



March 19, 2020

RE: California Construction Industry Letter to Elected Officials RE: COVID-19

State and Local Lawmakers of California:

The COVID-19 virus, known as Coronavirus, has created uncertainty throughout the construction industry. The undersigned Associations, representing thousands of contractors and craft workers throughout California, understand the importance of balancing the need to complete critical infrastructure projects with the safety of the construction workforce and the public. The construction industry and government leaders need to work together to accomplish this goal.

Some public agencies in California have decided for a blanket shutdown of operations without an exemption for personnel that support construction activities. We disagree with this approach, and instead urge Cities and Agencies Statewide to treat construction as essential services that should be continued during a time of crisis.

The drawbacks to public agencies potentially halting construction activities are many, first and foremost, the loss of income for 900,000 Californians working in the construction industry. A blanket shutdown would cause additional disruptions for residents already impacted by coronavirus while delaying critical infrastructure projects and desperately needed housing.

While there is risk of communicable diseases in every industry, construction sites are a unique workplace with their own levels of “social distancing” built in. They are also often tightly controlled, with required safety protocols and separation from the general public. Contractors and agencies have been taking additional steps to fortify workplaces against the spread of Coronavirus and are prepared to modify construction activities further, at the direction of health experts.

Many local agencies, having balanced the costs and benefits of continuing construction activities, have enabled public works and building inspection staff to work remotely or with additional safety precautions. Recent “shelter in place” orders have also included exemptions for construction personnel after public and private construction activities have been deemed as essential; an example of exemption language is enclosed with this letter. We encourage this approach to continue the critical work of building California’s infrastructure, without creating additional hazards in the fight against Coronavirus.

Sincerely,

The Undersigned **Building and Contractors Associations of California:**

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Model Exemption Language for Essential Construction Personnel During COVID-19 Shelter in Place Order or Government Shutdown

For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, federal construction projects, the permitting, inspection, construction, transfer and recording of ownership, of housing (in particular affordable housing or housing for individuals experiencing homelessness), and anything incidental thereto, airport operations, water, sewer, gas, heating and air ventilation, refrigeration, electrical, plumbing, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

For the purposes of this Order, in addition to those businesses engaged in “essential infrastructure” activities, businesses may continue “Minimum Basic Operations” that include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:

- i. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
- ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.