the contractual terms and see if there is a way you can come up with a creative way to help share the burden.

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## **In Australia, Serryn O'Regan of Evolve College shares:**

### **Did your company have existing measures in place to respond to a health crisis or social disruption of this sort?**

No. We had infection control procedures but nothing to address a pandemic.

### **How has your company responded to coronavirus?**

We immediately implemented procedures for staff, students, and the public, reflecting public health warnings and recommendations.

### **Have there been any gaps in service delivery?**

No.

### **How long can your company operate like this?**

We can continue in the manner as needed. There will be adjustments required to our delivery if it continues long-term, but our commitment is to quality of delivery and thus we will adjust to what's required.

### **What is one tip to share that you've learned during this crisis?**

Don't panic. Don't buy into the hype. Just make it about doing everything that needs to be done.

## **Two ACC members from Juniper Networks, DJ Goh and Brad Holland, based in Singapore and Australia respectively, share:**

### **Did your company have existing measures in place to respond to a health crisis or social disruption of this sort?**

Juniper Networks has maintained a preparedness plan for several years in order to manage the impacts of an outbreak such as the current COVID-19 situation. The Juniper Crisis Management team has been executing our Pandemic Preparedness Plan, which we created and have maintained since the SARS crisis in 2002 and Bird Flu in 2004.

### **How has your company responded to coronavirus?**

Current precautions implemented to support our employees include:

- Following various government recommendations on quarantine, prevention, and response.
- Implementation of a flexible work policy, including work-from-home (WFH) and social

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distancing in our facilities in impacted areas.

- Cancelled all travel to and from impacted areas until further notice.
- Implemented a mandatory 14-day quarantine for any employee traveling from any of the impacted regions.
- Screening of visitors to our facilities.
- Implementation of enhanced hygiene and cleaning of our office spaces.
- Provision of personal protective equipment to employees in affected areas.
- We are happy to say that currently we have no reports of any Juniper staff having contracted the virus.

## **How has the company leveraged existing technology and workplace practices to cope?**

**Work from Home:** Juniper has implemented a global employee and contractor work-from-home (WFH) policy. The only exceptions will be specific lab, facilities, and security personnel, and they will be contacted directly by their management.

Technology resources for working from home:

- Content collaboration tools, including Skype and Microsoft Teams.
- Access to corporate network via VPN from home or remote locations.
- Multi-factor authentication (MFA) is a second layer of security used when we are accessing the corporate network from outside the office.
- Email on mobile devices: access Juniper email on a mobile device.
- Outlook webmail: Access Outlook via the Office 365 web portal.
- Laptop accessories: Additional accessories such as laptop power adapter or headsets.

**Travel restrictions:** We are also tightening our travel policies to restrict all internal travel. Only essential customer supporting travel will be allowed and this still must be specially approved by our senior management.

## **Have there been any gaps in service delivery?**

At this time, we expect no impact to delivery of services to our customers. Shipment delays resulting from ordered factory closures in China could result in some impact to inventories in our spare parts depots, and we are monitoring the situation closely to determine such impacts and will communicate to our customers, as appropriate.

## **How long can the company operate like this?**

Please keep in mind that this is a very fluid situation and mandatory quarantines, travel restrictions, and other preventative measures may cause additional impacts. Juniper is continuously monitoring the rapidly changing situation and will mitigate any impacts from the coronavirus.

## **What is one tip to share that you've learned during this crisis?**

Remain calm, show leadership, and support colleagues, customers, and family.

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## **In the United Kingdom, Stuart Weinstein of Aston Law School, says:**

### **Did your company have existing measures in place to respond to a health crisis or social disruption of this sort?**

Yes, our university had existing measures in place to respond to a health crisis or social disruption of this sort.

### **How has your company responded to coronavirus?**

The university as a public institution follows instructions and guidance issued by the UK Government, e.g., the Cabinet Office, National Health Service (NHS), and the Foreign and Commonwealth Office, as appropriate.

### **How has the company leveraged existing technology and workplace practices to cope?**

The university has extensive provision in place for online delivery of education that if needed can be put into use in the event the UK Government issues instructions that that classroom attendance on campus is not advisable. No such instruction has been made by the UK Government.

### **Have there been any gaps in service delivery?**

This is too early to determine at this time. Over time we will find this out!

### **How long can the company operate like this?**

The university is prepared to operate in accordance with the instructions received from the UK Government as long as the health crisis persists.

### **What is one tip to share that you've learned during this crisis?**

As the Prime Minister says over and over again, wash your hands thoroughly with soap and hot water singing Happy Birthday or God Save The Queen twice to yourself to ensure a good wash!

## **In Switzerland, ACC member Richard Burnley shares:**

### **How has your company responded to coronavirus?**

The company acted very quickly and effectively to the unfolding crisis. From a very early stage, a crisis management team was set up, deciding that anyone who had recently been to an affected region should be sent home for 14 days. This proved crucial because one such individual subsequently tested positive. An audit of that employee's movements was done quickly and anyone who had been in close contact were identified and tested. In the meantime, structures were rapidly put in place to enable all non-critical staff to work from home for at least 14 days, with back-up facilities for critical staff. These actions managed to contain and resolve the issue, with no disruption to business.

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## **How has the company leveraged existing technology to cope?**

Existing technology allows for full business continuity, using applications such as Webex and Teams. More responsibility placed on management communication to keep up with their teams and ensure consistent and effective decisions. For key strategic meetings, off-site facilities have been used. Full and frequent communication with staff to keep them informed and engaged.

## **Have there been any gaps in service?**

No – the quick roll out of a work-from-home policy has been successful, relying on full engagement and communication of senior management to ensure smooth delivery.

## **How long can the company operate like this?**

Every day we are building our skills and capability to operate remotely. Adopting a conservative approach to the crisis should allow us to ride out the storm, however long it lasts.

## **What is one tip to share that you've learned during this crisis?**

Plan early, stay ahead of the curve, and predict the global trends before they happen. Recognize that what may be perceived as overly strict measures internally quickly look reasonable with such a fast-moving crisis.

## **In Singapore, Christopher Y. Chan of Lazada shares:**

### **Did your company have existing measures in place to respond to a health crisis or social disruption of this sort?**

Being part of the Alibaba Group and seeing how the coronavirus greatly impacted China first, our teams were ready when it hit Singapore and SE Asia. We had some key insights as well as early warnings to optimize business continuity plans. They are continually evolving, but we are trying our best to keep our teams healthy, prepared, and calm.

### **How has your company responded to coronavirus?**

We have implemented various solutions following the different situations around the region. We are ranging from A/B split work teams to work from home, to digital check-ins and physical temperature monitoring, to travel restrictions. Luckily, as a leading technology company, we have been able to keep the business operating.

### **How has the company leveraged existing technology and workplace practices to cope?**

Alibaba is the owner of DingTalk, it's an enterprise work communications platform that allows for file sharing, communications, co-working, and video conferencing. Before the virus outbreak, it's allowed our teams to work with the six regional countries seamlessly. In this environment, it is being used to communicate regionally, but also locally. I understand many schools in China are also using DingTalk



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to continue classes right now.

## **Have there been any gaps in service delivery?**

In crises like this, information changes quickly constantly. Having a face to face interaction is generally very helpful. We are trying to manage this by having split teams that never cross-pollinate, but meet up separately. Part of the other issue involves more "chatting." Chatting lacks emotions and messages may be misinterpreted. Our work messages include emoticons, and also the ability to add impressions (thumbs up, heart, sad face, etc.) to a message and not have them be individual messages that clog up the channel. We are also learning how to better communicate via Chat (versus in person, and even email).

## **How long can the company operate like this?**

Hard to say, because it is so new right now, but our Business Continuity Plans are structured for the long haul, if needed. It will take some time to get into a rhythm, but I do not doubt that we can continue to grow even though the circumstances externally are so tricky. E-commerce is generally one of the businesses which can thrive in limited lockdown situations.

## **What is one tip to share that you've learned during this crisis?**

If you have to talk to someone, pick up the phone and call. It's generally faster and easier than sending text messages back and forth. Also keep track of the thousands of messages is difficult; I've learned how to triage better and manage the incoming messages because not every message is critical.

For more advice on the coronavirus pandemic, visit our [Coronavirus Response Resource Page](#).

[Association of Corporate Counsel](#)





Staff

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