Essential Construction Notification

NAME forwarded your email stating that construction activities on the PROJECT NAME project is essential and exempt from the “shelter in place” order per section 10.C of ORDER OF THE HEALTH OFFFICER issued Monday.  While this is likely correct, prior to COMPANY NAME employees returning to work on the project, we need a letter from the Owner on their letterhead stating that the job is exempt and that construction duties are to continue under this Order without interruption.

I would also like you to share with us any additional jobsite protocols GENERAL CONTRACTOR and the Owner have enacted or are enacting to ensure the health and safety of all workers on the project. Prior the Monday’s “shelter in place” notice, another General Contractor provided us with a list of measures they enacted including the following (some of which have cost implications):

* Daily reminders for all personnel on handwashing, general hygiene and preventive measures.
* Posting additional signage throughout the jobsites to raise awareness and be a constant reminder.
* Ensure sufficient wash stations are available and always fully stocked.
* Provide Nitrile gloves, hand sanitizer and masks at jobsite entrance.
* Clean frequently touched surfaces. The GC assigned dedicated staff to continually clean doors, door handles, tools, equipment, etc.….
* Minimize the number of employees working within arm’s length of each other.
* Enact shift work to minimize the number of individuals on the job at any time.

Please be aware that OSHA has announced that COVID-19 can be a recordable illness if a worker is infected as a result of performing their work-related duties if the following criteria are met:

1. The case is a confirmed case of COVID-19 (see CDC information on persons under investigation and presumptive positive and laboratory-confirmed cases of COVID-19);
2. The case is work-related, as defined by 29 CFR 1904.5; and
3. The case involves one or more of the general recording criteria set forth in 29 CFR 1904.7 (e.g. medical treatment beyond first aid, days away from work).

Furthermore, the State of California Labor & Workforce Development Agency states that workers may be eligible for workers’ compensation benefits if they are unable to do their usual job because they were exposed to and contracted COVID-19 during the regular course of their work.

We are looking into which party or parties would responsible and liable for the recordable incident, workers compensation benefits, as well as any other OSHA, financial or legal issues, should one of our employees’ contract COVID-19 because of working at the PROJECT NAME project.

Should our employees remobilize on PROJECT NAME, we cannot guarantee they will be able to get any additional material or supplies other than what is already on the project. Our warehouses as well as most, in not all, of material vendors, and stocking companies located in the nine counties are closed under the “shelter in place” order through April 7. (Change date as needed)

To reiterate, prior to our re-mobilizing we need GENERAL CONTRACTOR to provide COMPANY NAME with the following:

1. A letter from the owner on their letterhead stating the project is exempt from the Order.
2. A list of jobsite protocols GENERAL CONTRACTOR and the Owner are taking to ensure the health and safety or our employees from contracting COVID-19.

Please contact me if you have any questions