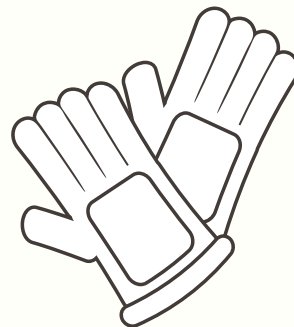
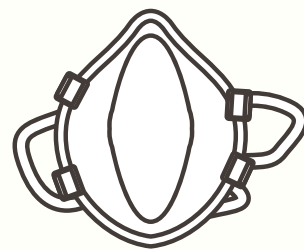




COVID-19 GUIDE

For Commercial/Industrial Jobsites



LACHER

Overview

The COVID-19 pandemic has changed the way we live and work. As you return to work at jobsites, consider how your practices can change to protect the health of your workers and customers. Site owners, GC's, and subs should consider the following questions as you look to return to construction work.

Safety & Health

Document regularly, the status of the jobsite, through photographs, to ensure you know where you started and stopped if work must suddenly be stopped due to government regulations

All individuals should be screened for COVID-19 symptoms before coming into work

A company representative should document answers to a verbal health survey every day:

- Have you been coughing in the last 24 hours?
- Have you had a fever in the last 24 hours?
- Have you had direct contact with a COVID-19 symptomatic person in the last 24 hours?
- Decide now how you will handle the jobsite if someone that has been on your site tests positive

If the answer is yes to any of the above questions, the person should be sent home for self-quarantine for the next 14 days and records of those who are self-quarantining should be kept

You can also consider daily and/or random temperature checks

Consider additional safety personnel during this extra-sensitive time





Physical distancing

As far as possible, require each individual to maintain at least six feet of distance from others

- In small spaces, such as jobsite trailers, allow only two people in at a time to limit groups. Mark six feet on the floor of the trailer so that two individuals can easily maintain proper distancing when having a conversation
- Jobsite segregation: consider zoning off a jobsite by subcontractor, including separate parking, entrances, and bathrooms by crew

Personal protective equipment

- All normal jobsite PPE should be worn as was previously required and worn. Any health-related PPE should not override OSHA standards for safety PPE
- Consider outfitting your workforce with additional health-related PPE including:
 - Cloth masks
 - Latex gloves
 - Boot covers
- Employees should wear above PPE when it does not override necessary safety precautions
- The CDC currently recommends wearing a mask in places where it is difficult to maintain physical distance from others. Cloth masks or other appropriate PPE should be worn at all times when employees must work closer than six feet together
- Employees should take cloth masks home with them each day due to the low availability of masks; however, employees should leave masks either in their vehicle or in a safe place so as not to expose it to their family members

Provide sanitizing wipes and hand sanitizer to each sub crew and require sanitation

- Any surface that was touched by bare hands should be sanitized before leaving the jobsite
- Equipment that is shared, including ladders, scissor lifts, buckets, tools, etc. should be sanitized after each use
- When a piece of equipment requires two or more people to use it simultaneously, encourage all employees involved to wash or sanitize their hands immediately after use
- Eliminate the sharing of tools and equipment as much as possible by assigning tools to one individual
- Provide for disposal of wipes and any other potentially infected material on the jobsite, which should be disposed of at the end of every day



Consider adding more bathrooms to limit facilities to one crew

Set up a regular cleaning schedule of public areas, especially bathrooms

- Bathroom handles should be sanitized after each use
- Hand sanitizer should be provided and liberally used in bathroom areas
- If portable facilities are being used, consider using separate portable bathrooms for each subcontractor

Add as many extra hand washing and hand sanitizing stations throughout the project as you can

Advise employees to use the stairs instead of an elevator whenever possible

Advise employees to remove their clothes before they enter their house and launder them after work every day

Employees should also shower immediately upon returning home from work, to limit any spread of germs in their homes



Subcontractors

All subs should have written confirmation that they are allowed to work and are considered "essential." This may come from the state, municipality, or other governing body

Establish a protocol for subs to screen their employees and report any positive tests or symptoms to you immediately

Plan the work day so that you can limit one area of the jobsite to one subcontractor and zone off that area for only one sub to work in for the period of time for which they need it

Stagger shifts – work with your subs to commit to being on the jobsite at different times of day to limit the number of people on the jobsite at one time

Require subcontractors to adhere to the same health and safety regulations outlined previously that require additional cleaning and disinfecting, as well as providing additional PPE to employees





Leaving the Jobsite

When fueling a vehicle, whether a company or personal vehicle, employees should:

- Wear a glove or gas mitt
- Consider using contact-less payment at the pump, such as Apple pay or use of a smart phone, to eliminate the need to touch a screen or keypad

Lunch and breaks

- Stagger lunch and coffee breaks and consider adding break areas to limit large groups as much as possible
- Require employees to get takeout food only, instead of going into a restaurant for lunch
- Instruct employees not to go into a grocery store or convenience store to grab lunch so that they can avoid exposure to additional germs
- Consider requiring individuals to take their lunch breaks in their cars alone to limit contact

Getting supplies

- Designate one person per crew to make jobsite errands, and require that person to wash their hands after leaving the store
- This person should also wear a cloth mask while in public places, as is recommended currently by the CDC

Vehicles



When loading or unloading, before allowing any outside person onto your vehicle, confirm that their disinfecting standards are as stringent as yours



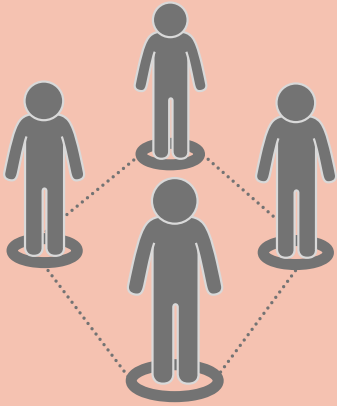
Develop an opening and closing of day procedure for all company vehicles including wiping down all controls, steering wheel, gearshift, handles, etc. with disinfectant wipes

If possible, limit all vehicles to only one person (the driver, with no passengers)

If employees must travel together in the same vehicle, all employees in the same vehicle should wear masks while driving



Human Resources



Establish a policy for team members who have come into contact with someone who has been diagnosed

If team members are uncomfortable coming into work due to COVID-19, even if they are not infected, give them grace and flexibility

Do not force or require an employee to come to work. Employees may be hesitant to return in the midst of a pandemic. Check in regularly with these team members until they are ready to return





Obtain written authorization to continue working at the jobsite

Speak with your attorney immediately to review your contracts

- Review “force majeure” provisions in your contract – does COVID-19 constitute a force majeure event?
 - Does the force majeure clause allow for time extensions?
 - Does the clause allow for additional compensation?
- Review contract termination provisions – can you terminate any contracts based on a work stoppage? What notices must be given?
- Adjust indemnification and hold harmless clauses to exclude COVID-19 related claims through an attorney-reviewed contractual amendment
- Renegotiate any penalties and project timelines to adjust for the work shutdown and consider the additional time it will take you to ramp back up your workforce including the extra precautions outlined above
- Consider voiding any Work Comp immunity waivers previously granted
- Consider any additional compensation needed for the increase in cost of supplies, namely PPE

Identify what impacts your contracts will have on your work, such as delays, notices, and compensation

Consider what potential delays you may face due to material shortages, permitting difficulties, and unavailability of PPE

Formulate a plan – monitor local and state governmental orders regularly to determine how they affect your business

Communicate regularly to your subcontractors to determine ability to work and return to work quickly

Customers & Outside Vendors

Limit the number of outside vendors to essential visitors only

- Post a notice that anyone who exhibits any symptoms of COVID-19 is asked not to enter
- Post a call-in number that visitors can call at all jobsite entrances if they have any questions or concerns about entering the jobsite



Communication



Conduct all site meetings virtually rather than onsite

Outline the precautions you are taking clearly to all of your employees before you decide to return to work, verbally and in writing



Send your customers a similar communication that outlines your precautionary measures before you return to the jobsite

Field employee concerns and questions before returning to work



Check in with employees individually on a regular, daily, if possible, basis. The additional anxiety, fear, and pressure that everyone is feeling in this time makes it imperative for you to ensure you are checking in and maintaining regular contact with all of your employees

Reopening



Before reopening the jobsite consider the following questions:

- Who has the authority to make an exemption for your jobsite?
Municipality? State?
- If you are given rights to re-open a jobsite, are you mandated to open, or is it still voluntary?
- If you receive an exemption, what do you do if the owner does not want you to reopen? What contractual obligations are there?
- How do we prepare for future potential shutdowns should the virus re-emerge?





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Accordingly, before taking any actions based upon such information, we encourage you to consult with the appropriate professionals. We do not provide any kind of legal advice. The use or reliance of any information contained in this booklet is solely at your own risk.

Additional Resources

[OSHA](#)

[CDC](#)

Source for Contractual section

<https://www.natlawreview.com/article/covid-19-s-impact-construction-there-remedy-time-extension-force-majeure-or-more>