

### *Guidance for Employers and Employees*

In the face of the devastating impact of the COVID-19 pandemic, the Virginia Safety and Health Codes Board has adopted a permanent standard on **Infectious Disease Prevention of the SARS-CoV-2 Virus That Causes COVID-19 16VAC25-220**, to protect employees and employers from the spread of COVID-19. This standard will keep Virginians safe and healthy at work, customers confident in the safety of Virginia's business establishments, and employers open for business.

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### Key Information

Up-to-date information on the new standard can be found at [www.doli.virginia.gov](http://www.doli.virginia.gov).

The standard will take effect immediately upon publication, which occurred January 27, 2021. The standard applies to all private, state, and local government employers and employees covered by VOSH jurisdiction.

The VOSH Program will be conducting compliance inspections under the standard. To better understand and comply with the standard, [contact DOLI](#) to request **free, confidential** consultation and training services.

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### Nine Steps to Achieve Compliance

**STEP 1:** Assess your workplace for hazards and job tasks that could potentially expose employees to the SARS-CoV-2 virus or COVID-19 disease. Employers must classify each job task according to the hazards employees are potentially exposed to and ensure compliance with the applicable sections of the standard for "very high," "high," "medium," or "lower" risk levels of exposure. Tasks that are similar in nature and expose employees to the same hazard may be grouped for classification purposes.

- ❖ **LOWER RISK:** Lower risk jobs are those that do not require contact inside six feet with persons known to be, suspected of being, or that may be infected with the SARS-CoV-2 virus. These individuals have minimal occupational contact with other employees or the general public, or could achieve minimal occupational contact through the implementation of work practice controls.
- ❖ **MEDIUM RISK:** Medium risk jobs are those that require more than minimal occupational contact, contact inside six feet with other employees or other persons that may be, but are not known or suspected to be, infected with the SARS-CoV-2 virus. These may include, but are not limited to, waiters, grocery store workers, agricultural workers, construction workers, domestic service workers, hairdressers, fitness instructors, workers in poultry and meat processing facilities, manufacturing workers, and healthcare workers in settings without known or suspected sources of SARS-CoV-2.
- ❖ **HIGH RISK:** High risk jobs are those with a high potential for employee exposure inside six feet to known or suspected sources of SARS-CoV-2 virus. These include correctional facilities, hospital workers, first responders, medical transport providers, mortuary services workers, medical and dental staff, non-medical support staff, long term care facility staff, home healthcare workers, etc.
- ❖ **VERY HIGH RISK:** Very high risk jobs are those with a high potential for employee exposure inside six feet to known or suspected sources of SARS-CoV-2 virus during the performance of specific medical (e.g., aerosol generating procedures), postmortem, or laboratory procedures with specimens from a known or suspected source of the SARS-CoV-2 virus.

**STEP 2:** Establish and implement a system for employee self-assessment and screening for COVID-19 signs and symptoms (see specific requirements by risk classification).

**STEP 3:** Provide flexible sick leave policies, telework, staggered shifts, and other administrative/work practice controls when feasible to reduce or eliminate contact with others inside six feet. Encourage employees to report symptoms by ensuring they are aware of any company sick leave policies and alternative working arrangements.

**STEP 4:** Establish and implement procedures that will prevent sick employees and other persons from infecting healthy employees:

1. Implementing engineering or work practice controls that eliminate or significantly reduce employee exposure to the SARS-CoV-2 virus.
2. Ensuring that employees observe physical distancing while on the job and during paid breaks.
3. Requiring employees to comply with the safety and health practices outlined in the standard related to protective gear, sanitation, disinfection, and hand-washing.
4. Providing personal protective equipment to employees and ensuring its proper use when other work place controls such as engineering controls, work practice changes, and social distancing do not provide sufficient protection.

**STEP 5:** Establish and implement procedures to ensure employees known or suspected of having COVID-19 do not come to work, as well as procedures for them to return to work. This return to work policy must include:

1. Prohibiting employees known or suspected of having COVID-19 from reporting to work until they have been cleared to return based on specifications detailed in the standard.

**STEP 6:** Establish and implement a system for notifying employees, building owners, and other employers of workplace exposures to the virus and suspected or confirmed cases so that they can take personal actions to protect their health and safety.

**STEP 7:** Ensure that you are in compliance with the anti-discrimination provisions in the new standard. This includes refraining from discharging or in any way discriminating against an employee because they have raised a reasonable concern about infection control regarding the SARS-CoV-2 virus or COVID-19 disease in the workplace with you, other employees, a government agency, or to the public through any form of media.

**STEP 8:** If you are an employer with eleven or more employees and jobs classified as medium risk; or an employer with any number of employees and jobs classified as high or very high risk, you must prepare an Infectious Disease Preparedness and Response Plan and train employees on the practices.

**STEP 9:** Employers with medium, high, and very high risk workplaces must provide COVID-19 training to employers on the requirements of the standard as well as site specific procedures to be followed. Lower risk places of employment must provide employees with basic written or oral information on COVID-19 hazards and measures to minimize exposure. Acceptable training for all risk categories is available free of charge by VOSH at [www.doli.virginia.gov](http://www.doli.virginia.gov).

Please consult the actual standard as well as outreach, education, and training materials available at [www.doli.virginia.gov](http://www.doli.virginia.gov).