

Massachusetts Significantly Limits Types of Construction Projects Permitted as COVID-19 Essential Services

April 1, 2020

On March 31, 2020, Governor Baker issued an order extending his March 23rd emergency order temporarily closing bricks-and-mortar premises of businesses that do not provide COVID-19 Essential Services to May 4. As part of the March 31st order, Baker has revised the list of COVID-19 Essential Services. Under the March 23rd order, "Construction Workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction)" were classified as COVID-19 Essential Services, such that they were permitted to maintain normal on-site operations. The revised list of COVID-19 Essential Services, however, essentially narrows the types of construction projects permitted to continue to housing-related construction (and mixed-use that includes housing), communications infrastructure and public infrastructure construction and those necessary for "maintaining the safety, sanitation, and essential operation of residences, businesses and buildings such as hospitals, health care facilities, senior living facilities, and any temporary construction required to support COVID-19 response."