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CONSTRUCTION V. COVID-19 LEGAL UPDATE >

SAN DIEGO COUNTY AND THE CITY OF SAN DIEGO WEIGH IN ON FACE COVERINGS AND SOCIAL DISTANCING

COUNTY OF SAN DIEGO

On April 2, 2020, the County of San Diego ordered "cloth face coverings" for all employees who may have contact with the public in any grocery store, pharmacy/drugstore, convenient store, gas station, restaurants and other businesses that serve food. The construction industry is not mentioned in this mandate. It refers to and attaches a copy of the California Department of Public Health's April 1, 2020 Face Coverings Guidance, which does not yet mandate that face coverings be worn statewide. A link to this mandate, which took effect on April 4, 2020, can be found here.

CITY OF SAN DIEGO

On April 3, 2020, the City of San Diego's Public Works Department issued a memorandum to all "Contractors" about "City of San Diego Construction Operations During COVID-19." The memorandum states that the City is closely coordinating with the County regarding facial coverings and, "[a]s such, you will be expected to meet these requirements and ensure that facial coverings are worn by all and proper signage displayed, or construction will be suspended until these requirements are met. Furthermore, as CDC, CA DPH and San Diego county requirements change, we will be enforcing any new requirements." A link to this memorandum can be found here.

COUNTY OF SAN DIEGO SOCIAL DISTANCING POSTING AND PROTOCOL

The County's April 2, 2020 order requires businesses to prepare and post a "Social Distancing and Sanitation Protocol" beginning April 7, 2020. These requirements apply to "[a]II businesses that remain in operation ... and that allow members of the public to enter a facility." A copy of the protocol must also be provided to each employee performing work at the facility. Employers must be ready to provide evidence of its implementation "to any authority enforcing this Order upon demand." Notably, if authorities find that social distancing and sanitation are not implemented or effective. "the facility shall be closed." A fillable template can be found at this link.

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For more information, please contact Chad T. Wishchuk, Esq. or Marlene C. Nowlin, Esq. at (858) 737-3100.

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