

Legal Update Article

Connecticut Imposes 'Safe Workplace' Rules for Essential Businesses

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Connecticut Governor Ned Lamont and the Connecticut Department of Economic and Community Development (DECD) have issued new “legally binding” rules for employers deemed “essential” during the COVID-19 pandemic.

DECD, in consultation with the Connecticut Department of Public Health, has released guidance (“[Safe Workplace Rules for Essential Employers](#)”) that “shall be mandatory throughout the state” pursuant to the Governor’s April 7 Executive Order and supplements the previous guidance on [Essential Safe Store Rules](#).

The stated goal of the new Safe Workplace Rules is the reduction of the spread of COVID-19 among employees at “essential” employers. Broadly, the guidance sets mandatory practices for employers on maintaining social distancing, cleaning the workplace, and avoiding other practices that could spread the virus. Among the rules in the guidance are directives on the regular cleaning of workstations, limitations on contact among employees and with any external visitors, and provision of hand sanitizer or disposable wipes, as well as masks, where close contact is unavoidable.

The guidance also reiterates that “non-essential employees SHOULD BE WORKING FROM HOME.”

Additionally, the Safe Workplace Rules include directives to distribute summaries of health insurance processes and procedures to employees and to eliminate all non-essential business travel.

While the Safe Workplace Rules are directed primarily at employers, they address the need for employees to self-monitor in order to avoid reporting to work if they are ill. For instance, before reporting for work, employees should take their own temperature and, if it is over 100.4°, they should stay home. If any employee is expressing symptoms of COVID-19, has been exposed to someone with symptoms, or has been diagnosed with COVID-19, they are directed not to report to work and to let their supervisor know. *If an employee is diagnosed with COVID-19*, “employers should inform fellow employees of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act.”

The guidance also provides rules for the construction industry, including:

- Cleaning portable bathrooms no less than every two days.
- Requiring employees to travel separately to and from, and within, worksites.
- Rescheduling work to maximize the amount of work being performed outdoors and limit indoor or work lacking significant fresh air.
- Shifting work to limit the size of the crews on the jobsite, especially indoors.
- Rotating lunch and coffee break shifts and requiring workers to follow the Centers for Disease Control and Prevention (CDC) social distancing guidelines during meals or breaks.
- Following all safety and health protocols when using an elevator.
- Providing an adequate supply of PPE, including, but not limited to, masks, gloves, and hand sanitizer.

If you need guidance on these or any other issues pertaining to COVID-19, please contact a Jackson Lewis attorney.

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