

Handling COVID-19 Issues on Construction Project Sites in Ohio

By Thomas L. Rosenberg

Governor DeWine continues to permit work on construction projects in Ohio to proceed. In proceeding, contractors must take precautions to protect its workers and limit the possible exposure of persons to the coronavirus. In this regard, the Ohio Facilities Construction Commission has issued guidelines for its construction projects that are instructive for all projects. The guidelines make sense. While they can be found on OFCC's website, in sum they call for:

- Designation of a workplace coordinator who will be responsible for all COVID-19 issues on-site.
- Compliance with the Centers for Disease Control (CDC) guidelines as well as OSHA guidelines. OSHA has issued a guidance for preparing workplaces for COVID-19.
- Implementation of a protocol for testing and ensuring that all employees are healthy when they arrive on-site. This can include taking temperatures of employees, asking appropriate questions concerning their health, maintaining a log of all employees on-site and making sure that any employee with a temperature of 100.4 °F or greater is sent home and encouraged to contact a medical professional.
- Project meetings should be conducted remotely. If an on-site meeting is required, it should be done outside with less than ten individuals present and with appropriate social distancing practices.
- Provide handwashing stations for all project sites that do not have running water.
- Conduct daily cleaning of project trailers and washroom facilities, both temporary and permanent facilities.
- Conduct daily cleaning of tools and equipment.
- Institute a mandatory glove policy to limit transfer and/or sharing among employees of tools.
- Stagger start and end times if possible to allow for more space between workers.
- Limit elevator or hoist limits to no more than three people if social distancing cannot be completely maintained.
- Document compliance with all safety protocols.

If a worker exhibits symptoms of coronavirus, the worker should be sent home, inform his/her supervisor before leaving and seek medical care.

If the employee tests positive, the employee must follow his/her medical professional's direction, inform his/her work supervisor, remain out of work for fourteen days and not return to work until cleared by the company to do so. If this happens, a company should practice safe care by quarantining all employees whose workspace was within six feet of the sick employee and those employees with prolonged close contact with a person who tested positive. Prolonged close contact could include as

little as more than two minutes over fourteen days. The contractor should clean and disinfect the workspace of the sick employee and allow other workers to re-enter only once the area is cleaned.

In addition, there may be mandatory reporting requirements if a worker tests positive for coronavirus, meaning that the contractor may be obligated to tell a construction manager, owner of the project, public authority if it is a public project or other persons of the circumstances.

It is challenging to maintain social distancing during a construction project. However, in order for projects to continue, contractors and their workforce must develop good practices as well as means and methods to maintain the health and safety of all persons on the construction project site. Social distancing and taking the actions stated above are good steps to do so.

If you have any questions, or would like more information, please contact Tom Rosenberg by email at trosenberg@ralaw.com or by phone at 614.723.2006, or any of the listed attorneys.

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