COVID-19 Preparedness Plan Guidance: Requirements for Construction

02/12/2021

Executive Order (EO) 21-07 will go into effect Saturday, Feb. 13 at 12:00 p.m. (noon) and is an amendment to EO 21-01 which does not have an end date. Construction businesses must continue to comply with the requirements set forth in EO 21-01. This guidance is not affected by amendments to EO 21-01 through EO 21-07.

Frequently asked Questions about all Executive Orders may have additional clarifications about requirements and recommendations. See Frequently Asked Questions about Stay Safe MN (https://mn.gov/covid19/for-minnesotans/stay-safe-mn/faq.jsp) or Stay Safe Guidance for Businesses and Organizations (https://staysafe.mn.gov/industry-guidance/index.jsp).

Updates to this document include adding a Consumption of Food and Beverages section on page 8 and removal of the provisions for laundering apparel.

Executive Order (EO) 21-01

The full Executive Order with all requirements can be found at Executive Orders from Governor Walz (https://mn.gov/governor/news/executiveorders.jsp).

COVID-19 Preparedness Plan requirements under EO 21-01

For the duration of Executive Order 21-01, construction must comply with the following requirements:

✓ Workers who can work from home must do so.
✓ Meetings and training sessions must be held virtually whenever possible.
✓ In-person meetings and training sessions must be limited to workers only and must involve as few workers as possible. In-person meetings and training sessions held indoors must not exceed 25 workers at one time. If workers can attend meeting while working from home, they must do so.
✓ Plan Guidance requirements
To the extent businesses in construction are operating activities that are allowed by EO 21-01, businesses must follow requirements in the “COVID-19 Preparedness Plan Guidance: Requirements for Construction” below unless revised or modified by the above provisions. If the requirements set out below have been revised or modified by the above provisions, the above provisions must be followed.

COVID-19 Preparedness Plan Guidance: Requirements for Construction

These requirements apply to businesses and employers primarily engaged in construction and skilled trades including, but not limited to, commercial construction, residential construction, highway, road, and bridge construction, utility construction, demolition-work, skilled trades (e.g., electricians, plumbers, HVAC, elevator), rehabilitation and remodeling.

Your health and COVID-19

Any time individuals are gathering with other people, they are at risk of exposure to SARS-CoV-2, the virus that causes COVID-19. COVID-19 is spread through respiratory droplets produced when an infected person coughs, sneezes or talks. These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs. People with symptoms and without symptoms can spread the virus.

COVID-19 can lead to serious medical conditions and even death for people of all ages. We cannot predict who will become severely ill, although we know that older people and people with underlying health conditions are at higher risk. We do not yet know what the long-term effects of infection from COVID-19 are; even people with mild cases may experience long-term complications.

The best way to prevent illness is to avoid being exposed to this virus. The masking, physical distancing, and other safety precautions included in these requirements reduce the risk of spreading COVID-19, but do not eliminate the risk entirely. We can all take these actions to protect ourselves, our families, and others throughout our communities. This applies to people who have already been vaccinated, too.

- Stay home when sick.
- Stay at least 6 feet apart from other people.
- Wear face coverings in indoor businesses and public indoor spaces and outdoors when 6 feet of social distancing cannot be consistently maintained.
- Wash your hands often.
- Cover your mouth and nose when you cough or sneeze.

Definitions

When used in this document the following terms have the following meaning:
Indoors

A space is “indoors” if the space is:

1. Between the ground or other natural surface or a floor or similar surface and an overhead barrier, including but not limited to: a canopy, cap, awning, ceiling, roof, retractable barrier, or similar structure, whether opened or closed, and
2. Bounded by a physical barrier, including but not limited to walls, partitions, retractable dividers, doorways, garage doors or windows, whether opened or closed, that cover more than 50% of the combined surface area of the vertical planes constituting the perimeter of the space.

Indoor spaces may be temporary or permanent, finished or unfinished. A physical barrier bounding a space may be made of natural and manufactured materials. A 0.011 gauge window screen with an 18 by 16 mesh count is not a barrier. Examples of spaces that are or can be indoor spaces include, but are not limited to: buildings, towers, stadiums, arenas, theaters, rotundas, domes, tents, pavilions, gazebos, igloos, trailers, and other enclosures.

Potentially Infectious

A worker or person who is “potentially infectious” includes a worker or person who:

1. Is experiencing symptoms of COVID-19 and has not completed their isolation period;
2. Is residing in a location with someone who is experiencing symptoms of COVID-19 and has not completed their quarantine period, or has tested positive for COVID-19, and has not completed their isolation period;
3. Has been in close contact with or directly exposed to a person who is experiencing symptoms of COVID-19 or has tested positive for COVID-19, and has not completed their quarantine period since the close contact or direct exposure;
4. Has tested positive for COVID-19 and has not completed their isolation period; or
5. Has been tested for COVID-19 because they meet one or more of the conditions set out in 1, 2, or 3 and are waiting for the test results.


Venue

A “venue” is a physical space or area used to perform activities or conduct events. A venue may be space or area that is public or private, indoors or outdoors, with defined or undefined perimeters and accessible with or without a cost to an attendee. A physical space or area is a venue if the actions, conduct, or decisions of a business or other entity, including an event organizer, result in members of the public assembling or gathering in a space or area for a common or collective activity or event.
COVID-19 Preparedness Plans

As required by the Executive Orders (also referred to as “EOs”) issued by Governor Tim Walz under the Peacetime Emergency, all businesses, both critical or non-critical, and other entities identified in the EOs, are legally required to develop and implement COVID-19 Preparedness Plans (also referred to as “Plan” or “Plans”). Under the EOs, a “business” and “businesses” include entities that employ or engage workers, including private-sector entities, public-sector entities, non-profit entities, and state, county, and local governments. “Worker” and “workers” are broadly defined by the EOs to include owners, proprietors, employees, contractors, vendors, volunteers, and interns.

For purposes of this Plan Guidance, “other entities” includes those entities identified in the EOs that are not covered by the definition of a “business” but are also required by an EO to develop and implement Plans. Other entities include places of public accommodation, establishments, institutions, facilities, venues, and organizers identified in the EOs. Plan Guidance is designed to protect workers, customers, and other members of the public from the transmission of the virus that causes COVID-19.

This Plan Guidance constitutes the “Plan Guidance” referred to in EO 21-01 and applies to all identified businesses and other entities. Businesses and other entities must develop and implement COVID-19 Preparedness Plans that address the following:

- The requirements of EO 21-01,
- The requirements included in the Requirements for All Businesses and Other Entities found at Stay Safe Guidance for All Business Entities (https://staysafe.mn.gov/industry-guidance/all-businesses.jsp), and
- The requirements included in this Plan Guidance that are applicable to their business or entity.

Unless clearly indicated that an action is recommended and included under “Recommendations,” businesses and other entities should understand that the Plan Guidance imposes legally enforceable requirements. In instances where a requirement uses language “to the extent possible,” the action is required, to the extent it is possible for the business or entity to implement the requirement.

Depending on the activities engaged in by a business or other entity, it may be required to comply with additional industry or activity specific Plan Guidance, such as Plan Guidance applicable to bars and restaurants, if the facility serves food and beverages or Plan Guidance applicable to businesses that provide personal services, if the facility has a hair salon.

Frequently Asked Questions have been posted to respond to questions about provisions of Executive Orders and Plan Guidance. The following is a link to current Frequently Asked Questions about Stay Safe MN (https://mn.gov/covid19/for-minnesotans/stay-safe-mn/faq.jsp).

Responsibilities of General Contractors

A “general contractor” includes entities that have overall authority, responsibility or control of a worksite, which may include, but is not limited to, general contractors, construction managers, prime contractors, developers, facility owners and/or operators, and public entities.
Requirements

1. General contractors must develop and implement a written COVID-19 Preparedness Plan that addresses the COVID-19 protocols and practices set out in this guidance that are applicable to the general contractor’s overall responsibility for work activities at the worksite and the work activities of its workers at the worksite. General contractors must ensure their plan is posted and readily available at the worksite.

2. General contractors must ensure all businesses that have workers performing work activities at the worksite, including employees, subcontractors and independent contractors, have a written COVID-19 Preparedness Plan that addresses the COVID-19 protocols and practices set out in this guidance that are applicable to the business’s work activities and workers who are performing work at the worksite.

3. General contractors must ensure COVID-19 Preparedness Plans prepared by each business at the worksite can be effectively implemented at the worksite, address any worksite-specific hazards for transmission of COVID-19 and are in alignment with the general contractor’s and other business’s COVID-19 Preparedness Plans.

4. General contractors must ensure the worksite is supervised to oversee assignment of work crews and ensure compliance with requirements outlined in COVID-19 Preparedness Plans, including work-crew separation, social distancing, and the use of face coverings.

5. General contractors must follow the guidance requirements for the component of the COVID-19 Preparedness Plan, “Health Screening and ‘Stay at Home’”, and ensure all businesses at the worksite are immediately informed of the possible exposure of their workers to another worker who is potentially infectious and are advised of actions they should take in response to that exposure.

6. General contractors must ensure diligent investigations are conducted at the worksite to evaluate and assess instances of exposure, whether actual or potential, involving workers who are confirmed COVID-19 positive, or where the general contractor and/or business have reason to believe a worker may be COVID-19 positive, to ensure timely and appropriate action is taken to mitigate the potential spread of COVID-19 among other workers at the worksite or at other worksites where that worker is or was performing work.

7. See What To Do if an Employee has COVID-19 [https://www.health.state.mn.us/diseases/coronavirus/businesses.html].

8. The responsibilities for general contractors do not minimize, mitigate or substitute for the obligations of every business at the worksite, including subcontractors and independent contractors, to develop and implement their own written COVID-19 Preparedness Plan and to take appropriate steps to address exposures to workers who are potentially infectious.

Required Plan Sections

Follow the requirements included in the Requirements for All Businesses and Other Entities found at Stay Safe Guidance for All Business Entities [https://staysafe.mn.gov/industry-guidance/all-businesses.jsp] and the following:

1. Health screening and “stay at home”
2. **Managing access and occupant capacity for construction**

3. **Maintain social distance of at least 6 feet**

4. **Hand hygiene practices**

5. **Consumption of food and beverages**

6. **Use of face covering**

7. **Facilities, utilities, and ventilation**

8. **Cleaning and disinfecting**

**Requirements and Recommendations**

1. **Health screening and “stay at home”**

   **Requirements**
   
   ✓ Maintain an attendance log to account for the business’s workers and visitors present at the worksite each day.

2. **Managing access and occupant capacity for construction**

   **Requirements**
   
   ✓ Control access to the worksite to required contractors and their workers, delivery workers and government officials, and to visitors who have appointments.

   ✓ Ensure perimeters for worksites are established by means that will allow for the ingress into the worksite to be effectively monitored and controlled.

   ✓ Ensure all worksites maintain established and well-defined boundaries to promote well-controlled access, ingress and occupancy.

   ✓ For worksites that are within the confines of an existing occupancy (e.g., expansion project, remodeling project), ensure access into the worksite is controlled to prevent unauthorized persons from entering the worksite. Examples include permanent or temporary walls, security doors, partitions, fencing or gates. See below guidance about provision of “in-home” services.

3. **Maintain social distance of at least 6-feet**

   **Requirements**
   
   ✓ Limit social gatherings of people.

   ▪ Implement static assignment of work crews for each worksite or work area to the extent possible. For example, Bob, Julie and Indigo always work together and are assigned to the same worksite every day, rather than reporting to different worksites throughout the week or being reassigned with different work-crew members.

   ▪ Limit worker and work crew interaction across floors, zones, buildings and worksites to the extent possible.
COVID-19 OUTDOOR NON-SEATED VENUES

- Evaluate locations and activities to implement social distancing of at least 6 feet.
  - Evaluate and manage the traffic flow, patterns and “bottlenecks” for workers at the worksite to provide for one-way movement, to reduce crowding and to allow for social distancing at entrances and exits, in stairways, ladderways, hallways, elevators, waiting areas and access points on the worksite.
  - Identify and evaluate locations and activities where social distancing of at least 6-feet between workers may be difficult to implement and determine how the location can be re-configured or activities performed in alternate ways that will either minimize the social gathering of people or allow for social distancing of at least 6 feet.

- Implement and maintain social distancing in congestion areas, bottlenecks and choke points, including by providing queuing (e.g., signage, markings, barriers, paint, tape, flags) to maintain 6 feet of social distancing.
  - Ensure the business is supervised to oversee the assignment of work-crews and the work-activities of workers to ensure required practices are followed.
  - Ensure adequate separation of work areas is maintained between various work-crews, including those involved in different trades or work-activities. Provide for assignment of work crews to differing buildings, floors, sections, work zones or work areas, to the extent possible.
  - Maintain social distancing in all work areas, staging areas, storage areas, hoist areas, break areas, locker and changing areas, meeting areas, office trailers, parking areas, etc.
  - Stagger arrival times, break times, and end times (e.g., designate time-frames or windows for various crews to access/exit the work-site) to minimize congestion.
  - Maintain separation between individual portable toilets and handwashing/sanitizing stations, including staggering the location and positioning of individual portable toilets and handwashing stations to minimize congregation and traffic (e.g., positioned back-to-back with doors facing away from each other, mark off six feet of separation between persons waiting in line).

- Implement and maintain 6 feet of social distancing in specific situations.
  - **Job-Trailers/Job-Offices:** Restrict access into the job-trailer or job-office to specific personnel (e.g., general contractor only). Allow for only a limited number of persons inside of the job-trailer or job-office that allow for required social distancing.
    - Do not allow persons to enter the job-trailer or job-office unannounced. Implement “walk-up” protocol to speak through windows of the office trailer as opposed to allowing workers or delivery personnel to enter the trailer.
    - Cordon off or demarcate an area near the doorway to limit persons entering into the job office or office trailer further than the doorway.
  - Eliminate activities and configurations that require workers to face each other, to the extent possible.
  - Install barriers, partitions, screens, or curtains to create additional protection between workers in areas where 6 feet of social distancing may be breached for short durations (e.g., curtains at planning tables, partitions on elevated work platforms, tarps over floor trusses, etc.).
COVID-19 OUTDOOR NON-SEATED VENUES

Recommendations

- Schedule work crews and coordinate work activities to minimize the number of work crews and workers at the worksite at the same time (e.g., schedule separate work crews in the morning and afternoon, schedule separate work crews for various days of the week or over separate weeks).

- Designate separate facilities, machinery or equipment throughout the worksite to minimize the common use throughout the worksite. Examples include providing:
  - additional access points, stairways and ladderways, and assigning specific work crews to use designated access points, as opposed to every work crew using all points of access;
  - additional sanitation facilities and assigning specific work crews to use designated facilities (e.g., portable toilets, handwashing stations), as opposed to every work crew using all facilities; and
  - multiple pieces of equipment (e.g., forklifts, mobile elevated work-platforms, skid-steers) and assigning specific work crews to use designated pieces of equipment.

4. Hand hygiene practices

Recommendations

- Encourage supplementing handwashing and hand-sanitizing facilities with the use of self-provided, individualized, water bottles or containers filled with soap and water, and potable water for immediate handwashing at worksites.

- Provide individual water-bottles in lieu of community drinking stations.

5. Consumption of food and beverages

Requirements

- Restrict eating and drinking.
  - When persons consume food and beverages, they must be seated in an area that ensures that they can maintain 6 feet of social distance from others.
  - Do not provide community drinking stations and water fountains unless protocols are implemented to ensure frequent sanitation between users. Foot-controlled or touchless water-filling stations may still be provided.

Recommendations

- Strongly discourage communal serving or sharing of food.

- Provide individual water-bottles in lieu of community drinking stations.

6. Use of face coverings

Requirements

- Require workers to wear face coverings indoors at all times, and outdoors when social distancing of 6 feet cannot be maintained. Establish procedures for overseeing workers’ compliance with face covering requirements.
Require workers to wear a face covering that covers their mouth and nose in accordance with Executive Order 20-81. The Executive Order requires everyone—including workers—to wear a face covering in indoor businesses and indoor public spaces. Additionally, the Executive Order requires workers to wear face coverings when working in outdoor settings in situations where social distancing of at least 6 feet cannot be maintained. More information about face covering requirements and exemptions is available on the MDH website at Facemasks and Personal Protective Equipment (PPE) Webpage (health.state.mn.us/diseases/coronavirus/prevention.html#masks).

7. Facilities, utilities and ventilation

Requirements

✓ Increase the intake percentage of outside air to increase dilution of contaminants, and minimize recirculation, whenever possible, while maintaining indoor air conditions.

✓ Increase natural ventilation as much as possible. Open windows if possible and safe to do so.

8. Cleaning and disinfecting

Requirements

✓ Establish a regular schedule and checklist for cleaning and disinfecting commonly touched surfaces (workstations, keyboards, telephones, handrails, doorknobs, etc.), shared items, shared equipment, and high traffic areas. Continue to perform other routine environmental cleaning according to established schedules and procedures.

▪ Frequently clean and disinfect all areas, such as jobsite offices, office trailers, restrooms and portable toilets, locker and changing areas, common areas and break areas.

▪ Clean and disinfect work vehicles between the use of each worker or work crew.

▪ Electronic devices (e.g., light-switches, circuit-breakers) should not be cleaned and disinfected with a liquid agent. Consider covering switches/devices with a poly-covering that allows the user to manipulate the device without touching the switch and change out the poly-covering frequently. Electronic devices must be sanitized only when disconnected from the power-source and sanitized in accordance with the listing/labeling requirements.

▪ Ensure all trash, refuse and debris is regularly disposed of and not allowed to accumulate, to minimize the number of workers involved in the handling and disposal of materials. Provide covered trash receptacles throughout the worksite.

Recommendations

▪ Minimize the sharing, lending, borrowing, or common-use of equipment, materials, tools, or devices including motorized equipment, carts, power-tools, hand-tools, electronic-devices, and personal protective equipment.