

Which Mandatory Safety Standards Apply to Construction?

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Associated General Contractors (AGC MA) of MA's Building Best Practices

On May 18, 2020, Governor Charlie Baker unveiled the long-awaited reopening plan for the Commonwealth of Massachusetts. In advance of sharing the Commonwealth's four-phase approach, Governor Baker released Mandatory Workplace Safety Standards that apply universally to all businesses open in Phase 1. ¹ These safety standards require all workplaces to adhere to new safety protocols and recommended best practices that:

- promote social distancing and require face coverings at all times;
- provide hand washing capabilities and regular sanitization of high-traffic areas;
- manage new and resolved cases of COVID-19; and
- maintain cleaning protocols that take place at frequent intervals.

In connection with the Commonwealth's reopening plan, Governor Baker supplemented these Mandatory Workplace Safety Standards with sector-specific workplace protocols, including Safety Standards for Construction.² Companies operating as "Essential Services," per Governor Baker's March 23, 2020 Executive Order (as updated), had a short grace period to implement these new safety protocols. Following that grace period, all project participants must comply with the required safety protocols.³ In order to better understand these comprehensive requirements, Massachusetts published the following documents, which set forth mandatory safety standards and recommended best practices.

- Sector-Specific Workplace Safety Standards For Construction To Address COVID-19,
- Construction Protocol Summary, and
- Construction Checklist.

Here's Rhian Cull, a Director at Goulston & Storrs, on how to approach these sector-specific protocols and recommended best practices:

¹Reopening: Mandatory Safety Standards for Workplaces, MASS.GOV (May 18, 2020), <https://www.mass.gov/info-details/reopening-mandatory-safety-standards-for-workplaces>.

² Safety Standards for Construction, MASS.GOV (May 18, 2020),

<https://www.mass.gov/lists/safety-standards-for-construction>

³Reopening Massachusetts, "General Business Guidance," MASS.GOV (May 18, 2020),

<https://www.mass.gov/info-details/reopening-massachusetts#general-business-guidance>