



Stay Home Stay Safe

Rules for the Construction Industry

This document provides guidance for persons and business associated with the building and construction industries and trades on the meaning and application of Order issued by Dallas County Judge Clay Jenkins on March 29, 2020 (the "Order").

Reason for Construction Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Construction as Critical Infrastructure. The Order classified construction for public works, residential, commercial, and schools as critical infrastructure. Elective additions and maintenance are prohibited.

Requirements for Construction. All employers involved in construction activity must follow the requirements set forth in the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including the rules below:

1. Mandatory temperature checks of all workers before they leave home. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. Temperature checks of all workers with a forehead thermometer at the construction site before they may begin work. If an employee or contractor has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
3. Implement shift work;
4. Limit crossover of subcontractors;
5. Prohibit gatherings during meals or breaks;
6. Keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
7. Do not use a common water cooler. Provide individual water bottles or instruct workers to bring their own;



8. Allow non-essential personnel to work from home when possible;
9. Provide soap and water and hand sanitizer in the workplace, including all restrooms. Ensure that adequate supplies are maintained;
10. Mandatory handwashing of at least twenty (20) seconds for workers during the following:
 - a. Before workers begin work;
 - b. After workers remove gloves;
 - c. Before and after the use of shared items such as tools or multi-user devices;
 - d. Before and after any meal or restroom breaks; and
 - e. After a worker's shift or work time ends.
11. Mandatory rest breaks of at least fifteen (15) minutes for every four (4) hours worked so workers may follow hygiene guidelines;
12. Provide one (1) working flushing toilet for every fifteen (15) workers on site or one (1) outdoor portable toilet for every 10 workers on site;
13. No adverse action taken against an employee who has been quarantined, or advised to self-quarantine, due to possible exposure to coronavirus; and
14. Designate a COVID-19 safety monitor on each site who has the authority to enforce these rules.

Enforcement. Failure to strictly comply with this Order can result in penalties described below. Additionally, the general contractor and non-compliant subcontractor can be removed from the essential business list.

Quédate en casa, quédate a salvo

Reglas para la industria de construcción

Este documento proporciona orientación para las personas y empresas asociadas con las industrias de la construcción y el comercio sobre el significado y la aplicación de la Orden emitida por el juez del condado de Dallas Clay Jenkins el 29 de marzo de 2020 (la "Orden").

Motivo de las reglas de construcción. El propósito de estas reglas es describir los pasos que cada empleador y empleado deben tomar para reducir el riesgo de contagio al COVID-19. Las reglas describen cómo prevenir el contagio de los trabajadores al coronavirus, las medidas de protección que se deben tomar en el lugar de trabajo y los procedimientos de limpieza y desinfección.

La construcción como infraestructura crítica. La Orden clasificó la construcción de obras públicas, residenciales, comerciales y escolares como infraestructura crítica. Las adiciones y el mantenimiento electivos están prohibidos.

Requisitos para la construcción. Todos los empleadores involucrados en actividades de construcción deben seguir los requisitos establecidos en las Recomendaciones de seguridad COVID-19 emitidas por la Coalición de Seguridad de la Industria de la Construcción, incluidas las siguientes reglas:

1. Chequeo obligatorio de temperatura de todos los trabajadores antes de salir de casa. Si un trabajador tiene una temperatura superior a 99.6 grados Fahrenheit, se le prohíbe ir a trabajar y debe permanecer en su residencia;
2. Chequeo de temperatura de todos los trabajadores con un termómetro de frente en el sitio de construcción antes de que puedan comenzar a trabajar. Si un empleado o contratista tiene una temperatura superior a 99.6 grados Fahrenheit, entonces deben ser enviados a casa de inmediato;
3. Implementar turnos de trabajo;
4. Limite el cruce de subcontratistas;
5. Prohibir reuniones durante las comidas o descansos;
6. Mantenga una distancia de 6 pies entre las personas en todo momento, a menos que el trabajo que se realice requiera múltiples personas para la seguridad de los trabajadores;
7. No use una hielera común. Proporcione botellas de agua individuales o indique a los trabajadores que traigan las suyas;
8. Permitir que personal no esencial trabaje desde casa cuando sea posible;

9. Proporcione jabón y agua y desinfectante para manos en el lugar de trabajo, incluidos todos los baños. Asegurar que se mantengan los suministros adecuados;
10. Lavado de manos obligatorio de al menos veinte (20) segundos para los trabajadores durante lo siguiente:
 - a. Antes de que los trabajadores comiencen a trabajar;
 - b. Después de que los trabajadores se quiten los guantes;
 - c. Antes y después del uso de artículos compartidos, como herramientas o dispositivos multiusuario;
 - d. Antes y después de cualquier comida o descanso para ir al baño; y
 - e. Después de que termina el turno de trabajo o el tiempo de trabajo.
11. Descansos obligatorios de al menos quince (15) minutos por cada cuatro (4) horas trabajadas para que los trabajadores puedan seguir las pautas de higiene;
12. Proporcionar un (1) inodoro con descarga de agua por cada quince (15) trabajadores en el sitio o un (1) inodoro portátil al aire libre por cada 10 trabajadores en el sitio;
13. No se tomarán medidas adversas contra un empleado que haya sido puesto en cuarentena, o se le haya aconsejado que se ponga en cuarentena, debido a la posible exposición a coronavirus; y
14. Designe un monitor de seguridad COVID-19 en cada sitio que tenga la autoridad para hacer cumplir estas reglas.

Aplicación. El incumplimiento estricto de esta Orden puede dar lugar a las sanciones que se describen a continuación. Además, el contratista general y el subcontratista no conforme se pueden eliminar de la lista de negocios esenciales.

Dallas County

Shelter-in-Place ordered 3/23/20

<https://www.dallascounty.org/Assets/uploads/docs/judge-jenkins/covid-19/03232020-AmendedOrder.pdf>

City of Boerne

Approved to proceed with new construction and Work in Process (WIP)

<http://www.ci.boerne.tx.us/DocumentCenter/View/13852/Amended-declaration-032520>
[ci.boerne.tx.us]

Hays County:

Approved to proceed with new construction and Work in Process (WIP). However, note the requirement that only one trade be on site during construction.

https://drive.google.com/file/d/1asWaj_s9gkvT_xqEb_2nV_R2Ohx15pJ1/view [drive.google.com]

New Braunfels

Approved to proceed with Work in Process (WIP) construction only.

<https://www.nbtexas.org/DocumentCenter/View/17771/StayHomeOrder> [nbtexas.org]

City of Austin:

Approved to proceed with Work in Process (WIP) construction only.

- o Effective 11:59 p.m. 3/24 until 4/13
- o Essential Businesses include
 - Critical infrastructure defined to include: “construction, including ... construction that supports essential uses, including essential businesses, government functions, or critical infrastructure, or otherwise required in response to public health emergency”
 - Critical Trades. Plumbers, electricians, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences.
- o Violation: punishable by a fine that does not exceed \$1,000 fine and/or 180 days jail time.

Travis County:

Unable to proceed with any construction as of 3/25/20

Update: Excluding sites within city of Austin. See local provision above

- o Effective 11:59 p.m. 3/24 to 11:59 p.m. 4/13
- o Essential Critical Infrastructure is defined to include “construction, including ... construction that supports essential uses, including essential businesses, government functions, or critical infrastructure, or otherwise required in response to public health emergency”

- o Essential Businesses include Critical Trades: plumbers, electricians, pool cleaners, and other service providers only to the extent that services are necessary to maintaining the safety, sanitation, and essential operation of residences. Critical Trades do not include discretionary maintenance or improvements.

- o Violation: punishable by a fine that does not exceed \$1,000 fine and/or 180 days jail time.

City of San Antonio

Approved to proceed with Work in Process (WIP) construction only

- o Effective 11:59 p.m. 3/24 to 11:59 p.m. 4/9

- o Exempted Businesses include

- Infrastructure: “business related to ... construction of housing, commercial construction”
- Services to maintain operations of residences – plumbers, electricians, and other service providers who provide services to maintain the safety, sanitation, and operations of residences
- CISA sectors

Bexar County

Approved to proceed with new construction and Work in Process (WIP)

- o Effective 11:59 p.m. 3/24 to 11:59 p.m. 4/9

- o Exempted Businesses include:

- Infrastructure, Development, Operation and Construction. “For example ... construction of housing or other types of construction including commercial ... maintenance and repair ...”
- Services necessary to maintain residences: “plumbers, electricians ... and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences”
- CISA sectors

- o Violation: punishable by a fine that does not exceed \$1,000 fine or 180 days jail time

Williamson County

Approved to proceed with new construction and Work in Process (WIP)

- o Effective 11:59 p.m. 3/24 to 11:59 p.m. 4/13

- o Essential Critical Infrastructure is defined per CISA “including residential and commercial construction”

- o Essential Businesses includes Essential Critical Infrastructure and

- Residential, transportation, and commercial construction
- Plumbers, electricians, and other services providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, in addition to emergency repairs for facilities of non-essential business