



Labor & Employment Issues Client Alert

Pitta LLP
For Clients
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While Stay at Home orders are being adopted by states across the country, the governors of New York, California and Illinois have designated construction work as critical.

However, according to the industry publication *Construction Dive* both Massachusetts and Pennsylvania which had permitted construction have begun to shut down, or severely limit construction work.

Construction can continue in New York, California and Illinois amid shutdown orders. In other regions, it's banned

Source: *Construction Dive*

To help battle the coronavirus outbreak, governors of several states have shut down all but essential services in recent days. This has left building departments, state building associations and elected officials inundated with questions from contractors in affected areas.

For now, it appears that the shutdowns that have been enacted so far exempt most construction activities, but with caveats. ([Click here](#) for Construction Dive's map tracking construction closures across the country.)

New York: construction can continue

For example, Gov. Andrew Cuomo's "New York State on PAUSE" executive order, which went into effect last night, mandates 100% closure of all nonessential businesses and bans all nonessential gatherings. It permits skilled trades such as electricians, plumbers and other related construction firms and professionals to provide work on-site for essential infrastructure or for emergency repair and safety purposes.

According to Mike Elmendorf, CEO of the Associated General Contractors of New York State, this exemption applies to all construction in the state, per guidance from the Empire State Development Corp., a state agency tasked with supporting economic incentives.

In an email to members, Elmendorf also said that construction firms do not need to request a special designation in order to continue work. However, firms must comply with other rules, according to a [ESDC fact sheet](#), which says that only employees who are needed to provide essential products and services are permitted to work at the business location.

For the full article see below:

<https://www.constructiondive.com/news/construction-can-continue-in-new-york-california-and-illinois-amid-shutdown/574669/>

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