

Construction Industry Alert – Summary of the Dallas County Amended Shelter-in-Place Order

COVID-19, Workplace Safety / March 30, 2020 / Brian M. Stork

On March 29, 2020, Dallas County Judge Clay Jenkins issued an Amended Shelter-in-Place Order (the "Amended Order"). There are important changes in the Amended Order that directly impact the construction industry.

The provisions impacting the construction industry can be summarized as follows:

- All workers and contractors must take their temperature at their residence. If a worker has a temperature above 99.6 Fahrenheit, then they are prohibited from going to work and must remain in their residence;
- To the greatest extent possible, companies should implement a system where a supervisor checks the temperature of all workers and contractors with a forehead thermometer before a worker begins work. If a worker has a temperature above 99.6 Fahrenheit, then they are to be sent home immediately.
- Shift work must be implemented such that each shift shall have no more than fifty percent (50%) of the workers who were on shift on March 16, 2020. Once assigned to a shift, workers shall not change from one shift to another;
- To the greatest extent possible, limit crossover of subcontractors;
- Gatherings during meals or breaks are prohibited;
- Workers must keep a six (6) foot distance between people at all times unless the work being performed requires multiple individuals for the safety of the workers;
- Workers must not use a common water cooler. Employers shall provide individual water bottles or instruct workers to bring their own;
- Employers must allow non-essential personnel to work from home, when possible;
- Employers must provide soap and water and hand sanitizer in the workplace, including all restrooms. Employers must also ensure that adequate supplies are maintained.
- If running water is available at the construction site, workers must wash their hands for at least twenty (20) seconds: (i) before beginning work; (ii) when they remove their gloves; (iii) before and after the use of shared items (*g.*, tools); (iv) before and after any meals or restroom breaks; and (v) when their shift or work time ends.
- Rest breaks of at least fifteen (15) minutes must be had for every four (4) hours worked so that workers may follow hygiene guidelines;
- Employers must provide one (1) working flushing toilet for every fifteen (15) workers on site, or one (1) outdoor portable toilet for every ten (10) workers;
- There shall be no adverse action taken against an employee who has been quarantined, or advised to self-quarantine, due to possible exposure to COVID-19; and

- Employers must designate a COVID-19 safety monitor on each site who has authority to enforce these rules.

Violation of the Amended Order may be punishable through criminal or civil enforcement. A violation is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Further, a general contractor or other trade that is non-compliant with the Amended Order can be removed the essential business list and prohibited from conducting business activities.

The Amended Order currently remains in place through April 3, 2020. However, it remains likely that this date will be extended in the near future.

[A link to the full Amended Order is included here.](#)

If you have any questions regarding the application of the Amended Order to your business, please do not hesitate to reach out to the KRCL Construction Team.

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