



Update: Guidance for Employers to Mitigate the Risk of COVID-19 to Workers

On March 21, 2022, the Virginia Safety and Health Codes Board took steps to revoke the Virginia Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus That Causes COVID-19 ("Virginia Standard"), 16VAC25-220 which is **effective March 23, 2022**. The Department of Labor and Industry (DOLI), in partnership with the Virginia Safety and Health Board, is implementing new guidance for mitigating the risk of COVID-19 in the workplace:

[Guidance for Employers to Mitigate the Risk of COVID-19 to Workers](#) (Guidance Document) This Guidance document will be published in the Virginia Register on March 28, 2022 for a 30-day comment period ending on April 27, 2022.

State Agencies are advised to:

- Rely upon the DOLI Guidance Document beginning March 23, 2022 and during the interim public comment period;
- Monitor [DOLI's website](#) for any subsequent changes to the document; and
- Immediately rescind Agency policies and procedures previously established to ensure compliance with the former Virginia Standard. As established in <https://law.lis.virginia.gov/vacode/40.1-51.1/>, certain Agencies may be required by federal law or regulations to establish more stringent safety and health workplace rules than what is provided in the Guidance Document.

Additional resources are noted in the DOLI Guidance Document. Agencies are encouraged to make note of the following guidelines:

- Facilitate employees getting vaccinated and boosted for COVID-19;
- Encourage employees with COVID-19 symptoms to stay home from work and seek advice on testing and treatment from a medical practitioner;
- Require employees who are positive for COVID-19 to stay home;
- Provide face coverings for employees to use at their discretion;
- Encourage preventative sanitary work habits such as frequent hand washing, use of hand sanitizer, clean work stations and equipment and other actions appropriate to the workplace;
- Educate employees on the revised Guidance Document;
- Continue to report COVID-19 infections and deaths as required under VOSH regulations part 1904; and
- Follow other applicable mandatory VOSH standards for worker safety and health.

Public Health Emergency Leave (PHEL) will continue to be available to employees as outlined in the [DHRM Policy Guide – Policy 4.52 Public Health Emergency Leave](#) (dated January 10, 2022) **until May 31, 2022**.