



Santa Clara County
**PUBLIC
HEALTH**

MANDATORY DIRECTIVE:



Construction Projects

Effective July 13, 2020

sccgov.org/coronavirus

Issued: July 7, 2020

County of Santa Clara
Public Health Department

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MANDATORY DIRECTIVE FOR CONSTRUCTION PROJECTS

Please confirm that your facility and/or construction project jobsite may open under the State Order. Where there is a difference between the local County Order and the State Order, the more restrictive order must be followed. The State also has specific guidance for certain facilities that must be followed in addition to this mandatory directive.

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Information on the State’s Order and State guidance is available at covid19.ca.gov.

While the construction industry is critical to ensuring a safe and sufficient supply of residential and commercial space, construction work can also pose significant risks to public health due to the COVID-19 pandemic. Because construction projects typically involve many workers actively working on a jobsite at the same time, often in close proximity to one another or sharing equipment, businesses and individuals performing and overseeing construction projects must take extra precautions to reduce the risk of COVID-19 transmission for workers, visitors, and others. **This Directive applies to all construction projects, but the restrictions vary by the size of the project, as specified below.**

“Construction project” means any work (including a public works project) carried out in connection with the construction, alteration, conversion, fitting-out, remodel, renovation, refurbishment, demolition, decommissioning, or dismantling of a building or other structure; the preparation of a physical site for any such activity; and education or training at which any such activity is taught through onsite practice or experience. “Construction project” does not include architectural, design, financial, or administrative work related to a construction project, unless that work occurs at the construction jobsite. “Construction project” also does not include basic repair or maintenance work, which means a repair or maintenance job that requires no more than 2 workers and no more than 2 days and that is not architecturally, financially, or administratively associated with an active construction project.

This Directive explains how construction projects may operate. This Directive is mandatory, and failure to follow it is a violation of the Health Officer’s Order issued on July 2, 2020 (“Order”). Construction projects must comply with the Order and all requirements of this Directive.

The Order Issued July 2

The Order imposes several restrictions on all businesses and activities to ensure that the County stays as safe as possible, including but not limited to the following:

The Social Distancing Protocol: All businesses must fill out and submit the newest version of the Social Distancing Protocol to the County using the online form, available here. The Protocol is submitted under penalty of perjury, meaning that everything written on the form must be truthful and accurate to the best of the signer's knowledge, and submitting false information is a crime. The Protocol must be distributed to all workers, and it must be accessible to all officials who are enforcing the Order. Businesses are responsible for ensuring that workers understand and are trained on Protocol requirements in a language that they understand. For any business that only performs services for dispersed facilities or worksites that the business does not own or operate, the business must complete a Social Distancing Protocol for its operation as a whole. For any business that has a facility, but also provides services at dispersed facilities or worksites that the business does not own or operate, the business must complete a Social Distancing Protocol for its own facility and provide that Protocol to the owners or operators of any facility where it operates.

- Example: A construction company serves as a subcontractor on various jobsites throughout the County and also operates a base facility within the County, where it maintains its vehicles and equipment. The subcontractor must complete a Social Distancing Protocol for its base facility. It must also distribute the Protocol to the owners or operators of the jobsites to which it sends its workers. The subcontractor's workers must be given a copy of, be trained on, and comply with the measures in both the subcontractor's Social Distancing Protocol and the Social Distancing Protocol for any jobsite at which they are performing work.
- **Signage:** All businesses must print (1) an updated COVID-19 PREPARED Sign and (2) a Social Distancing Protocol Visitor Information Sheet, and both must be posted prominently at all facility entrances. These are available for printing after submission of the Social Distancing Protocol online.
 - Businesses do not need to post these documents if they do not have their own facility or worksite and *only* perform services for dispersed facilities or worksites that the business does not own or operate.
- **Face Coverings:** Everyone at a business facility or worksite must wear a face covering at all times (except very young children, people for whom face coverings are medically inadvisable, or for communication by or with people who are hearing impaired). **Face coverings must be worn even while working at a construction project.** Workers do not need to wear face covering if it would create a risk to the person related to their work, in accordance with local, state, or federal workplace safety guidelines.

- **Density Limitation:** All businesses must limit the number of people who may be at the facility at the same time. For staff members, the limit is 1 person per 250 gross square feet of facility space (this means total space, including areas open only to staff like storage rooms). For members of the public, the limit is 1 person per 150 square feet of space open to the public. The density requirements tell businesses how many people (staff or clients) they can let in before another person leaves. Children under 12 who are accompanying a parent or guardian do not count against the limit, but everyone age 12 and over does. **This Directive describes a limited exception to the density limitation applicable only to construction project jobsites.**

See the [Order](#) and the [FAQ page](#) for more details.

In addition to these general requirements applicable to all businesses under the Order, construction projects must comply with the following directives.

Construction Projects on Own Residence Exempted

This Directive does not apply to construction projects where a person is performing construction on their current residence alone or solely with members of their own household.

Rules for Single-Worker Construction Projects

This section lists the requirements for construction projects performed by only 1 worker, such as someone who is working alone on a kitchen remodel project. This section for single-worker projects does not apply to construction projects that involve multiple workers, even if only 1 worker is at the jobsite at any time; those projects must follow the Rules For All Construction Projects, which are listed in the next section.

- a. If the worker is working for a business, the worker must comply with the Social Distancing Protocol of that business.
- b. The worker must maintain 6 feet of social distance from all other people at all times, including when entering and leaving the work area or building.
- c. The worker must use and properly wear face coverings. In addition, the worker must wear other personal protective equipment (PPE) appropriate for use in construction, including gloves, goggles, and/or face shields.
- d. To the extent possible, the worker must seal off the work area so that there is a barrier between the worker and any other people in the building. For example, a worker performing construction in the hallway of a residence must install a barrier (such as plastic sheeting) between the area where the worker is working and the rest of the hallway.

- e. The worker must frequently wash hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol.
- f. The worker must not work or come to the jobsite if the worker has a fever, cough, or any other COVID-19 symptoms.
- g. The worker must maintain records of the dates and times the worker was at the jobsite and must make those records immediately available upon request to any County official.
- h. If the worker tests positive for COVID-19, the worker must notify the County Public Health Department within 4 hours of learning of the positive result by following the instructions at www.sccsafeworkplace.org.

Rules for All Construction Projects (Except Single-Worker Construction Projects)

This section lists requirements for all construction projects (other than single-worker construction projects).

Note: Large Construction Projects must also follow additional requirements, which are described beginning on page 9.

1. Responsibilities of the General Contractor and Subcontractors

- a. The business with the responsibility to oversee a construction project, described in this Directive as the “General Contractor,” must complete and submit a [Social Distancing Protocol](#) specific to the construction project jobsite. (The General Contractor may also need to submit social distancing protocols for its base facility or for other jobsites subject to this Directive.)
- b. The General Contractor is responsible for ensuring that all work and operations at the construction jobsite is performed in compliance with the Order, this Directive, and the jobsite-specific Social Distancing Protocol.
- c. The General Contractor must train its workers to comply with the Order, this Directive, and the jobsite-specific Social Distancing Protocol.
- d. Subcontractors do not need to submit their own jobsite-specific Social Distancing Protocols for the same site, but the General Contractor must not allow any subcontractor onto the jobsite unless that subcontractor has given the General Contractor a signed certification that:
 - i. the subcontractor has reviewed the Order and this Directive and will comply with them;

- ii. the subcontractor has reviewed the General Contractor’s jobsite-specific Social Distancing Protocol and trained its workers on that Protocol; and
- iii. the subcontractor has completed and submitted its own Social Distancing Protocol covering its operations, and has provided a copy of that Protocol to the General Contractor.

2. *General Contractors and Subcontractors Must Report COVID-19 Positive Cases*

- a. Whenever the General Contractor learns that a person who has tested positive for COVID-19 was at the jobsite within 48 hours of the date they were tested or within 48 hours of becoming symptomatic, the General Contractor must immediately implement the jobsite-specific Social Distancing Protocol’s procedures for when a person tests positive for COVID-19. All positive cases must be reported by following the instructions at www.sccsafeworkplace.org.
- b. All subcontractors must immediately (within 1 hour, regardless of the time of day) alert the General Contractor as soon as they learn that an employee has tested positive who is currently at the jobsite, or who was at the jobsite within 48 hours of the date they were tested or within 48 hours of becoming symptomatic. This reporting requirement is in addition to the subcontractor’s own reporting requirements under the Order and the procedures in the subcontractor’s Social Distancing Protocol.

3. *Cleaning After Positive Case Identified*

Upon learning of a confirmed positive case at the jobsite within the last 48 hours, any location where the infected worker was known to have been present must be immediately closed and sanitized. Work in these locations must cease until sanitization is complete.

4. *General Contractor is Responsible for Ensuring the Jobsite is Operated Safely Following All Legal Requirements*

- a. The General Contractor must ensure that everyone at the jobsite—including its own workers, the subcontractors’ workers, and visitors—complies with the Order, this Directive, the jobsite-specific Social Distancing Protocol, and any other laws and regulations that apply to the work (for example, OSHA and Cal-OSHA requirements). If there is a conflict in what different laws require, the strictest standard applies.
- b. The General Contractor’s responsibility for ensuring jobsite compliance under this paragraph 4 does not, however, relieve any subcontractors of their own responsibilities under the Order, their Social Distancing Protocol, this Directive, and all other applicable laws and regulations.

- c. Any worker, or any subcontractor, may file a complaint that the General Contractor has not complied with the Order, this Directive, or the jobsite-specific Social Distancing Protocol, or that the General Contractor has failed to require others to comply. Complaints may be filed through the County Office of Labor Standards Enforcement Advice Line (866-870-7725) or website (www.sccfairworkplace.org).

5. *Designated COVID-19 Supervisor(s)*

- a. The General Contractor must designate a site-specific COVID-19 Supervisor or Supervisors to enforce the jobsite-specific Social Distancing Protocol and this Directive. The designated COVID-19 Supervisor(s) must be present at the jobsite at all times during construction activities. The COVID-19 Supervisor may be an on-site worker who is designated to serve in this role. The General Contractor must prominently post a sign at all entrances to the jobsite clearly identifying the COVID-19 Supervisor(s) by name and providing their phone number and email address.
- b. The designated COVID-19 Supervisor(s) must review this Directive and the jobsite-specific Social Distancing Protocol with all workers and other persons at the jobsite. The General Contractor is responsible for making sure this occurs.
- c. The COVID-19 Supervisor must monitor and ensure implementation at the jobsite of all requirements in this Directive, the jobsite-specific Social Distancing Protocol, and the Order.

6. *Seal Off Area of Construction Project from Other Parts of Occupied Sites*

Where construction work occurs within an occupied residential or commercial building, all of the following rules apply:

- a. Work areas must, to the extent feasible, be sealed off from the remainder of the building (and from the remainder of the unit, if work is performed within a residential unit) with physical barriers such as plastic sheeting or closed doors sealed with tape.
- b. If possible, workers must access the work area from entry/exit door(s) different from the entry/exit door(s) used by residents or occupants accessing the remainder of the building that is not under construction.
- c. Available windows and/or doors must be used to ventilate the work area during the workday and any other times work is performed.
- d. If residents or occupants have access to the work area between workdays, the

work area must be cleaned and sanitized at the beginning and at the end of workdays.

- e. Every effort must be taken to minimize contact between workers and residents or occupants, including maintaining a minimum of at least 6 feet of social distancing at all times.

7. *Personal Protective Equipment (PPE)*

The General Contractor must obtain, provide at no cost to workers, and require that all workers use personal protective equipment (PPE) appropriate for use in construction, including gloves, goggles, face shields, and face coverings as appropriate for the activity being performed. Face coverings must be worn in compliance with the State’s mandatory Guidance for the Use of Face Coverings and any additional directives issued by the County Health Officer. At no time may medical-grade PPE be used at a construction site unless it is required due to the medical nature of the jobsite or local, state, or federal workplace safety requirements.

8. *Social Distancing, Sanitizing, and other Measures*

- a. The General Contractor must:
 - i. Ensure compliance at the jobsite with the Order’s density limitations except to the extremely limited extent a higher density is temporarily necessary to safely carry out a specific job function.
 - 1. The density limitations apply in all areas where construction work is actively being performed. Density limitations do not apply to staging areas or lay-down areas that are separate from the area where construction work is actively being performed.
 - ii. Stagger shifts, breaks, and trade-specific work as necessary to reduce density and allow for easy maintenance of minimum 6-foot distancing. Staggered shifts and breaks must comply with applicable wage and hour laws.
 - 1. All persons must maintain minimum 6-foot distancing except to the extremely limited extent shorter distances are temporarily necessary to safely carry out a specific job function.
 - iii. Eliminate or resolve “choke points” and “high-risk areas” where workers are unable to maintain 6-foot social distancing. The General Contractor must prohibit or limit use of these areas to ensure that 6-foot distance can easily be maintained between individuals.

- iv. If possible, ensure workers eat their meals and take their breaks outdoors, and maintain social distancing during meals and breaks.
 - v. Prohibit gatherings of any size on the jobsite (except for meetings required by this Directive), including gatherings for breaks or eating. Sharing of any food or beverage is strictly prohibited.
 - vi. Cal-OSHA requires employers to provide water. Water must be provided in single-serve containers.
 - vii. Prohibit use of microwaves, water coolers, and other similar shared equipment.
- b. Workers must:
- i. Unless strictly necessary to carry out a job function, maintain at all times at least 6-foot social distancing from fellow workers and all site visitors, including delivery workers, design professionals and other project consultants, government agency representatives (including building and fire inspectors), and residents at residential construction sites.
 - ii. Not carpool to and from the jobsite except with others living within the same household unit, or if necessary because they have no alternative means of transportation. If workers from different households must carpool, they must wear face coverings while riding together in the same vehicle, sit at the greatest distance possible, and maintain ventilation by keeping windows open as feasible.

9. *Notice for Workers and Visitors of Required Practices*

The General Contractor must prominently post a notice at all entrances to the jobsite visible to all workers and visitors instructing workers and visitors to do the following:

- a. Do not touch your face with unwashed hands or with gloves.
- b. If equipment is shared, it must be fully sanitized before and after each use.
- c. Wash your hands often with soap and water for at least 20 seconds each time, or use hand sanitizer with at least 60% alcohol.
- d. Clean and disinfect objects and surfaces you touch often, such as work stations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs.
- e. Cover your mouth and nose with a tissue or cloth when you cough or sneeze, or

cough or sneeze into your elbow/sleeve – never into your hands.

- f. Do not enter the jobsite if you have a fever, cough, or other COVID-19 symptoms. If you feel sick, or have been exposed to anyone who is sick, stay at home.
- g. Constantly make sure you are staying at least 6 feet away from co-workers at all times, unless it is absolutely necessary to get closer to complete a task for the construction project.
- h. Do not carpool to and from the jobsite with anyone except members of your own household, or if necessary because you have no alternative means of transportation. If you carpool with people from another household, you must wear a face covering while riding together in the same vehicle.
- i. Do not share phones or PPE.

Posters conforming to this requirement are available for download at <https://www.sccgov.org/sites/covid19/Pages/learn-what-to-do-flyers.aspx>.

10. Cooperate with County’s Case Investigation and Contact Tracing Efforts

The General Contractor must maintain a daily attendance log of all workers and visitors at the jobsite that includes contact information (including name, phone number, address, and email) and the date, time, and duration of each person’s presence at the jobsite. If someone on the jobsite tests positive for COVID-19, the General Contractor is legally required to assist the [County Public Health Department](#) in any case investigation and contact tracing efforts.

11. Monitor and Inform Supervisors and Subcontractors of Revised Requirements

The General Contractor must regularly check for revisions to the Order, this Directive, relevant industry-specific guidance published by the California Department of Public Health, and other relevant rules or guidance. The General Contractor must inform all jobsite supervisors (including the designated COVID-19 Supervisor(s), all field supervisors, foremen, and safety directors) and all subcontractors of any revisions or additions to the requirements for construction projects.

Additional Rules for Large Construction Projects

This section describes additional requirements that apply only to Large Construction Projects.

12. What is a Large Construction Project?

A “Large Construction Project” is a construction project that meets any of the following

specifications:

- a. For residential projects, any single-family, multi-family, senior, student, or other residential construction project consisting of 10 or more units; or
- b. For commercial projects, any construction project consisting of 20,000 or more square feet of floor area; or
- c. For mixed-use construction projects, any construction project that meets either of the specifications above in Subparagraphs (a) and (b); or
- d. Any infrastructure project that requires 20 or more workers at the jobsite at any one time.

13. *COVID-19 Supervisor's Additional Compliance, Monitoring, and Remediation Responsibilities*

- a. The designated COVID-19 Supervisor must:
 - i. Conduct daily briefings in person (with proper social distancing) or by teleconference that must cover the following topics:
 1. New jobsite rules and pre-jobsite travel restrictions for the prevention of COVID-19 community spread.
 2. Review of sanitizing and hygiene procedures.
 3. Worker feedback on improving safety and sanitizing.
 4. Coordination of construction site daily cleaning/sanitization requirements.
 5. Any newly available information regarding COVID-19.
 6. Emergency protocols in the event of an exposure or suspected exposure to COVID-19.
 - ii. Each day, verify and record verification that each jobsite is compliant with this Directive. The General Contractor must collect each written verification, store them for at least 1 year, and make them immediately available upon request to any County official.
 - iii. Conduct the following activities to make sure that the jobsite is ready to fix any violations of this Directive:

1. Develop a remediation plan;
 2. If any non-compliance is identified, ensure that the remediation plan is implemented, and post the remediation plan at all entrances to the jobsite during the remediation period;
 3. Stop any construction activity until the jobsite is back in compliance; and
 4. Report repeated non-compliance with this Directive to the appropriate jobsite supervisors and the permitting agency for the local government where the project is located.
- b. The General Contractor is responsible for making sure the designated COVID-19 Supervisor takes all of these steps.

14. *Jobsite Safety Accountability Supervisor (JSAS)*

The General Contractor must assign a COVID-19 Third-Party Jobsite Safety Accountability Supervisor (JSAS) for the jobsite. The JSAS may not be an employee of the General Contractor. The JSAS must at a minimum hold an OSHA-30 certificate and first-aid training, or equivalent credentials, from within the past 2 years. The JSAS must be trained in the requirements in this Directive and the jobsite-specific Social Distancing Protocol and must verify compliance with those requirements, including by visual inspection and random interviews with workers. The JSAS must inspect the jobsite as often as needed to ensure consistent compliance, but not less than once per week. The JSAS must inspect the jobsite during normal construction hours.

- a. The General Contractor must prominently post a sign at all entrances to the jobsite visible to all workers and visitors that clearly identifies the JSAS for the jobsite by name and providing their phone number and email address.
- b. Within 7 calendar days of each jobsite visit, the JSAS must complete a written assessment identifying any failure to comply with this Directive. The written assessment must be copied, stored, and, produced upon request to the County or local permitting agency.
- c. If the JSAS discovers that a jobsite is not in compliance with this Directive and the jobsite-specific Social Distancing Protocol, the JSAS must work with the designated COVID-19 Supervisor to develop and implement a remediation plan.
- d. The JSAS must coordinate with the designated COVID-19 Supervisor to prohibit continuation of any work activity not in compliance with this Directive or the jobsite-specific Social Distancing Protocol. The JSAS must make sure that the

work activity does not resume until the noncompliance is fixed and the continuing work is compliant with this Directive.

- e. The remediation plan must be sent to the local permitting agency and a designated County official within 5 calendar days of the JSAS's discovery of the failure to comply.

15. *Translation for Non-English-Speaking Workers*

The General Contractor must translate (and, where otherwise required, post) all of the following documents as necessary to ensure that all non-English-speaking workers are able to understand the documents:

- a. The Notice for Workers and Visitors of Required Practices described in Paragraph 9 (on page 8).
- b. The remediation plan described in Paragraph 13.a.iii.1 (on page 11).

Stay Informed

For answers to frequently asked questions about this industry and other topics, please see the [FAQ page](#). **Please note that this Directive may be updated.** For up-to-date information on the Health Officer Order, visit the County Public Health Department's website at www.sccgov.org/coronavirus.

Santa Clara County Mandatory Directive: Construction Projects

On July 7th, 2020, Santa Clara County issued an updated Shelter in Place order. Along with the order, the County also issued industry specific mandatory directives. The Mandatory Directive for Construction Projects will become **effective on July 13th, 2020**. The Directive applies to all construction projects, but restrictions vary by the size of the project.

All construction projects must:

- Fill out and submit newest version of the Social Distancing Protocols to the County using the online form. The protocol must be distributed to all workers and must be accessible to officials enforcing the order
- Print and post an updated COVID – 19 Prepared sign and Social distancing Protocol Visitor Sheet at all facility entrances
- Require every individual at the facility or worksite to wear a face covering at all times
- Limit the number of people who may be at the facility at one time

All Construction Projects (except Single – Worker Projects):

Additional requirements and responsibilities were made for both the General Contractor and Subcontractor. General Contractor and Subcontractor must abide by social distancing, sanitization, and personal protective equipment (PPE) protocols. Additional requirement are below.

General Contractors are responsible for and must:

- Complete and submit Social Distancing Protocol specific to jobsite; ensure all work complies with order and directives; and train workers to comply with orders and directives
- Implement jobsite specific social distancing protocols for when there is an identified positive case for COVID-19. All positive cases must be reported using the following instructions: <http://www.sccsafeworkplace.org/>
- Require COVID-19 Supervisor(s) to review Directive and the jobsite-specific Social Distancing Protocol with all workers and other persons at the jobsite and must monitor and ensure implementation
- Obtain, provide (at no cost to worker), and require use of PPE to all workers
- Post notices for workers and visitors of required practices
- Maintain daily attendance log of all workers and visitors at jobsite with contact information
- Regularly check for revisions of orders, directives, and guidelines and inform all field staff, supervisors, and subcontractors of changes

Subcontractors are responsible for and must:

- Review and sign General Contractor's certification agreeing to comply with orders, directives, and protocols, as well as train its workers on protocols
- Complete and submit its own social distancing protocols covering its own operations and provide copy to General Contractor
- Notify General Contractor within 1 hour of learning of a positive case on jobsite. This reporting requirement is in addition to subcontractors own reporting requirement under the Order.

Large Construction Projects:

Changes were made for rules governing “Large Construction Projects” as well. Large construction projects must follow additional requirements. These changes included:

- Adding a section that specifies mixed-use construction as qualified for the category of a “Large construction project”, additional compliance, monitoring, and remediation responsibilities for each worksites job site supervisor and makes responsible the General contractor as ensuring these additional duties are carried out
- Adds clarity to the role of the COVID-19 Third-Party Jobsite Safety Accountability Supervisor (JSAS) including the requirement that the JSAS must inspect the jobsite as often as needed to ensure consistent compliance, but not less than once per week.
- Makes the General Contractor responsible for that all non-English speaking workers are able to understand both “The Notice for Workers and Visitors of Required Practices” and “Remediation Plan”