

Construction policy relating to Covid-19 in other countries

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EU

France:

- The government published a press release yesterday saying that 'Construction and public works firms are essential to the economy by contributing to French people needs in terms of housing, water, energy, waste management, transport and telecommunications'.
- It announced that following discussions over previous days, construction federations and the government agreed a number of principles to strengthen the continuity of activity and works. Labour protection from the virus would be ensured through adapted procedures, including the maintenance of distance between workers.
- Construction federations will publish a guide of good practice, approved by the Employment and Health ministries, which will set out a number of recommendations to ensure good health conditions. For public works, public sector clients and government services (i.e. local prefects) will coordinate and prioritise the works that should be resumed or continued.

Italy:

- Construction (including construction of buildings) is included in the more stringent Italian shutdown announced earlier this week. [i.e. it has shut down]
- Civil engineering work (including work on roads, railways and other public infrastructure) is exempted and allowed to continue, as are various maintenance activities such as plumbing and electrical work.

Spain:

- Construction is exempt from the Spanish shutdown as the competent authority believes there is low risk of contagion due to sites being in open spaces.
- The royal decree prohibits certain establishments from opening to the public, but does not prohibit economic activity and does not establish any limitation to work on construction sites or to the transport of related products. The work does have to follow the recommendations of the Ministry of Health, however, to avoid concentrations of people.
- Health and safety measures being introduced by regional governments for construction sites include:
 - Continuous work (no collective breaks)
 - Taking turns to have lunch
 - Distance of two meters between workers
 - Cleaning stations on site
- Despite being allowed to continue, most works have reportedly been suspended, due to problems of staff getting to work (due to restrictions on

people travelling together) and supplies. Businesses have also come under pressure from unions, which have complained that construction works are putting the health of workers at risk.

Ireland:

- All feedback from Government is that they want construction activity to continue where it is safe to do so in compliance with HSE guidelines.
- However, it's our understanding that non-compliance with the HSE Public Health Guidelines could be deemed to be a breach of the Safety, Health and Welfare at Work Act 2005 requiring provision of a safe place of work.
- The Irish Union for construction workers is also in discussions with the Government to secure a commitment that contracting authorities will not penalise contractors for issues pertaining to the adaption of these essential safety guidelines.

Belgium

- The construction sector is not considered as key essential sector, with an exception for urgent works and emergency interventions.
- As such, the general measures apply to the construction sector, i.e., if teleworking is not possible, companies must take necessary measures to comply with the rules of social distancing, in particular keeping of a distance of 1.5 meters between each person/worker. This rule also applies to transport from home to workplace.

Rest of World

US

- The federal guidance does not explicitly reference construction workers in its list of essential critical infrastructure workers. However, this list is intended to be advisory and some states have identified construction as essential business exempt from "stay-at-home" orders.
 - **California:** The list of critical infrastructure workers exempt from the 19 March "stay-at-home" order includes construction workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction). Under California State law, violation of the mandate could be a misdemeanour with penalty of fine or imprisonment but California Governor Newsom indicated that for now the order will not be enforced by law enforcement.
 - **New York:** The 20 March New York PAUSE executive order lists construction as essential business. The order is not clear whether construction is limited to essential infrastructure or emergency repair and reports suggest that commercial/residential construction has continued as usual. The mandate will be enforced through civil fine and mandatory closure for any business not in compliance.

- **Pennsylvania:** The 19 March executive order for closure of 'non-life sustaining businesses' required cessation of construction of all residential and non-residential construction, utility, highway, street and bridge construction except where emergency repairs are required. At this stage, law enforcement are raising awareness of the order rather than enforcement.

New Zealand

- New Zealand will move to Level 4 of its COVID-19 alert at 11.59 pm on 25 March. Only essential services, defined as those absolutely essential to ensure the necessities of life, will remain open. Among these services is **'building and construction associated with essential services and critical infrastructure, including to maintain human health and safety at home or work'**. Entities providing essential services are required to use alternative ways of working to keep employees safe (effective social distancing). A warning has been issued that enforcement measures may be used, but specific penalties have not yet been communicated.