COVID-19 Construction Guidelines
What You Need To Know
Welcome to the HBA University Live Webinar Series, an HBA of Metro Denver Membership Platform to provide information and education geared toward issues that affect our members.
Today’s webinar is a special collaboration edition. As tired as we all are more than two months into operating our businesses differently due to the global pandemic called COVID-19, professional trade organizations such as HBA’s have important roles; to provide as much support and information keeping your businesses and our industry healthy and economically viable while navigating through these challenging times.

I am pleased to introduce Ted Leighty who, as CEO of our state association (CAHB) is a co-collaborator of this webinar to introduce all of those that are part of making this webinar a success and who will highlight our panel of speakers.
Thank you Chérie, we are excited to collaborate with the HBA of Metro Denver on this special webinar edition. It would not be possible without the input and work from HBA of Metro Denver, Colorado Springs HBA, Northern Colorado HBA and our industry friends, the Associated General Contractors.

Our topic is current and needs the kind of clarification we hope to collectively provide all of you. I’d like to briefly introduce our four panelists and we all thank you for your time today.
Today’s Speaker Panel

EJ Olbright  
CEO CFC  
Construction

Dan Johnson, CSP  
Managing Partner  
SFI Compliance, Inc.

Todd Fredrickson  
Attorney at Law  
Fisher & Phillips, LLP

Patrick “Pat” Miller  
Member  
Sherman & Howard

Now we’ll turn it back to Chérie for a quick announcement
But first a little Housekeeping

Please cursor to the bottom edge of your screen. There you will find a Q&A icon that you will be able to use during the webinar to ask specific questions of the panel.

If you participated in the pre-webinar survey, then your questions are already in the queue. All questions will be managed based on time at the end of the program.
Practical Considerations
For Jobsites & Offices

EJ Olbright & Dan Johnson
COVID-19 Construction Guidelines

Practical Considerations
For Jobsites & Offices

EJ Olbright & Dan Johnson
AGC of America Sample Plan for COVID-19

Sample Plan for COVID-19
Exposure Prevention, Preparedness, and Response

Developed by Construction Industry Safety Coalition (CISC) March 15, 2020
Revised by The Associated General Contractors of America (AGC) March 31, 2020
Addendum Included by The Associated General Contractors of Colorado (AGCC) April 1, 2020

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Every construction project is different. What is feasible and appropriate for any one project depends on its size, location and other unique characteristics. To help construction contractors develop a sound approach to each of their projects, the CISC is pleased to make this sample plan available. Neither the coalition nor its individual members intend this document to be a definitive statement of the protocols and procedures that are applicable to each and every project. Nor are they endeavoring to provide legal or other professional advice. This document should NOT be construed as legal advice or any other expression of the scope or nature of a construction contractor’s legal obligation to provide employment and a safe place of employment to its employees, particularly under the unprecedented circumstances that the COVID-19 outbreak has created. In addition, new and better information could well supersede the information included in this document. As the situation evolves, construction contractors should continue to monitor the environment in which they are working and related developments and react accordingly.

****

[Name of Company] (hereinafter “Company”) takes the health and safety of our employees very seriously. With the spread of the coronavirus or “COVID-19,” a respiratory disease caused by the SARS-CoV-2 virus, the Company must remain vigilant in mitigating the outbreak. The Company is a proud part of the construction industry, which many have deemed “essential” during this Declared National Emergency. In order to be safe and maintain operations, we have developed this COVID-19 Exposure Prevention, Preparedness, and Response Plan to be implemented, to the extent feasible and appropriate, throughout the Company and at all of our job sites. The Company has also identified a team of employees to monitor the related guidance that U.S. Center for Disease Control and Prevention (“CDC”) and Occupational Safety and Health Administration (“OSHA”) continue to make available.
Sample Plan – “Responsibilities of Employers”

• Develop a COVID-19 Exposure Action Plan
• Conduct COVID-19 Safety Meetings
• Pre-screen all employees/visitors for symptoms
Sample Plan – “Responsibilities of Employees”

• Frequently wash your hands
• Avoid touching your face
• Cover your mouth when coughing and sneezing
• Familiarize yourself with the Symptoms of COVID-19
• If you develop a fever and/or symptom of respiratory illness – DO NOT GO TO WORK
Sample Plan – “Job Site Protective Measures”

• Anybody showing symptoms must go home
• Avoid contact with others and increase personal space – at least 6 feet
• All in-persons meeting to be limited
• Encouraged to stagger breaks and lunches
• Group size of less than 10 people
• Running water for hand washing where practicable
COVID-19 Construction Guidelines

AGC of Colorado Recommended Addendum to AGC of America Sample Plan

**Jobsite / Office Protocol**

- We recommend all workers who enter the jobsite are screened (wellness check and/or questionnaire) for any symptoms of illness or COVID-19.
- Provide a COVID-19 Health and Safety Orientation for all new workers on the job site.
- Consider providing wash stations for workers at frequent locations around the job site. Consider monitoring for signs of illness in the workplace; if someone is showing symptoms, ask them to leave. They should NOT be allowed to enter an occupied area before leaving.
- Consider prohibiting all guests and visitors to the jobsite.
- Post key CDC recommendations signage throughout the jobsite.

**Social Distancing**

- To limit the number of people on a jobsite, allow non-essential personnel to work from home when possible.
- Work in occupied areas should be limited to only those tasks that are strictly necessary.
- Prohibit handshaking and/or any other contact greetings.
- Don’t stack trades if possible.
- Consider staggering entry and exit times for crews working on the project.
- Consider one-way traffic at corridors and stairways.
- In accordance with PHO 20-24, Critical Businesses must at all times comply with Social Distancing Requirements and all PHOs currently in effect to the extent possible and unless doing so would make it impossible to carry out critical functions.
COVID-19 Construction Guidelines

AGC of Colorado Recommended Addendum to AGC of America

Sample Plan

Worker Personal Responsibilities

- Individuals must notify their supervisors and stay home if they are sick.
- Employees are urged to take precautions to protect themselves and family members should they fall into any of the high-risk health categories (e.g., older age; presence of chronic medical conditions, including immunocompromising conditions; pregnancy).
- It is critical that individuals NOT report to work while they are experiencing illness symptoms such as fever and symptoms, such as a cough or difficulty breathing/shortness of breath. They should contact a healthcare provider for medical advice.
- Individuals shouldn’t share or pass around mobile devices (iPad, tablet or mobile phone), personal tools, office supplies and/or commonly shared items.
- Consider encouraging workers to NOT carpool

Jobsite Daily Questionnaire

Designated site personnel should ask the screening questions (on attached sample plan) to all employees, workmen and visitors prior to entering the work area. If they answer “yes” to any, they should be asked to leave the jobsite immediately and not return until cleared to do so.

Sanitation and Cleanliness

- Identify specific locations and practices for daily trash such as: paper, hand towels, food containers, etc. Instruct workers responsible for trash removal to wear PPE and hand washing practices.
- Encourage workers to change work clothes prior to arriving home, and to wash clothes in hot water with laundry sanitizer.
- Utilize disposable hand towels and no-touch trash receptacles.
- Request additional/increased sanitation (disinfecting) of portable toilets, as well as added toilets on the site to decrease frequency of use of each unit.
- Double check that hand sanitizer dispensers are filled — if not, fill them. Frequently touched items (door pulls and toilet seats) should be disinfected frequently, ideally after each use.
Colorado Department of Public Health and Environmental
“PHO 20-28 & Multi-Industry Construction Guidance”

THIRD AMENDED PUBLIC HEALTH ORDER 20-28 SAFER AT HOME
May 14, 2020

PURPOSE OF THE ORDER

I issue this Amended Public Health Order (PHO or Order) pursuant to the Governor’s directive in Executive Order D 2020 044 Safer at Home in response to the existence of thousands of confirmed and presumptive cases of Coronavirus disease 2019 (COVID-19) and related deaths across the State of Colorado. Further, as there is substantial evidence of community spread of COVID-19 throughout the State, it is crucial to take measures now that can mitigate further spread of disease in our communities.

FINDINGS

1. Governor Polis issued Executive Order D 2020 003 on March 11, 2020, declaring a disaster emergency in Colorado due to the presence of COVID-19. Since that time, the Governor has taken numerous steps to implement measures to mitigate the spread of disease within Colorado, and has further required that several public health orders be issued to implement his orders.

Coronavirus Disease 2019
COVID-19

MULTI-INDUSTRY CONSTRUCTION GUIDANCE

Introduction

Construction worksites, projects and companies are not exempt from Social/Physical Distancing Requirements, even if compliance means added cost. Hygiene protocols are strictly required. Moreover, people who are sick or at high risk of severe illness from COVID-19 must not travel to work, even if they work for a critical business. This guidance clarifies how social and physical distancing requirements should be applied to the construction sector during the “Safer-at-Home” period, recognizing certain aspects of this workplace environment that make it unique from other sectors explicitly addressed in the Safer-at-Home public health order.

Social/physical distancing on construction worksites

Critical functions, including construction, work MUST comply with social/physical distancing requirements. The following practices are important for applying social distancing to a construction worksite setting:

- Reduce size of work crews: Teams should reduce the number of people in each work crew to the minimum number of people possible to perform the task safely, even if the reduction of crew size means the job takes longer.
# COVID-19 Construction Guidelines

## CFC Construction Daily Safety Check List

### COVID-19 Daily Safety Check List

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Safety</th>
<th>TRADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>DESCRIPTION</td>
<td>COVID-19 Site inspection is to be completed daily by the designated person on site. NOTE: Employees completing this check list must be COVID-19 negative and will have the authority to stop work.</td>
<td></td>
</tr>
<tr>
<td>ATTACHMENTS</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Pandemic Officer PPE

| 1. | Disposable Gloves |
| 2. | Seamless Face Cover |
| 3. | Protective Clothing (Tuch or other protection for possible exposure to COVID-19) |
| 4. | Face Mask |

#### Project Level Requirements

| 21. | Proper cleaning/disinfecting supplies (i.e., sponges, cleaning solutions, paper towels, etc.?) |
| 22. | Face coverings are properly worn |
| 23. | Adequate social distancing in bathrooms |
| 24. | Adequate handwashing and hand sanitization |
| 25. | Subcontractors have adequate cleaning/disinfecting supplies |
| 26. | Subcontractors have adequate cleaning/disinfecting supplies |
| 27. | Hand sanitizing stations available in the facility |
| 28. | Staff on break available for spacing employees |
| 29. | All COVID signage properly displayed in common areas |
| 30. | Safety protocols in place for construction areas |
| 31. | Cleaning of shared equipment (chairs, tables, etc.) is properly attended |
| 32. | Evaluation of employees by supervisors for signs of COVID-19 |

#### Treatment Areas (treat all commonly touched surfaces with bleach solution)

- 31. | Acrobat Ladders |
- 32. | All Stairways |
- 33. | Hand Rails |
- 34. | Portable Toilet Door Handles and Seats |
- 35. | Portable Work Stations |
- 36. | All Shared Entry Ways and Doors |
- 37. | All Hand Touch Surfaces in High Traffic Areas |

#### Project Office

- 41. | Proper cleaning of highly touchable surfaces (i.e., doorknobs, tables, chairs, refrigerators, workstations, microscopes, copiers, etc.) |
- 42. | Adequate cleaning/disinfecting supplies for cleaning surfaces (i.e., sponges, cleaning solution, paper towels, bleach and disinfectant, etc.) |
- 43. | Social distancing practiced in work areas |
- 44. | Adequate hand washing facilities and permanent (hand sanitizers, soap and water) |
- 45. | Proper spacing of workstations to allow for proper spacing |
- 46. | Proper coordination and communicating of required meetings (social spacing, conference calls, Skype, etc.) |
CFC Construction Check-In

COVID-19 Employee Health Screening Form for Onsite Screening

Screen each employee for symptoms before they start their shift. Circle an answer (y=yes, n=no) for each symptom for each employee. If an employee reports any of the symptoms:

1. Send employee home immediately.
2. Increase cleaning in your facility and ensure staff are at least 6 feet apart from one another.
3. Exclude employee until they are fever-free (without medication) for 72 hours and 10 days have passed since their first symptom unless they have a clear alternative diagnosis from a medical provider.
4. If multiple employees have symptoms, contact your local health department.

Employer, retain these forms in a secure place for three months, and provide the forms upon request from public health agencies.

Company Name: __________________________

Supervisor Name Completing Form: __________________________

<table>
<thead>
<tr>
<th>Employee Name</th>
<th>Safety Orientation Number</th>
<th>Y</th>
<th>N</th>
<th>Y</th>
<th>N</th>
<th>Y</th>
<th>N</th>
<th>Y</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Hardhat Sticker Number)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fever 100.4°F or above</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>Cough</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>Shortness of breath or difficulty breathing</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>Chills</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Muscle aches</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Sore throat</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>New Loss of taste or smell</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
</tr>
</tbody>
</table>
COVID-19 Construction Guidelines

Updated AGC of America Sample Plan, CDPHE’s PHO, CDPHE’s Multi-Industry Construction Guidance and other COVID-19 resources:

agccolorado/best-practices-for-construction
COVID-19 Construction Guidelines

OSHA Enforcement

Occupational Safety and Health Administration

Enforcement Memos / Updated Interim Enforcement Response Plan for Coronavirus Disease 2019 (COVID-19)

May 19, 2020

MEMORANDUM FOR: REGIONAL ADMINISTRATORS
STATE PLAN DESIGNEES

THROUGH: AMANDA EDENS
Deputy Assistant Secretary

FROM: PATRICK J. KAPUST, Acting Director
Directorate of Enforcement Programs

SUBJECT: Updated Interim Enforcement Response Plan for Coronavirus Disease 2019 (COVID-19)

This Updated Interim Enforcement Response Plan for Coronavirus Disease 2019 (COVID-19) provides instructions and guidance to Area Offices and compliance safety and health officers (CSHOs) for handling COVID-19-related complaints, referrals, and severe illness reports. On May 26, 2020, the previous memorandum on this topic[1] will be rescinded, and this new Updated Interim Enforcement Response Plan will go into and remain in effect until further notice. This guidance is intended to be time-limited to the current COVID-19 public health crisis. Please frequently check OSHA's webpage at www.osha.gov/coronavirus for updates.
COVID-19 Construction Guidelines

What are Home Builders doing?

If you are Sick, Stay Home!

• Health Screening check in station
  ▪ All site workers fill out forms daily to verify they are healthy.
COVID-19 Construction Guidelines

What are Home Builders doing?

If you are Sick, Stay Home!

- Screening Verification Forms
  - Sent directly from subcontractors to Home Builders

Screening Verification Form

COVID-19 Screening de obra

(This form is to be completed by Subcontractors/Suppliers/Other Project Visitors each day prior to work)

In order for individuals to gain entry to the project site, they must first be screened for factors associated with COVID-19 infection. It is the subcontractor’s responsibility to screen all of their employees, sub-tier subcontractors, and others for which they are responsible. The following screening questions should be asked daily and prior to each shift. This form must be provided to site supervision prior to any worker entering the project to work. Entry to the project site may be denied based on the information provided during the screening.

Para que las personas puedan entrar en el sitio del proyecto, primero deben ser examinadas para detectar factores asociados con la infección COVID-19. Es responsabilidad del subcontratista eximir a todos sus empleados, subcontratistas de subnivel y otros de los que sean responsables. Las siguientes preguntas de selección deben hacerse diariamente y antes de cada turno.

Este formulario debe proporcionarse a la supervisión del sitio antes de que cualquier trabajador ingrese al proyecto a trabajar.

La entrada al sitio del proyecto puede ser denegada en base a la información proporcionada durante el exámen.

<table>
<thead>
<tr>
<th>Subcontractor Name: Nombre del subcontratista:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name: Nombre del proyecto:</td>
</tr>
<tr>
<td>1. Have any of your workers traveled outside of the country within the last 30 days? (Si el trabajador ha viajado fuera del país en los últimos 30 días)?</td>
</tr>
<tr>
<td>1a. If “Yes”, where and what date did they return? (En caso alternativo, dónde y en qué fecha regresaron):</td>
</tr>
<tr>
<td>2. Have any of your workers had close contact with a person who has been diagnosed with COVID-19 or displayed symptoms of COVID-19 while that person was on-site? (¿Hicieron el trabajador contacto cercano con una persona que ha sido diagnosticado con COVID-19 o ha mostrado síntomas de COVID-19 en el sitio)?</td>
</tr>
<tr>
<td>2a. If “Yes”, when did that occur? (Si “Sí”, cuándo ocurre):</td>
</tr>
<tr>
<td>3. Do any of your workers have symptoms of lower respiratory illness? (e.g., cough, shortness of breath) (¿Algun trabajador tiene síntomas de enfermedad respiratoria inferior (por ejemplo, tos, dificultad para respirar))?</td>
</tr>
<tr>
<td>4. Do any of your workers have a fever ≥ 99.6°F Fahrenheit or symptoms of a fever such as chills, muscle aches and/or weakness? (¿Algun trabajador tiene fiebre ≥ 99.6°F Fahrenheit o síntomas de fiebre como escalofrío, dolores musculares y/o debilidad)?</td>
</tr>
<tr>
<td>5. Did all of your workers take your temperature today before leaving home? (¿Hicieron sus trabajadores tomar su temperatura hoy antes de irse de casa)?</td>
</tr>
</tbody>
</table>

If any worker answers “Yes” to questions 1-4 or “No” to question 5, please do not allow them on the project and immediately

[Image: COVID-19 Screening Verification]
COVID-19 Construction Guidelines

What are Home Builders doing?

If you are Sick, Stay Home!

• COVID-19 Site Check In Electronic Health Screening
  ▪ QR codes placed at many locations throughout community
  ▪ Workers will get email they can show to supervisors to prove they completed the process
  ▪ Can include temperature verification process if desired
What are Home Builders doing?

Examples of Wash Station
COVID-19 Construction Guidelines

What are Home Builders doing?

Examples of Wash Station
COVID-19 Construction Guidelines

What are Home Builders doing?

COVID-19 SAFE WORK PROCEDURES

COVID-19 PROCEDIMIENTOS DE TRABAJO SEGUROS

- Stay Home if you are sick. Do not work.
- Practice Social Distancing. Maintain 6 feet.
- Wear a face covering.
- Wash hands frequently or use alcohol-based hand sanitizers with at least 60% alcohol.
- Avoid touching eyes, nose, and mouth.
- Minimize ride sharing.
- Avoid close contact with people who are sick.
- Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- Avoid touching your eyes, nose, and mouth.
- Stay home when you are sick, except to get medical care.

Signage

STOP THE SPREAD OF GERMS

Help prevent the spread of respiratory diseases like COVID-19.

Wash your hands often with soap and water for at least 20 seconds.

For more information: www.cdc.gov/Covid19
What are Home Builders doing?

**COVID-19 Construction Guidelines**

**STAY SAFE - STAY 6’ APART**

6 FEET

**NOTICE**

TO HELP PREVENT THE SPREAD OF CORONAVIRUS (COVID-19)

WASH YOUR HANDS FREQUENTLY AND FOR AT LEAST 20 SECONDS

#SLOWTHESPREAD

**FACE COVERINGS / PROTECTIVE MASKS REQUIRED**

SE REQUIERE CUBREBOCAS / MÁscarAS DE PROTECCIÓN

**Signage**
COVID-19 Construction Guidelines

National Association of Home Builders:

https://www.nahb.org/Advocacy/Industry-Issues/

Emergency-Preparedness-and-Response/Coronavirus-Preparedness
TODD’S TOP FIVE L&E ISSUES FOR CONSTRUCTION

Presented by:
Todd Fredrickson
Fisher & Phillips LLP

Atlanta • Baltimore • Bethesda • Boston • Charlotte • Chicago • Cleveland • Columbia • Columbus • Dallas • Denver • Detroit • Fort Lauderdale • Gulfport
Houston • Irvine • Kansas City • Las Vegas • Los Angeles • Louisville • Memphis • Nashville • New Jersey • New Orleans • New York • Orlando • Philadelphia
Phoenix • Pittsburgh • Portland • Sacramento • San Diego • San Francisco • Seattle • Tampa • Washington, DC
1. Handling Refusals to Work

• Fear of COVID-19 prompting employees to refuse to work.
• How you handle depends upon the situation and array of laws.
  ▪ States (like CO) allow vulnerable individuals the option to stay home without retaliation.
  ▪ Also protect people who live with vulnerable individuals.
  ▪ Other federal L&E laws may protect employees
  ▪ In most other cases a refusal to work is a resignation (general fear, to stay on unemployment comp, etc.).

• Get it in writing.
  ▪ Make job offers and accept refusals in writing.
  ▪ May be required for PPP forgiveness.
2. Dealing with the Unemployment Comp Carrot

• Employees using COVID-19 as excuse to apply for U/C
  ▪ With or without legitimate justification

• Carrot: Currently $600 federal addition to CO unemployment comp

• Notify unemployment if an employee refuses to return to work or when employee returns.
  ▪ Generally, employees not entitled to benefits without legally-supported justification for not returning.
  ▪ Unemployment agencies across the country ignoring or relaxing rules and paying people for now.

• CO requires notification from employee and employer when circumstances change.
3. Consider Applicable Laws at Work

- Beware of discrimination/retaliation/public policy claims for treating employees differently when legitimately exercising rights.
  - Employees with COVID-19 or related symptoms may be entitled to certain protections
  - Consider whether employees on leave have job restoration rights, like under FFCRA or EFMLA.
  - CO: Polis’ Civil Rights Guidance and new House Bill on whistle-blowing

- NLRA and OSHA protect employees from retaliation if making legitimate safety complaints.

- Potential ADA claims (regarding someone as disabled)

- FMLA: if employee is caring for immediate family (including parents).
80 hours of paid sick time “to the extent the employee is unable to work (or telework) due to a need for leave because:

(1) Employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.

(2) Employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.

(3) Employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

(4) Employee is caring for an individual subject to an order or self-quarantine as described above.

(5) Employee is caring for a son or daughter if school or child care is closed/unavailable (also covered by EFMLA, additional 10 weeks of leave, and 2/3 rule).

(6) Employee is experiencing “any other substantially similar condition” specified by HHS (catch all).
5. Handling Furloughs and Layoffs

• Layoffs versus furloughs:
  ▪ What's the difference?
  ▪ What are the impacts of each?
    ▪ Final pay, including vacation and PTO.
    ▪ Health insurance benefits

• WARN Act: 60 days advance notice of a plant closing or mass layoff
• Paying severance and the Older Worker Benefit Protection Act.
OSHA Aspects of COVID-19 in Construction

Pat Miller

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What will OSHA enforcement look like?

- Potential Standards:
  - PPE (1926.28, .95) (note that cloth masks are NOT PPE).
  - Respiratory Protection (1926.103).
What will OSHA enforcement look like?

- **General Duty Clause**

  • Each employer “shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees.”

  • To what extent will OSHA rely on public health orders?
OSHA Recordkeeping/Reporting

• When is a COVID-19 exposure recordable?

• OSHA now requires that employers investigate employee exposures to determine work-relatedness.

• Employers must make a reasonable determination; exposures are not automatically recordable.

• When does an employer have to notify OSHA of cases?
Other Liability Concerns?

• Negligence.

  • Requires proof of duty owed, breach of that duty, and damages.

    • Again, this is where public health orders come in.

  • How does workers’ compensation affect this?
COVID-19 Construction Guidelines

What You Need To Know

Q & A
Contact Today’s Speakers

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Thank you for attending

COVID-19 Construction Guidelines
What You Need To Know
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