

CLIENT UPDATE

JOBSITE COVID-19 EXPOSURE PROTOCOL

By [Nicholl Wade](#) and [Amy Emerson, Allensworth & Porter](#)
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When a worker (employee, subcontractor, supplier, etc.) on a jobsite in Austin tests positive for COVID-19, employers and/or those with control of the site must:

1. **Immediately send the COVID-19 positive worker home and require the worker to stay home for:**

- at least 7 days after the onset of illness; *and*
- at least 72 hours after the worker has no fever without using medication.

2. **Identify and send home all workers who have come in “close contact” with the person who has tested positive.**

Close contact means:

- being within approximately **6 feet** of a COVID-19 positive person **for a prolonged period of time** (generally more than 15 minutes); or
- having direct contact with infectious secretions of a COVID-19 positive person (*e.g.*, being coughed or sneezed on).

Casual contact (*i.e.*, not close contact) means:

- being in a closed environment with a COVID-19 positive person for less than 15 minutes or at distance of more than 6.5 feet;
- having face-to-face contact with a COVID-19 case for less than 15 minutes at a distance of less than 6.5 feet.

3. **Notify Austin Public Health and follow all directions given by APH concerning the COVID-19 positive worker.**

4. **Notify all workers that have shared a jobsite with the confirmed COVID-19 positive worker.**

- Identification of affected workers should be done using the City of Austin-required daily jobsite sign-in sheet. While there is no standard form, the daily sign-in sheet must include each worker’s name, phone number, and signature.

CLIENT UPDATE

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- Notice should be given in compliance with the Americans With Disabilities Act, which requires keeping the COVID-19 positive person's identity and medical information confidential, except in the following circumstances:
 - supervisors and managers may be given information regarding work restricts and accommodations; or
 - first aid and safety personal may receive information necessary for emergency treatment.
- Instruct workers who have shared a jobsite, but who have not had close contact with, the COVID-19 positive person to self-monitor for symptoms: fever, cough, and/or shortness of breath.

5. If you are subject to OSHA reporting requirements, submit an OSHA 300 log if:

- a worker tests positive for COVID-19;
- the worker was infected with COVID-19 from the worksite; and
- the illness involves one or more of the [OSHA reporting criteria](#), e.g., days away from work, medical treatment beyond first aid.

Businesses exempt from OSHA reporting:

- businesses with 10 or fewer employees; and
- architect and engineering businesses.

6. Undertake CDC recommended cleaning and disinfecting of affected areas, surfaces, and objects by:

- closing off areas used by the COVID-19 positive person;
- if applicable, open outside doors and windows to increase air circulation;
- wait at least 24 hours before cleaning and disinfecting; and
- clean and disinfect all affected areas, surfaces, and objects such as jobsite trailers, bathrooms, common areas, tools, shared equipment, etc.

CLIENT UPDATE

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In addition to the steps above, certain categories of people must be excluded from the jobsite as part of ordinary operations so long as social-distancing requirements remain in place. This includes persons who:

- have been diagnosed with or have symptoms of respiratory infection, including cough, shortness of breath, or sore throat;
- have fever greater than 99.6° F;
- have chills;
- have repeated shaking with chills;
- have muscle pain;
- have a headache;
- have a sore throat;
- have a loss of taste or smell;
- have diarrhea;
- have been in close contact with a COVID-19 positive person without the appropriate PPE in the last 14 days (e.g. family member);
- are under investigation for COVID-19; or
- have traveled to a WHO or CDC “hotspot.”

For more information, visit [Austin Public Health’s website](#).

ABOUT

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Allensworth & Porter focuses exclusively on the practice of construction law. For 25 years, the firm has handled complex construction matters from preconstruction to closeout, from the first claim to the last appeal, and all manners of disputes in between for clients in virtually every sector of the commercial construction industry. For more information, visit [aapl原因.com](#).

*Note: This article was updated on April 28, 2020, based on the most up-to-date information available at the time. During this unprecedented situation, policies and circumstances evolve rapidly. For our most recent analysis of COVID-19 and the construction industry, please visit [aapl原因.com/news](#). **This is not legal advice**; all decisions should be based on an analysis that is specific to the contracts and facts of any given project.*