

**Guidance for Businesses in the Construction Industry Permitted to Operate During the COVID-19
Disaster Emergency: Frequently Asked Questions**

See a copy of the Guidance to the Construction Industry [here](#).

Q: May new construction projects be started, or does this order only allow existing projects to continue?

A: Yes, new construction projects may start, provided that the protocols in the [Construction Guidance](#) and the DOH [Business Safety Measures](#) and [Worker Safety Order](#) are followed

Q: A construction site isn't following the safety requirements to prevent COVID-19. How do I file a complaint?

A: All complaints against a business not following required COVID-19 protection measures, including a specific construction site, should be made using the Department of Health's [Complaint Form](#).

Q: Will the Department investigate a complaint if the name or location of the jobsite is not provided?

A: No, the name and address of the business must be included in the complaint.

Q: Is my employer required to provide masks/face coverings, or is that my responsibility?

A: Yes, your employer is required to provide you with the required Personal Protective Equipment (PPE). The Department of Health (DOH) has provided guidance on employers providing masks, and the ability for employees to use their own masks if a mask from the employer is unavailable, in the [Worker Safety Order FAQs](#).

Q: Can my employer force me to work if they do not provide PPE or have safeguards in place that follow the Department of Health's guidance?

A: Employers are allowed to make business decisions only within the boundaries of the law.

Employment in Pennsylvania is "at will," unless you have a contract with your employer, or you are a member of a union with a collective bargaining agreement. If you are a member of a union, contact your union representative. If you believe that you have been terminated inappropriately, you may wish to consult with an attorney familiar with labor and employment law.

You can make a complaint against a business not following required COVID-19 protection measures using the Department of Health's [Complaint Form](#).

Q: If I do not feel comfortable reporting to work, do I need to report to the worksite?

A: If you are in a population particularly susceptible to COVID-19 and are directed by a medical professional or government official to quarantine or self-isolate, you may be eligible for paid leave mandated by the Families First Coronavirus Response Act (FFCRA), Unemployment Compensation (UC),

or existing paid leave available through your employer. Visit www.dli.pa.gov for more information on FFCRA and UC.

Q: If I arrive at a construction site and notice the worksite is not adhering to the Construction Guidance, what should I do?

A: If you are concerned for your health and safety on the worksite, you should talk to your employer about following COVID-19 safety measures, including the [Construction Guidance](#) and the [Worker Safety Order](#). You can make a complaint against a business not following the required COVID-19 protection measures using the Department of Health's [Complaint Form](#).

Q: If a sick employee arrives on site, what options do I have?

A: Sick employees, including employees with a fever, cough, or shortness of breath, should immediately be separated from other employees and sent home. Employees unable to work due to COVID-19 related reasons may be eligible for paid leave mandated by the Families First Coronavirus Response Act (FFCRA), Unemployment Compensation (UC), or existing paid leave available through the employer. Visit www.dli.pa.gov for more information on FFCRA and UC.

Q: Should I send home employees who were exposed to a sick employee?

A: If a jobsite or business location has been exposed to person who is a probable or confirmed case of COVID-19, the location should follow the protocols in the DOH [Worker Safety Order](#), which includes closing any areas where the infected person was working and beginning monitoring of all employees once the location has re-opened. Asymptomatic employees may be allowed to continue working after the location has been closed and sanitized according to the Worker Safety Order.

Q: Is jobsite screening mandatory?

A: Construction jobsites should follow the guidance in the DOH [Worker Safety Order](#) and the associated [Worker Safety Order FAQs](#). If a person who is known to have COVID-19 or is presumed to have COVID-19 has visited the jobsite, screening, including temperature checks, is mandatory.

Q: Where can I obtain information on jobsite screening services or equipment?

A: You can find a list of suppliers that provide PPE and COVID-19 supplies on DCED's [Business-2-Business Interchange Directory](#).

Q: Am I required to wear gloves while using tools?

A: Gloves and enhanced cleaning procedures are required for shared tools and equipment. CDC has [established guidelines for employers and workplaces](#). Follow the guidance in the DOH [Worker Safety Order](#) and the associated [Worker Safety Order FAQs](#).

Q: My construction firm has not established a written safety plan. Is the safety plan mandatory on a commercial construction site?

A: While not mandatory, written safety plans are strongly encouraged for all businesses in operation, including all types of construction.

Q: Can the Pandemic Safety Officer both serve as the safety officer and also be a working member of the construction crew?

A: Yes.

Q: Is the pandemic safety officer required to be on site at all times?

A: No.

Q: What qualifies a pandemic safety officer, and what qualifications must the pandemic safety officer possess?

A: The pandemic safety officer is the individual designated by the business to provide information about how the employer is complying with all relevant orders and guidance. This individual should be familiar with all relevant orders and guidance, and be able to provide workers on site with accurate, reliable guidance in this regard.

Q: Is a pandemic safety officer a requirement for residential construction?

A: No.

Q: If a residential construction project is over 2,000 square feet, can the same non-residential guidelines apply?

A: No. Residential projects must follow the residential guidelines, which state no more than four persons on the job site at the same time.

Q: May outside visitors come on to the job site, such as spouses bringing lunch or potential clients?

A: Outside visitors to the job site should be strictly limited. If an outside visitor is absolutely necessary, all visitors should follow CDC guidance for preventing the spread of COVID-19 and the DOH Business Safety Order, including wearing a mask, practicing social distancing, and staying home if they are sick.

Q: My worksite is not following the COVID-19 safety requirements. What should I do?

A: Concerns should first be raised to the worksite's designated Pandemic Safety Officer for commercial jobsites, or to the worker's supervisor for residential jobsites. If a remedy is not reached, a complaint can be made using the Department of Health's [Complaint Form](#).

Q: Is the square feet rule aggregate, per floor, or for any specific trade of the job?

A: The rules for enclosed square footage are in aggregate and include all areas under one roof that are under active construction at the time. The rules cover all trades.

Q: Does the Department have any say in which local public construction projects are allowed to continue?

A: For publicly funded projects, the state or local government entity funding the project must determine if the project should proceed.

Q: May my organization's construction training or apprenticeship program resume?

A: Yes, as long as all activities follow the safety guidelines in the Guidance to Construction, and that any classroom portions of the training follow safety measures in the [Worker Safety Order](#).

Q: Do architects and engineers count towards the number of individuals allowed on the site?

A: So long as the individual is not directly engaged in construction activity and require only temporary access to the site, they may be excluded from the total number of individuals allowed on site, and do not count toward the limitation.

Q: Do Heavy and Highway Construction projects have the same limits to numbers of individuals allowed on site?

A: No. Heavy and Highway Construction projects are typically non-enclosed, and thus are not subject to the per-site worker restrictions.

Q: Will townhome construction sites allow four workers per unit?

A: For townhouses and duplexes under one roof, the four worker limitation is in place until the dividing fire separation wall is erected separating each residential unit. Once the wall is erect, then each residential unit is limited to four workers and must adhere to the restrictions enumerated in the construction guidance.

Q: When is a tilt up project considered enclosed? When is the roof is on?

A: A structure is considered enclosed when the roof is on.

Q: Is constructing a roof structure with no walls, such as a pavilion, considered exterior?

A: A pavilion is an unenclosed structure.

Q: May we have more than four workers on a jobsite if they are doing outdoor work on a property, such as utility installation, landscape walls, and driveways?

A: Residential construction projects may not permit more than four persons on the job site at any time inclusive of employees of both prime and subcontractors, but not inclusive of delivery persons, code inspectors, or similar persons who require temporary access to the site and are not directly engaged in the construction activity."

Q. Can a contractor open its office location to conduct business?

A. Yes, as long as the safety measures in the DOH Business Safety Order are followed. When possible, those who can telework should do so.