



## **POSITION STATEMENT: ESSENTIAL WORKER CLASSIFICATIONS FOR POOL AND HOT TUB PROFESSIONALS**

The following represents the position of the Pool & Hot Tub Alliance (PHTA) in response to the COVID-19 pandemic, the U.S. Cybersecurity and Infrastructure Security Agency (CISA) guidance on industries that qualify as essential workforce (both 1.0 and 2.0 versions)<sup>1</sup> and the various shelter-in-place or equivalent orders issued by over 40 states to date.

### **ABOUT PHTA**

The pool and hot tub industry contributes \$36.5B and 382,000 job equivalents for the U.S. economy. PHTA is the world's oldest and largest association representing swimming pool, hot tub and spa manufacturers, distributors, manufacturers' agents, designers, builders, installers, suppliers, retailers, and service professionals. PHTA facilitates the expansion of swimming, water safety and related research and outreach activities aimed at introducing more people to swimming, making swimming environments safer and keeping pools open to serve communities.

During this pandemic, PHTA has shared recommended actions and updates with the pool and hot tub industry related to safe practices, including social distancing, working from home, and, where appropriate, closing or limiting operations until conditions have changed. To prevent additional outbreaks and serious injury to pool owners and their families, we are also working to ensure that existing pools are continuously tended to, that pool owners and industry professionals have access to necessary chemicals, and that partially completed projects are finished.

<sup>1</sup> CISA Bulletin at <https://www.cisa.gov/publication/guidance-essential-critical-infrastructureworkforce>

## **PHTA POSITION**

### **Treatment of Existing Pools**

It is widely recognized by health authorities in the U.S. and elsewhere that the continued treatment of water in both residential and public pools, spas and hot tubs is absolutely necessary to maintain the safety and sanitation of residences, buildings and the surrounding areas.

The U.S. Centers for Disease Control and Prevention has stated there is no evidence that COVID-19 can be spread to humans through the use of pools and hot tubs and have stated that: "Proper operation, maintenance, and disinfection (e.g., with chlorine and bromine) of pools and hot tubs should remove or inactivate the virus that causes COVID-19."<sup>2</sup> Additionally, the World Health Organization states that controlling water quality is necessary to prevent the transmission of infectious diseases.

Without proper pool and hot tub maintenance (which includes circulation and treatment of water) various pathogens can grow, such as Pseudomonas, Cryptosporidium, E. Coli, Shigella, etc. It can also create a breeding ground for mosquitoes, other pests and the diseases (West Nile Virus and Zika Virus) they may carry, which presents a risk not only to bathers but to the entire community at large (from the PHTA Fact Sheet: Zoonotic Disease, prepared by the PHTA Recreational Water Quality Committee).

This will occur in public pools, spas, wading pools and splash pads. While these facilities have been closed to the public in order to maintain social distancing, they must still be maintained. Their respective management companies and operators cannot simply close their doors and walk away.

It is imperative that we do everything we can to keep both public and residential pools and spas maintained and in good working order during this challenging time. An unmaintained pool and/or spa creates not only a public health risk with stagnant water, but also can lead to a very dangerous safety situation, in addition to massive repair expenses when the crisis has passed.

#### **a. Pool, spa and hot tub service companies are essential.**

The respective State Departments of Health require public pools and spas be serviced and maintained by industry professionals or Certified Pool Operators.

<sup>2</sup> CDC Bulletin at <https://www.cdc.gov/coronavirus/2019-ncov/php/water.html>

Residential pools should also be maintained by industry professionals to ensure proper pH and chemical balance and to prevent serious injury from improper handling and usage of chemicals. Therefore, businesses that treat residential and public pools are necessary for the sanitation and safety of residences and buildings and must be allowed to remain open.

This position is entirely consistent with the CISA guidance on industries which states:

o **PUBLIC WORKS:** “Workers such as plumbers, electricians, exterminators, builders, contractors, HVAC Technicians, landscapers, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, businesses and buildings such as hospitals, senior living facilities, any temporary construction required to support COVID-19 response.”

It should be noted that virtually every state that has enacted an Order either cites to or repeats the above language. Therefore, PHTA believes these services have been identified as essential.

#### **b. Unopened pools should be opened and treated.**

It is also the position of PHTA that residential pools closed for the winter should be allowed to open and be treated. Stagnant pool water can develop in pools that have been closed for the winter in seasonal climates. This condition can exist on top of the covers and in the pool water itself. As temperatures increase, the potential for the above health hazards become present as many of these covers do not qualify as safety covers and are often used to keep out leaves and other debris.

In addition, with backyards in greater use in the spring, and due to social distancing, it is critical that standing water be removed from pool covers. Finally, access to backyard pools allows for healthy family recreation while remaining apart from others.

#### **c. Stores that sell pool, hot tub and spa chemicals and other related products must remain open**

Pool, hot tub and spa servicing requires chemicals, feeders, test strips, replacement parts and other ancillary equipment. Without ready access to these supplies,

industry professionals cannot do their job and DIY pool owners will be unable to maintain their pools properly, resulting in the above health issues. While social distancing is necessary, it can be readily accomplished through controlled access or curbside pickup.

Retail locations, in turn, require their supply chains, including distributors and manufacturers.

Here again, the CISA guidelines are in accord, allowing for:

- o **CRITICAL MANUFACTURING:** “Workers necessary for the manufacturing of...and for supply chains associated with...chemical manufacturing...Additionally, workers needed to maintain the continuity of these manufacturing functions and associated supply chains, and workers necessary to maintain a manufacturing operation in warm standby.”
- o **CHEMICAL:** § “Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants...workers at distribution facilities...” § “Workers who support the production and transportation of chlorine...that prevents the contamination...of water.”
- o **COMMERCIAL FACILITIES:** § “Workers supporting ecommerce through distribution, warehouse...and other essential operational support functions.” § “Workers in hardware and building material stores...and related merchant wholesalers and distributors – with reduced staff to ensure continued operations.
- o **PUBLIC HEALTH:** “Manufacturer workers for...logistics and warehouse operators, distributors of...cleaning, sanitizing, disinfecting or sterilization supplies...”

Therefore, it is the PHTA position that companies that manufacture, distribute and sell pool chemicals and supplies are essential businesses, as defined by CISA and the respective states.

### **Completion of Existing Construction Projects**

The CISA guidelines specifically recognizes all “construction” as essential under Public Works. Therefore, in states that have adopted this by reference, construction should be permitted. Even in states that do not permit new construction, it is

essential to complete construction on existing projects to a point where the excavation, rebar, concrete and durable fencing are at a point where the site is secure. As recognized by over 30 states and all relevant model codes, without durable barriers (as opposed to temporary fencing used during the project) there is an unreasonable risk of unauthorized access to the hole in the ground which can create a greater risk of drowning. In addition, failure to install rebar, or a composite pool shell or liner also creates a chance the excavation will collapse, thereby creating greater risk to life and health. This is also consistent with the CISA language used or referenced by virtually every state:

o **PUBLIC WORKS:** “Workers such as plumbers, electricians, exterminators, builders, contractors, HVAC Technicians, landscapers, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, businesses and buildings such as hospitals, senior living facilities, any temporary construction required to support COVID-19 response.”

Therefore, it is the position of PHTA that once excavation has commenced, the completion of that project must be recognized as necessary for the safety of residents and therefore covered by the CISA guidelines and respective state orders.

#### **IMPORTANT NOTE FROM PHTA**

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