



## COVID-19 UPDATES – May 11, 2020

### **Message from the Executive Board:**

Today, the Governor published “NY Forward”, his plan to reopen NYS. Unfortunately, we in NYC are not able, at this time, to enter Phase 1. When that does happen all construction work should be released. This will help some of us to finally get back to work. Some members have reported that even though they have work they can do; the owners are not comfortable and will not let them work inside of the units. This is something we all have to take a hard look at to see how we will handle this. Please read the complete publication below.

Also, in this issue are a few articles on the potential lawsuits that will be sure to come in the near future. Another interesting article is included regarding the CDC reevaluating how long persons actually shed the disease after infection.

### **CDC - Symptom-Based Strategy to Discontinue Isolation for Persons with COVID-19**

In the context of community transmission where continued testing is impractical, available evidence at this time indicates that an interim strategy based on time-since-illness-onset and time-since-recovery can be implemented to establish the end of isolation. Practical application of a symptom-based strategy cannot prevent all infections. [Click here to continue reading.](#)

### **Governor Cuomo Announces New York Gradual Reopening Plan**





Today, Governor Cuomo announced that NY Pause will be lifted and the NY Forward process will begin. The Governor has provided the following guidance as it relates to NY Forward:

<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/NYForwardReopeningGuide.pdf>

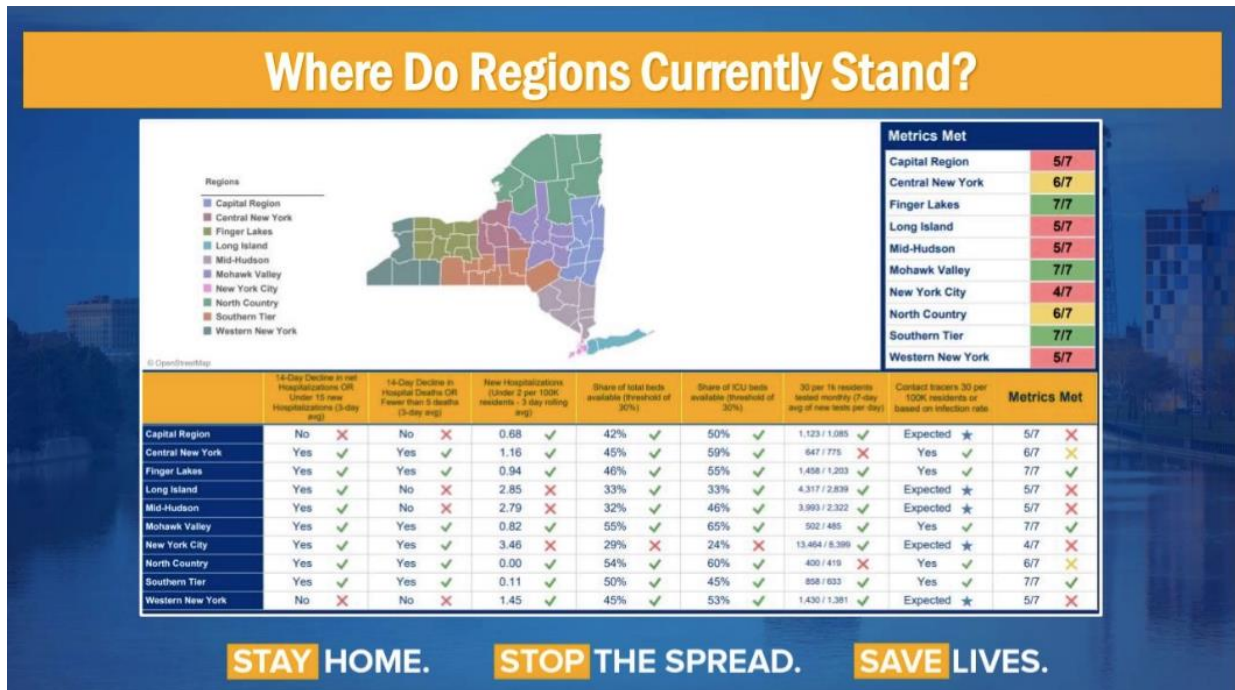
The first 3 regions of the State that have met the reopening criteria set forth by the Governor and will begin the NY Forward process starting this Friday are:

- Finger Lakes
- Mohawk Valley
- Southern Tier

Each of these regions will begin Phase 1 of the reopening process. The phased approach was detailed in our last update, and more information regarding Phase 1 can be found here:

<https://forward.ny.gov/industries-reopening-phase>

Other regions of the State still need to meet all seven of the criteria that the Governor has outlined. Here is a look at where the regions stand in terms of meeting the criteria for reopening:





## **NEW DOB UPDATE**

### **COVID-19 Response: Certificate of Authorization, License and Permit Renewal Extension**

All licenses/registrations and permits issued by the Department of Buildings and expiring from the beginning of the declaration of the state of emergency through the period of the emergency declaration are extended in accordance with Mayoral Emergency Executive Order. Currently, this period has been extended to June 7, 2020. Approved sites need to post a new Certificate of Authorization with the expiration date of June 7, 2020.

[Click here to continue reading the service notice.](#)

### **Message from the Executive Board:**

Yesterday, the Governor extended his authority for the Pause Act until June 06, 2020. Today the Mayor followed suit and extended the city emergency until June 07, 2020. What does that mean? We're not sure if that is the earliest date that construction will be released in NYC. If you are not too depressed at this point, continue to read the next section that outlines the various potential lawsuits that may take place in the near future. There have been some business groups that have been petitioning the Governor to provide protections for businesses.

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### **NYC Mayor: Other States May Be Reopening Too Quickly**

*Article from Associated Press*

NEW YORK (AP) — The great majority of people being newly hospitalized with the coronavirus in New York are either retired or unemployed and were avoiding public transit, according to a new state survey, the first such look at people still getting seriously ill despite six weeks of severe social distancing.

The survey of 1,269 patients admitted to 113 hospitals over three recent days confounded expectations that new cases would be dominated by essential workers, especially those regularly traveling on subways and busses. Retirees accounted for 37% of those who responded and another 46% were unemployed. Almost three-quarters were 51 years or older. The survey said 4% used public transportation in their daily life, but also noted that almost half of the surveys were left blank for that response. [Click here to continue reading.](#)

### **Workplace testing guide may provide target for lawsuits**

*Article from Business Insurance*

U.S. Equal Employment Opportunity Commission guidance that sanctions employer use of COVID-19 testing raises more questions than it answers, and increased employment practices liability claims may be inevitable, say many observers. While the guidance provides some parameters that employers can follow as they restart operations, it carries limited legal authority and leaves numerous details unaddressed, which could lead to a variety of discrimination lawsuits, they say. [Click here to continue reading.](#)



### **Message from the Executive Board:**

In light of all of the potential lawsuit articles included in this update, we decided to publish the following again.

## **Construction Practices to Change as a Response to COVID-19**

Check out this article that was recently published in **the Commercial Observer** – “[CO Panel: Temp Checks and Masks Will Be New Norm for Construction Sites](#)”. While none of these proposed changes are official yet, they soon could be. In addition, specific sites and buildings that we work in everyday may incorporate some or all of these changes as requirements to work in that building. What should you do? To be prosperous in business you need to have a plan and a backup plan in case things go south. During this pandemic, and for the foreseeable future, the plans are more about survival and trying to get by until we can come out on the other side of this.

As you read this article consider how these proposed changes could affect your business. What will it cost you to provide your workers with the proper safety equipment? What will these proposed changes do to your productivity on a job? What about manpower requirements? Imagine if you send a worker to a site and they have a fever and are denied entry. What does that do to your schedule? What if you lose a whole crew and are off the job for two weeks to self-isolate? Should you reorganize your crews into smaller “teams” and keep interactions between the teams to a minimum to avoid a catastrophic loss of all workers?

So, if this article gets you thinking too much, and you need to reach out, we are here to help you. Hopefully, we will have an answer to your question, can provide you with advice and, at the least, we can provide a shoulder to rest your head on. Our organization is unique in that we are led by people that are active in the same industry as all of the members. The government always says that everyone is in the same boat. That is not a true statement. In this pandemic, there are people in a boat on a calm lake, people in a raging river and others in a whirlpool being sucked down into an abyss.

There are industries that are more and less fortunate than we have been. The licensed plumbing industry is really in the same boat and by working together we can make it through this. We would love to hear from you to see how you are doing and if you have any ideas to share with membership. Please email us at [office@nycmpc.org](mailto:office@nycmpc.org)

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### **UPATE DEP LOCAL PERMIT OFFICES CLOSED**

Today, our Lobbyist Arthur Goldstein had a preliminary call with officials at the DEP in regard to our issues of not being able to get a water meter permit or break seal. The DEP seemed to be very receptive and will schedule a conference all for later this week. We will publish the new information as soon as possible.

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## **Other DOB Updates**

Remember, you can now submit for regular signoffs in DOB Inspection Now.

**Requirement: License Renewal Applications to be submitted online as of Friday, May 8, 2020 - [Click here for the service notice.](#)**

### **MPC Requests Clarification for Information Published in DOB Inspection NOW**

A member discovered verbiage in DOB Inspection Now that was contrary to our understanding of work that is permissible without a permit or Certificate of Authorization. The member used the MPC email system to report the issue and the office sent an email for clarification. You can read the question and the positive response below.

**From:** MPC Office on behalf of John DeLillo [office@nycmpc.org]

**Sent:** Friday, May 08, 2020 5:51 PM

**To:** Patrick Wehle (Buildings)

**Cc:** 'MPC Office on behalf of John DeLillo'; 'Goldstein, Arthur'

**Subject:** Requirement to Obtain Certificate of Authorization Prior to Commencement of Emergency Work.

Good Afternoon Mr. Wehle,

I hope all is well!

We would like to clarify the verbiage that has been added to the DOB NOW: *Inspections* page.

**Projects outlined as essential in the [DOB Guidance Document](#) can proceed with inspection requests. To perform emergency or solitary work, an Essential Construction request must be submitted at [www.nyc.gov/dobnow](http://www.nyc.gov/dobnow). An inspection request can be submitted once approved as essential construction.**

The above statement is stating that prior to starting an emergency plumbing repair, a licensed Master Plumber must submit an Essential Construction request, obtain an approval and print the Certificate of Authorization. To accomplish this, the licensed Master Plumber would have to file for a LAA application prior to commencing any work.

The NYS Administrative Code Sections 28-105.4.1 and 28-105.4.4 permit a licensed Master Plumber to undertake emergency work and either file for a permit or submit a report. This work can be a simple repair undertaken by a single employee or a more complicated repair that requires additional persons. Water, drain and gas leaks meet



the definition of essential emergency work that requires an immediate response to protect public safety and property.

At your earliest convenience, please verify that licensed Master Plumbers may continue to perform emergency work under the existing Code. We are concerned that plumbers who are following the Code and practicing safe work practices, including social distancing, could be violated for being perceived as noncompliant with the [DOB Guidance Document](#).

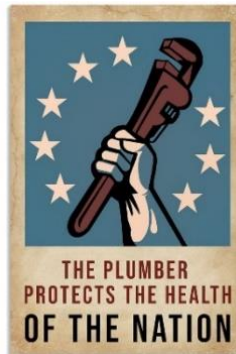
Thank you in advance for your prompt attention to this matter.

Regards,

*Patricia Brady*

Deputy Director

Master Plumbers Council



**STAY SAFE**