



NICOLE MALLIOTAKIS  
Member of Assembly 64<sup>th</sup> District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

MINORITY WHIP  
RANKING MINORITY MEMBER  
Committee on Governmental Employees

COMMITTEES  
Aging  
Corporations, Authorities & Commissions  
Education  
Rules  
Ways and Means

May 20, 2020

The Honorable Andrew Cuomo  
Governor of the State of New York  
New York State Capitol Building  
Albany, New York 12224

Dear Governor Cuomo:

As your administration's efforts continue to re-open our state and restore economic opportunity for our families, we ask you to reconsider re-opening the construction industry, one of our state's most vital job sectors, in its entirety. As you are likely aware, New York had the fourth largest construction sector in the nation, and was one of 14 states where employment had surpassed its pre-recession level. In recent years, it provided nearly 400,000 jobs. While we agree that outdoor construction in certain upstate regions is a good place to start, we respectfully urge you to allow all construction in the state to resume.

As of today, New Jersey's Governor Philip D. Murphy resumed all non-essential construction in his state with all safety guidelines are being enforced.

Currently, construction on "affordable housing" throughout New York State is considered essential while similar work on a single-family home or commercial property is not. If employees work in staggered work shifts with staggered break times, while wearing appropriate protection and maintaining required distancing, a clean and safe work environment in outdoor space or unoccupied indoor space can be provided. Most construction firms in New York City employ fewer than 20 people. These small firms are responsible for about one-third of all construction jobs, but face the biggest challenge to sustainability as long as the industry remains closed.

Furthermore, we believe re-evaluating what the state has considered non-essential in Executive Order 202, such as landscaping for aesthetics or construction on single and two-family homes, would be a good step in ensuring that all regions of New York resume at least some economic activity at this point in time. Any and all jobs performed completely outdoors for the entire state, as long as the proper safety and social distancing guidelines are followed, should be allowed to resume. For example, landscapers are currently only permitted to work for maintenance or pest control but not for cosmetic purposes. That distinction does not make any sense if all precautions are taken. By removing that distinction, we will be allowing more of our

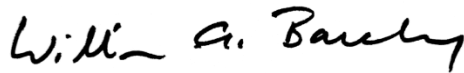
work force to get back to work and earn a living. We have also heard from roofers, fencing companies, painters, and pool installation companies who perform work outdoors and want to reopen their businesses. This type of outdoor work is a good first-step to getting our economy off the ground while retaining strict safety guidelines to protect both employees and the community.

As the arduous task of rebuilding our economy ensues, it is imperative that we consider re-opening industries as quickly and safely as possible, while taking the necessary safety measures to protect public health. Easing restrictions on outdoor construction and home improvement work, in both the upstate and downstate regions, would go a long way in returning all New Yorkers to the quality of life we need and deserve.

Sincerely,



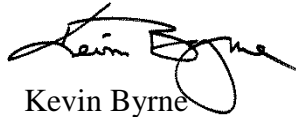
Nicole Malliotakis  
64<sup>th</sup> Assembly District



Will Barclay  
Assembly Minority Leader



Jake Ashby  
107<sup>th</sup> Assembly District



Kevin Byrne  
94<sup>th</sup> Assembly District



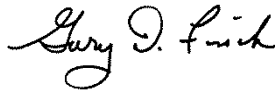
Marjorie Byrnes  
133<sup>rd</sup> Assembly



Clifford W. Crouch  
122<sup>nd</sup> Assembly District



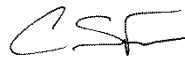
Joe DeStefano  
3<sup>rd</sup> Assembly District



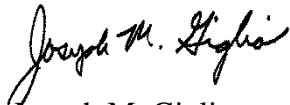
Gary D. Finch  
126<sup>th</sup> Assembly District




Michael Fitzpatrick  
8<sup>th</sup> Assembly District



Christopher S. Friend  
124<sup>th</sup> Assembly District



Joseph M. Giglio  
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131<sup>st</sup> Assembly District



Peter Lawrence  
134<sup>th</sup> Assembly District



Mike LiPetri  
9<sup>th</sup> Assembly District



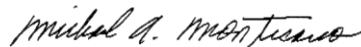
Brian Manktelow  
130<sup>th</sup> Assembly District



Dave McDonough  
14<sup>th</sup> Assembly District



Melissa "Missy" Miller  
20<sup>th</sup> Assembly District



Michael Montesano  
15<sup>th</sup> Assembly District



Phil Palmesano  
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62<sup>nd</sup> Assembly District



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121<sup>st</sup> Assembly District



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Robert Smullen  
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Chris Tague  
102<sup>nd</sup> Assembly District