



Buildings News on Phase One Reopening: Safely Restarting Construction Activity in NYC

The New York City Department of Buildings released new COVID-19 safety guidelines for property owners and contractors as 33,556 non-essential construction sites get back to work as part of New York City's entrance into Phase One of New York State's reopening plan, currently scheduled for Monday, June 8th, 2020. These new required safety measures for construction sites were developed in partnership with the New York City Department of Health and Mental Hygiene (DOHMH) and are being implemented to prevent the spread of the novel coronavirus to workers and the public during the ongoing COVID-19 pandemic. [Read the guidelines.](#)

The newly released guidelines will apply to all construction activity in New York City during the ongoing COVID-19 public health emergency, until the State rescinds or amends its Executive Order and related guidance. Stop Work Orders previously issued by the Department for noncompliance with the State's non-essential construction ban will be lifted. The Department will not be lifting Stop Work Orders at sites that illegally continued work even after they were issued a Stop Work Order for violating the ban, and have outstanding civil penalties.

In addition to following our guidelines, employers are also required to develop a site-specific health plan that is prominently visible on the worksite. They will also be required to submit and display an affirmation to the State that they have read and understood the additional reopening requirements as required in the [NYS Interim Guidelines](#).

To ensure compliance with these new health requirements, DOB inspectors will be conducting a safety inspection sweep of every permitted construction site in New York City, and following up with additional periodic checks of active work sites. Members of the public can also call 311 to report a work site where proper COVID-19 safety measures are not being followed. During these sweeps, our inspectors will be looking for the following:

- Compliance with social distancing protocols. Six feet of distance should be observed between all personnel, unless safety or work functions require shorter distance.
- Anyone on site, including workers, other construction professionals, and approved visitors, who are less than six feet apart must wear face coverings. Maintaining this practice at all times is highly encouraged.
- Readily available hygiene and hand washing stations.
- COVID-19 safety measures signage visible to workers, reminding everyone to adhere to all safety protocols while on site, including proper hand hygiene, physical distancing rules, appropriate use of personal protective equipment, and cleaning and disinfecting protocols.
- Tightly confined spaces (e.g., elevators, hoists) occupied by only one individual at a time, unless all occupants are wearing a face covering and the space is kept under 50% maximum capacity.
 - For elevators and hoists, 50% capacity signage must be posted within the cab and at each landing.
- A site safety monitor must be designated. The role's responsibilities include continuous compliance with all aspects of the site safety plan.
- Safety plan(s) are conspicuously posted on site and include a copy of the submitted State affirmation.
- Properly completed and updated cleaning and disinfection logs.
- A communication plan for employees, visitors, and clients is on site.
- Correctly completed and updated logs of every person who may have had close contact with others on site to ensure effective contact tracing.

During the first 30 days after construction activity resumes on Monday, June 8th, the Department will focus on educating and helping the industry learn how to implement these new procedures, while providing on-site guidance on best practices to contractors and site safety professionals. Initial DOB violations for noncompliance with these regulations, issued during these first 30 days, will carry no financial penalty. Following this 30-day period, subsequent violations will result in financial penalties, and continued noncompliance may result in Stop Worker Orders and additional summonses with accompanying civil penalties of up to \$5,000 for each offense.

These COVID-19 guidelines are the minimum requirements for construction work sites to operate safely in New York City. Owners and contractors are welcome to implement enhanced safety measures as they see fit to protect their workers. To protect our teams out in the field,

all DOB personnel will continue to wear gloves and masks while in public and our offices will be reconfigured to promote social distancing.

To keep workers, the public and our employees safe and informed during the COVID-19 pandemic, DOB enforced the Governor's order banning nonessential construction and proactively transitioned many of our customer service transactions to be available online. These steps included:

- Greatly expanding the number of filings that can be submitted through our online portals DOB NOW and eFiling.
- Launching a daily updated online map identifying the location of essential work sites around the city.
- Offering online training and license renewal options for construction professionals.

Additionally during the citywide halt to non-essential construction, the agency's frontline teams regularly conducted multiple inspections of work sites citywide to ensure only approved essential construction activity was allowed to proceed. Non-essential work sites that were halted due to the Governor's Executive Order were checked to make sure they were properly secured and maintained at all times in order to safeguard the public throughout the duration of the ban. During this time, calls from New Yorkers concerning potentially illegal construction in their neighborhood were responded to within 24 hours, and often on the same day.

Customers who want to learn more about our expanded virtual services [can find more information here](#).

Melanie E. La Rocca Commissioner



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