North America's Building Trades Unions

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To all public officials of the 55 states, territories and commonwealths of the United States:

As State, local, tribal and territorial leaders across the Nation make critical and difficult decisions regarding responses to slow the spread the COVID-19, it is important that construction workers who build, maintain, and repair our Nation's critical infrastructure are able to continue to do their jobs, and to do them in a safe environment.

On March 19, 2020, the Director of U.S. Homeland Security's Cybersecurity and Infrastructure Agency (CISA) issued a Memorandum under guidance from the President of the United States. The President's guidance states: "If you work in a critical infrastructure industry, as defined by the Department of Homeland Security . . . *you have a special responsibility to maintain your normal work schedule.*"

The CISA Memorandum identifies the "critical infrastructure" industries and workers that CISA considers "essential to continued critical infrastructure viability." Although the CISA's list of critical infrastructure industries and workers is advisory in nature, it is offered to assist State, local, tribal and territorial governments in "prioritizing activities related to continuity of operations and incident response."

The CISA Memorandum identifies 14 "critical infrastructure" industries: (1) healthcare/public health, (2) law enforcement, public safety, first responders, (3) food and agriculture, (4) energy, (5) water and wastewater, (6) transportation and logistics, (7) public works, (8) communications and information technology, (9) community-based government operations, (10) critical manufacturing, (11) hazardous materials, (12) financial services, (13) chemical, and (14) defense industrial base.

Among the workers identified by CISA in those 14 industries as being essential are those ***"working construction"*** in the critical infrastructure industries. The definition of "construction" in the North American Industry Classification System (NAICS) is commonly used and means: erecting buildings and other structures (including additions); heavy construction

other than buildings; and alterations, installation, and maintenance and repairs.

Therefore, in making the difficult decisions on how to slow the spread of COVID-19, to ensure that our Nation's critical infrastructure remains operational, State, local, tribal, and territorial governments should exempt those working in construction, as defined in the NAICS, in any of the 14 critical infrastructure industries identified by CISA.

Please do not hesitate to reach out to my office or the building trades council in your area to discuss this necessary exemption and the guidance document attached to this letter. We are here to help.

Sincerely,

Sean McGarvey
President

GUIDANCE TO REDUCE TRANSMISSION OF COVID-19 AND ENSURE A CLEAN CONSTRUCTION JOBSITE

North America's Building Trades Unions (NABTU), working through CPWR – The Center for Construction Research and Training, has issued guidance to all building trades councils throughout North America on steps to take to ensure a clean worksite and reduce the transmission of COVID-19. This guidance includes:

For Construction Workers:

- Don't go to work if you are feeling sick.
- Don't shake hands when greeting others.
- Avoid large gatherings or meetings.
- Try to stay six feet away from others on job sites and in gatherings, meetings, and training sessions.
- Cover your mouth and nose with tissues if you cough or sneeze or do so into your elbow.
- Avoid contact with sick people.
- Avoid touching your eyes, nose, or mouth with unwashed hands.
- Clean your hands often by washing them with soap and water for at least 20 seconds or using an alcohol-based hand sanitizer that contains 60%–95% alcohol. Soap and water should be used if hands are visibly dirty.
- It is especially important to clean hands after going to the bathroom, before eating, and after coughing, sneezing, or blowing your nose.

For Construction Industry Employers:

- Create at least 6 feet of space between workers by staging/staggering crews to prevent droplet spread.
- Plan for office staff to have the ability to work from home.
- Provide soap and running water on all jobsites for frequent handwashing. If that is impossible, provide hand sanitizer.
- Clean and disinfect high-touch surfaces on job sites and in offices—such as hand rails, door knobs, and portable toilets—frequently, per CDC guidelines
- If you work in healthcare facilities, train your workers in Infection Control Risk Assessment (ICRA).

Furthermore, construction industry employers have taken it upon themselves to institute policies that seek to drastically mitigate the transmission of COVID-19 on the worksite, such as expanding onsite medical clinics, adjusting break schedules and setting up mobile facilities to add more distance between individuals onsite. Other steps employers have taken include:

- Screening through asking about COVID-19 symptoms and taking temperatures.
- Adding portable bathrooms and washing stations.
- Implementing alternate work schedules to promote social distancing and limit people on one shift from teams when possible.
- Setting up additional space with overflow mobile facilities.
- Pre-staging certain tools and materials ready for pickup.
- Disinfecting tools prior to check-in.
- Closing onsite cafeterias.
- Suspending onsite mass transit trams and shuttle busses.
- Limiting one person per transaction for tools and materials pickup.