



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO
Steve Poftak, General Manager



December 8, 2020

Via Email

To: MBTA Capital Projects Field Staff

From: Christopher E. Brennan, PE
Chief of Capital Program Support

Re: COVID-19 Policies and Guidelines Compliance

The number of MBTA Field Staff, MBTA Operations Staff and Contractor employees with COVID-19 positive tests has increased in recent weeks and is expected to continue at an elevated level for the foreseeable future. Compliance with the Governor's executive orders on public works projects as well as MBTA COVID-19 Policies and CDC Guidelines is critical to protecting the health and safety of all MBTA and Contractor staff on MBTA project sites. Further, compliance and documentation thereof is critical to maintaining internal and external stakeholder confidence that MBTA projects can remain active and safe in these difficult times.

Recent COVID-19 safety surveys and audits has indicated varying degrees of compliance with current policies and guidelines. To support your efforts related to COVID safety, I offer the following information and direction:

- **Safety Stand Down:** Resident Engineers on all active MBTA projects shall schedule a (1) hour safety stand-down meeting during the week that starts on December 14th 2020. The meeting shall include all staff on site and shall be scheduled with the General Contractor's input so to minimize site operation impacts. The purpose of this meeting is to reaffirm the importance of following established policies and guidelines. A recommended Agenda outline is as follows.
 1. COVID-19 Policies and Guidelines Overview
 2. COVID-19 Safety Check list Items and Practices
 3. COVID-19 Positive Test Notification Protocols
 - a. MBTA Staff
 - b. Contractor Staff
 4. COVID-19 Return to work policy
 - a. MBTA Staff
 - b. Contractor Staff
 5. Visual acknowledgement that all in attendance understand the topics discussed

The resident engineer shall document the topics discussed in meeting minutes and submit that to the MBTA Project Office, General Contractor Project Office and the Deputy Director of Field Staff.

- **Compliance Documentation:**

- The COVID Safety Checklist shall be completed on a daily basis. All significant non-compliance shall be recorded on that document. Covid Safety compliance and this checklist shall be a standing topic at all project progress meetings and shall be documented in the meeting minutes.
- The Deputy Director of Field Staff will issue periodic compliance surveys. Resident Engineers will respond in an expedient and accurate manner.
- Unscheduled Audits for compliance will be performed by MBTA Capital Program Support staff and MBTA Safety. Results of those Audits will be documented and reported to Capital Program Leadership.

- **Non-Compliance Responses:** All MBTA and General Contractor staff are required to follow all Covid Safety policies and procedures. The following are actions that should be followed in the event that significant and/or repeated non-compliance incidents occur. In all instances, exceptions to compliance for medical reasons shall not be regarded as a non-compliance incident.

- MBTA Employees – Employees on MBTA project sites that do not follow COVID-19 safety policies and guidelines shall be reported to the MBTA Resident Engineer. The Resident Engineer shall report this incident to the non-compliant employee's department supervisor and shall have the employee removed from the site at the Resident Engineer's sole discretion if that employee refuses to comply. All such incidents shall be recorded in the project daily reports and reported directly to the MBTA Project Manager.
- General Contractor/Sub-Contractor Employees – General Contractor and Sub-Contractor Employees on MBTA project sites that do not follow COVID-19 safety policies and guidelines shall be reported to the MBTA Resident Engineer and the General Contractor. The Resident Engineer shall have the employee removed from the site, at the Resident Engineer's sole discretion, if that employee refuses or demonstrates an inability to comply. The employee will be allowed back on site at the sole discretion of the Resident Engineer. All such incidents shall be recorded in the project daily reports and reported directly to the MBTA Project Manager.

- General Contractor/Sub-Contractor Crew – Noncompliant behavior witnessed by MBTA staff performing COVID-19 safety audits or sustained non-compliance witnessed by MBTA Field Staff is grounds to require a site or crew specific Safety Stand Down day or days. This time period will be used by the MBTA Project Office and the General Contractor’s Project Office to review the situation and put practices in place to resolve the non-compliance. The MBTA Audit staff or Resident Engineer will recommend the safety stand-down to the MBTA Project Manager in writing and this will copied to the Deputy Director of Field Staff. The MBTA Project Manager will be responsible for deciding whether a safety stand-down is required to address the situation. If the MBTA Project Manager declines the recommendation, he/she will document his/her reasons in an email to the Resident Engineer and Deputy Director of Field Staff. The stand-down time period shall be non-compensable.

END OF MEMORANDUM

Cc: Jay Neider, PE – For File
Katie Choe – for dist. to all Capital Delivery Project Offices
Maysoon Tawfik– for dist. to all RL/OL Project Offices
Angel Pena – for dist. to all GLT Project Offices
Jennifer Mecca – for dist. to all TOD project teams
Sean McDonnell – for dist. to all Capital Program field staff
Vikram Dogra, PE
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John Dalton – For information
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