

WILENTZ

—ATTORNEYS AT LAW—

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Governor Phil Murphy Issues Executive Order 142 Permitting “Non-Essential Construction” To Resume

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Over the past few days, Governor Phil Murphy has stated his intent to gradually and strategically reopen the State for business. On May 13, 2020, the Governor took a step in that direction by issuing [New Jersey Executive Order No. 142](#), which permits all construction projects not designated as essential in [New Jersey Executive Order No. 122](#) to resume on Monday, May 18, 2020 at 6:00 am.

Businesses permitted to resume performing “non-essential construction projects,” as well as businesses continuing to perform “essential construction projects” under Executive Order 122, must implement a number of policies to protect all workers at, visitors to, and any residents of the construction site:

- a. No non-essential visitors;
- b. Adhere to social distancing measures when picking up or delivering equipment and materials;
- c. Worksite meetings cannot involve more than 9 people;
- d. Everyone must be at least 6 feet apart “wherever possible;”
- e. Stagger start and stop times “where practicable;”
- f. Restrict the number of people present at the same time in congested and high-risk areas such as lunchrooms, breakrooms, restrooms and elevators “where practicable;”
- g. Stagger lunch breaks and work times “where practicable;”
- h. Require workers and visitors to wear masks and workers to wear gloves. The business must provide, at its own expense, masks and gloves for the workers;
- i. Require infection control practices such as handwashing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- j. Limit sharing of tools, equipment and machinery;
- k. Provide portable washing stations with soap or hand sanitizers where running water is not available;
- l. Frequently sanitize high-touch areas such as restrooms, breakrooms, equipment and machinery;
- m. Workers must be at least 6 feet apart from residents at occupied residences; and
- n. Place signage at entrances and throughout the worksite describing these requirements.

If you have any questions about restarting a construction project under Executive Order No. 142, please contact Don Taylor at 732.855.6434 or dtaylor@wilentz.com, or Dan Kluska at 732.855.6033 or dkluska@wilentz.com.

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Practice

- Construction Law