

## **RESUMING EXISTING CONSTRUCTION PROJECTS: UNDERSTANDING THE RESTRICTIONS FOR WASHINGTONIANS**

### **BASIC RESTRICTIONS**

On April 24th, Governor Inslee announced that existing construction projects may restart and continue work, subject to numerous restrictions, including the following:

1. Prior to recommencing work, all contractors are required to develop and post at each job site a comprehensive COVID-19 exposure control, mitigation, and recovery plan.
2. All contractors must post at each job site written notice to employees, subcontractors and government officials the work that will be performed at the job site and signed commitment to adhere to the requirements instated by the Governor.
3. Contractors must keep a safe and healthy worksite and adhere to COVID-19 worksite-specific safety practices.
  - a. Workers must be able to work at least six-feet away from one another. If this is impossible, work must stop.
  - b. Each job site must designate a site-specific COVID-19 Supervisor to monitor health and enforce the safety plan.
  - c. Training concerning compliance with protective measures must occur the first day of returning to work, and weekly thereafter.
  - d. Employers must provide masks, gloves, eye protections, and such other personal protective equipment (“PPE”) as required for the job site, which must be worn at all times on the job site.
  - e. Soap and running water should be “abundantly provided” at each job site; however, if running water is not available, portable washing stations must be provided.
  - f. Contractors must screen those entering the job site for COVID-19 symptoms and create policies which encourage workers to stay home or leave the worksite when feeling sick or when they have been in close contact with a confirmed positive case.
4. Contractors must keep and retain a daily attendance log of all workers and visitors for at least four weeks, including names, phone numbers, and email addresses of all workers and visitors.

## FULL REQUIREMENTS FOR CONSTRUCTION

The enumerated restrictions and requirements above represent only a sample of the full requirements provided by the Governor's Construction Working Group, and the full recommendations provided by the Governor's Construction Working Group can be found [here](#).

## RECOMMENDATIONS FOR UPPER MANAGEMENT

In addition to the restrictions and requirements, Governor Inslee recommended that the "upper management" of contractor businesses visit their work sites to assess how they can better support workers and innovate new ideas to promote workplace safety. While such visits are not required, creating more efficient ways of ensuring work site safety can help ensure (1) the moratorium does not go back into effect and (2) other sectors of the economy can get back to work in an expedient manner.

## WHAT IS CONSIDERED "EXISTING CONSTRUCTION"?

Guidance from Governor Inslee defines "existing construction" as:

1. Construction previously authorized under Proclamation 20-25 and Governor Inslee's March 25, 2020 memo on construction; and
2. Construction that was in existence on March 23, 2020, including construction activity:
  - a. Needed to fulfill an obligation under a contract effective prior to March 23, 2020; or
  - b. Authorized by a government-issued permit obtained prior to March 23, 2020. The Governor's guidance on what construction is now authorized can be found [here](#).

## FREQUENTLY ASKED QUESTIONS

The Governor has also provided answers to a list of frequently asked questions, including:

- What does the Governor's April 29, 2020 memo on construction do?
- What are some of the key definitions in the memo?
- When does this go into effect?
- What work is not permitted?
- In what cases may tasks permit a worker to break six-foot distancing requirements?
- Is landscape construction allowed?
- Why is other landscape work treated differently?
- How are public works projects treated?
- May we bring back office staff who support our construction firm?
- Why are some new construction projects not authorized to begin?

Answers to these FAQ's can be found [here](#).

Please do not hesitate to contact us with any questions or concerns you may have.

Best regards,



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