

CONSTRUCTION DEEMED ESSENTIAL CRITICAL INFRASTRUCTURE WORK

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The Coronavirus COVID-19 pandemic has rattled the world. We're in this for the long haul, so our legal team here at Abdulaziz, Grossbart & Rudman will try our best to keep you updated on developing stories and information related to the construction industry. Here's the good news – construction is deemed essential in California, which means your business can continue to operate with safety measures in place.

On March 19, 2020, Governor Newsom issued Executive Order N-33-20 directing all residents immediately to heed current State public health directives to stay home, except as needed to maintain continuity of operations of **essential** critical infrastructure sectors and additional sectors as the State Public Health Officer may designate as critical to protect health and well-being of all Californians. In accordance with this order, the State Public Health Officer has designated a list of "Essential Critical Infrastructure Workers" to help state, local, tribal, and industry partners as they work to protect communities, while ensuring continuity of functions critical to public health and safety, as well as economic and national security. On that list are:

- **Construction Workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction)**
- Workers such as *plumbers, electricians, exterminators*, and other service providers who provide services that are necessary to maintaining the safety, sanitation, construction material sources, and *essential operation of construction sites and construction projects and residences*
- Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, **construction material suppliers**, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues
- Commercial Retail Stores, that supply essential sectors, including convenience stores, pet supply stores, auto supplies and repair, *hardware and home improvement*, and home appliance retailers
- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees.
- Support, such as *road and line clearing*, to ensure the availability of needed facilities, transportation, energy and communications
- Support to ensure the effective *removal, storage, and disposal of residential and commercial solid waste and hazardous waste*.

The not so good news is that COVID-19 is still a major concern in the world and our State. While you may continue your operations, you must still maintain proper social distancing guidelines such as washing hands before and after, using hand sanitizer, maintaining at least six feet of distance, and coughing or sneezing into your elbow or a tissue and then washing your hands. If you or your employees have early signs of a cold, please stay home and away from others.

For added assurance and to minimize conflict with law enforcement or health officials, attached is a Certification Card that can be carried by you and your employees while engaged in the construction operations during this Safer at Home Order period.

ESSENTIAL WORK CERTIFICATION

I, _____, hereby certify that I am employed by _____, and am working on the _____ construction project in _____, CA. This work is exempt from all Safer at Home Orders according to Governor Newsom's Executive Order N-33-20. Please call _____ (employer's phone number) with any questions.

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