

**VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY (DOLI)**

**VIRGINIA OCCUPATIONAL SAFETY AND HEALTH (VOSH) PROGRAM**

**16 VAC 25-220**

**Infectious Disease Prevention of the SARS-CoV-2 Virus That Causes COVID-19**

***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-1916VAC25-220**, 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.

# 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, of the standard. 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](https://www.doli.virginia.gov/vosh-programs/consultation/) to request **free, confidential** consultation and training services.

# Nine Steps to Achieve Compliance

**STEP 1:** Assess your workplace for hazards and job tasks that can potentially expose employees to the SARS-CoV-2 virus or COVID-19 disease. Employers must also identify the level of community transmission where their worksite is located. CDC classifies transmission values as low, moderate, substantial, or high. Some job tasks known to have exposures include, but are not limited to, waiters, grocery store workers, workers in poultry and meat processing facilities, manufacturing workers, 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.

**STEP 2:** Establish and implement a system for employee self-assessment and screening for COVID-19 signs and symptoms.

**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 and face coverings to employees and ensuring its proper use when other workplace 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 comply 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 in the healthcare industry or other higher-risk workplaces with eleven or more unvaccinated employees you must prepare an Infectious Disease Preparedness and Response Plan and train employees on the practices.

**STEP 9:** Employers in the healthcare industry or other higher-risk workplaces must provide COVID-19 training to employers on the requirements of the standard as well as site-specific procedures to be followed. Vaccinated employees must be provided with basic written or oral information on COVID-19 hazards and measures to minimize exposure. Acceptable training 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/)