

**Governor Newsom's Statewide COVID-19 Shelter-in-Place Order –  
Impact on Construction Materials Operations**

*March 23, 2020*

**This is an update to our March 20 article.** Governor Newsom's Executive Order [N-33-20](#) requires "all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors . . ." Information on the federal critical infrastructure sectors is available [here](#). This update includes information released by the Governor's Office yesterday, March 22, 2020.

- 1. *Does the Executive Order apply to construction materials producers?*** Construction materials producers are exempt from the Executive Order. The state's official COVID-19 web page, found at [www.covid19.ca.gov](http://www.covid19.ca.gov), includes a list of [Essential Critical Infrastructure Workers](#) that includes workers that support the operation of construction materials suppliers (page 3) and workers necessary to maintain operation of construction materials sources (page 11).
- 2. *Does the Executive Order apply to suppliers and downstream contractors?*** Suppliers and downstream contractors whose services are necessary to maintaining the operation of construction materials sources are exempt. ([Essential Critical Infrastructure Workers](#), page 11.)
- 3. *Has MSHA or OSHA adopted any new COVID-19 rules or regulations that must be implemented?*** Neither MSHA or OSHA has adopted new formal rules or regulations. However, MSHA is [directing](#) mine operators to implement informal OSHA [guidelines](#) on preventing the spread of COVID-19. Cal-OSHA has also adopted interim "Guidance for Protecting Workers from Coronavirus (COVID19) in General Industry," which is available [here](#). These guidelines emphasize hygiene, routine cleaning of shared workplaces, and social distancing practices. We advise our mining clients to adopt written policies implementing these guidelines, to post the policies on mine bulletin boards, and to discuss these policies during pre-shift and tailgate meetings.

The above guidance represents our current understanding of the Executive Order. We will update this guidance as appropriate.

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