

Return to Work Considerations for ECA Ottawa Members Post Pandemic Shutdown

The following guidelines are provided as general items to consider prior to returning to a job site that was previously shut down as a result of COVID-19. This is not to be construed as legal, health and safety, nor Principal Agreement advice. This is merely a checklist of items that might otherwise escape your attention.

Contract and Insurance Considerations

- o Read your construction contracts and analyze gaps in your protections against exposure to claims.
- o Review your contract for the following:
 - o Force majeure.
 - o Delay language.
 - o Demobilization and remobilization costs.
 - o Change order process.
 - o Time limitations for submitting claims, change orders, and other notifications.
- o Insurance:
 - o Inform your insurance company that you are returning to the job site so you can ensure you have the proper coverage.
 - o Establish frequent communications with your insurance representative(s). Develop an understanding of your general liability and specialty coverages.
 - o Develop an understanding of your general liability and specialty coverages.
 - o Analyze gaps in your protections against exposure to claims.
 - o Comply with all insurance and contractual notice provisions as events require and unfold.
- o ESA Permits are required to be current when on site/return to site.

Workforce Considerations

- o Contact the applicable IBEW Business Manager(s) if you are bringing employees back to work that were laid off and not put on the out of work list.
 - o In accordance with the direction given by the local union.
 - o This is typically provided in writing. If done verbally, please ensure to follow-up with written confirmation of your conversation.
- o If you are adding different shifts to facilitate physical distancing at the job site, contact the IBEW Business Manager to apply for waiver of any shift premium.
 - o This must be done with advance notice, as per the Memorandum of Agreement which is available on the Member Section of ECA OTTAWA's website. This, too, should be in writing.

Health and Safety Considerations

- o Undertake a hazard assessment with particular attention to the current COVID-19 guidelines as provided by Ontario Ministry of Health.
- o Create a site-plan.
- o Create a COVID-19 policy, guideline and screening questionnaire. Train employees on the policy and guideline. Be clear to all employees of the repercussions of not following rules. Ensure all staff complete the screening questionnaire before each shift.
 - o Templates are available upon request from ECA Ottawa.
 - o Please email Daryl Sharkey for assistance if required: daryl@ecaottawa.org
- o Consider if there are any engineering controls you can put into place to eliminate the risk of COVID-19; are there administrative controls (i.e. physical distancing).
- o Ensure you have appropriate PPE and that all workers are trained on and understand the proper use of PPE.
- o If you have difficulty in procuring the proper (type and amount of) PPE, please contact the ECA Ottawa office.
- o Do you have enough vehicles, if applicable, to facilitate physical distancing?
- o Print off and hang up posters, available on IHSA's website.
- o Compliance with the latest guidance and requirements will be your best defense in the face of claims for liability and damages.
- o All necessary details for your health & safety requirements (hand washing stations, procedure if someone tests positive, etc.) can be made available by ECA Ottawa.

Other Considerations

- o Until such times as ALL restrictions are lifted, be certain that your project(s) fall within the Ontario Government's List of Essential Workplaces. It is essential that you know under which number on the List of Essential Workplaces each of your projects fall. We advise that you provide an on-site supervisor with the List of Essential Workplaces.