

DESIGNATION OF ARA HEATING AND COOLING AS A CRITICAL INFRASTRUCTURE WORKER

On March 23, 2020 Indiana Governor Eric Holcomb entered Executive Order 20-28 (the “Executive Order”) in response to the Covid-19 pandemic. The Executive Order identifies “building, construction, and other trades ...” as “Essential Businesses and Operations.”

ALLEN EDWIN HOME BUILDERS, LLC (“AEH”) OFFERS NO INTERPRETATIVE GUIDANCE OF THE INDIANA EXECUTIVE ORDER OR ANY GUIDANCES THAT MAY BE ISSUED IN CONNECTION WITH THAT EXECUTIVE ORDER, AND STRONGLY RECOMMENDS THAT ANY QUESTIONS YOU MAY HAVE BE DIRECTED TO LEGAL COUNSEL OF YOUR OWN CHOOSING.

Executive Order 2020-21, issued by Michigan Governor Gretchen Whitmer on March 23, 2020 (“EO 21”), obligates a business to designate “critical infrastructure workers.” The State subsequently provided the following additional guidance regarding critical infrastructure workers:

- **Q: Are people who repair homes considered critical infrastructure employees for the purposes of Executive Order 2020-21?**
- **A: In general, yes.** Under the order, critical infrastructure workers include workers “who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences.” To the extent your workers perform jobs that are necessary to the safety, sanitation, and operation of homes, they may be designated as critical infrastructure workers.

We take seriously our obligation to make available “critical infrastructure workers” for the services described above. ALLEN EDWIN HOME BUILDERS, LLC (“AEH”) has designated **ARA HEATING AND COOLING** as a “critical infrastructure worker” who is authorized to perform emergency HVAC services in Indiana that are necessary to ensure “the safety, sanitation, and operation of homes.”

SAFETY AND HYGIENE REQUIREMENTS

Designating a worker as a “critical infrastructure worker” does not eliminate or relax the requirement that all workers comply with all social distancing and other mitigation measures to protect workers and patrons.

Section 3 of EO 21 requires that “all individuals who leave their home or place of residence must adhere to social distancing measures recommended by the Centers for Disease Control and Prevention, including remaining at least six feet from people from outside the individual’s household to the extent feasible under the circumstances.”

Section 5(c) of EO 21 imposes the following obligations:

- c. Businesses and operations maintaining in-person activities must adopt social distancing practices and other mitigation measures to protect workers and patrons. Those practices and measures include, but are not limited to:
 - 1. Restricting the number of workers present on premises to no more than is strictly necessary to perform the business’s or operation’s critical infrastructure functions.
 - 2. Promoting remote work to the fullest extent possible.
 - 3. Keeping workers and patrons who are on premises at least six feet from one another to the maximum extent possible, including for customers who are standing in line.
 - 4. Increasing standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopting protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace.

5. Adopting policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person who is known or suspected to have COVID-19.
6. Any other social distancing practices and mitigation measures recommended by the Centers for Disease Control.

ALLEN EDWIN HOME BUILDERS, LLC has taken the position that a worker will be designated as a "critical infrastructure worker" with that worker's written consent and agreement to comply with the safety and hygiene requirements identified above, as well as additional requirements which may be imposed. Agreeing to be designated as a "critical infrastructure worker" is not a condition of continuing your trade partner relationship with AEH.

By signing below I acknowledge and agree that:

1. I am willing to, and have the authority to authorize ARA HEATING AND COOLING to be designated as a "critical infrastructure worker" to perform those property management functions necessary to maintaining the safety, sanitation, and essential operation of residences.
2. No employee of ARA HEATING AND COOLING will report to a worksite if he or she does not feel well, or if any such employee suspects that he or she may have been exposed to the COVID-19 virus, without regard to whether that employee has any symptoms.
3. Each employee of ARA HEATING AND COOLING will comply with all social distancing and other mitigation measures to protect workers.

ARA HEATING AND COOLING


Richard Wotring (Mar 30, 2020)

BY: Richard Wotring
ITS: Authorized Representative
Contact Number: (574) 876-6659

Dated: Mar 30, 2020






Designation of ARA Heating and Cooling as Critical Infrastructure Worker

Final Audit Report

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