



April 2, 2020

Doug Parker, Chief  
 Cal/OSHA / Division of Occupational Safety and Health  
 1515 Clay Street, Suite 1901  
 Oakland, CA 94612

**RE: Urgent Request for Cal/OSHA clarification on COVID-19 reporting**

Dear Chief Parker,

On behalf of the listed construction organizations that sent a similar enquiry on March 23, 2020, who represent the majority of California's construction industry employers and employ tens of thousands of workers, **we again write seeking urgent clarification of regulatory policies related to the COVID-19 health crisis.** Specifically, we are seeking clarification from Cal/OSHA on when COVID-19 related illnesses become **recordable** events for construction employers.

Federal OSHA has specifically provided on the recording of a confirmed COVID-19 case:

*"COVID-19 can be a recordable illness if a worker is infected as a result of performing their work-related duties. However, employers are only responsible for recording cases of COVID-19 if all of the following are met:*

*The case is a confirmed case of COVID-19 (see CDC information on persons under investigation and presumptive positive and laboratory-confirmed cases of COVID-19);*

*The case is work-related, as defined by 29 CFR 1904.5; and*

*The case involves one or more of the general recording criteria set forth in 29 CFR 1904.7 (e.g. medical treatment beyond first-aid, days away from work)."*

As our industry continues to work on critical and essential infrastructure projects throughout the state and as the number of COVID-19 infections rise, we implore Cal/OSHA to provide guidance to our contractors. We strongly believe that adherence to the federal guidance, in order to provide reasonable and uniform guidelines during this unprecedented time is the best course of action.

We understand Cal/OSHA is inundated with requests and work to support and protect Californians during this unprecedented time. As construction employers make every effort to keep their jobsites and workers safe, and to stay in compliance, we appreciate your clear guidance on this important topic.

**We are respectfully asking for a response from Cal/OSHA on an immediate basis.**

Sincerely,

  
 Mark Breslin  
 CEO, United Contractors

*Peter Tateishi*  
 Peter Tateishi  
 CEO, AGC of California

*Frank Nunes*  
 Frank Nunes  
 CEO, WACA


  
 Timothy Murphy  
 CEO, SRBX

*Deveny Pala*  
 Deveny Pala  
 CEO, SCGMA

  
 Eddie Bernacchi  
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*Albert Carrillo*  
 Albert Carrillo  
 CEO, WWCCA

*Jeannie Simpelo*  
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 Denise K. Cooper  
 President, SCCA

*Chris Walker*  
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 EVP, SMACNA

*Mike Walton*  
 Mike Walton  
 Secretary, CEA