



July 9, 2021

Availability of Public Health Emergency Leave (PHEL)

In accordance with DHRM Policy 4.52, PHEL is activated only when there is a Public Health Emergency declaration, which expired June 30, 2021. Beginning July 1st, employees who are ineligible for remote work and who must quarantine due to known exposure to COVID-19 must use their available personal, annual, or compensatory leave to cover the absence.

Any employee who tests positive for the COVID-19 virus and becomes symptomatic or ill should use sick leave or other available personal leave and if necessary and eligible, file a short-term disability claim.

Agencies will continue to have the option of authorizing up to 8 hours of PHEL as an incentive to employees who need to make appointments for vaccinations and/or for their recovery from the vaccines' side effects if necessary.

Proposed Amendments to Department of Labor and Industry's (DOLI) Final Permanent Standard Adopted

The DOLI's Safety and Health Codes Board (Board) held an emergency electronic meeting on June 29, 2021 and adopted [Proposed Amendments to the Final Permanent Standard \(FPS\), for Infectious Disease Prevention of the SARS-CoV-2 Virus](#). DOLI is inviting the public to register its comments on these adopted proposed amendments.

Agencies are encouraged to review the proposed amendments and begin planning and drafting their agency policy to comply with the proposed changes. Agencies may also submit comments to the Board regarding areas of concern specific to your business needs. Please be ready for the proposed amendments to become final in mid to late August. As a reminder, all state agencies are subject to the safety and health requirements established in this Final Permanent Standard and all Standards adopted by the Board.

Compliance Poster Reminder

As many new laws became effective July 1, agencies are reminded to review Federal and State employment law poster requirements and ensure any updates to the required posters are displayed appropriately in the workplace.

Please note that the Office of the Attorney General's Office of Civil Rights has published a newly required poster regarding the [Virginia Human Rights Act and Reasonable](#)

[Accommodations for Disabilities](#). Please post this immediately in your work sites in a visible location and ensure those who are working virtually will also have access.

The poster highlights the requirement to provide reasonable accommodations for employees who need it to perform their job. The requirements and protections established in Virginia Code [§ 2.2-3905.1](#) are similar to those established within the Americans with Disabilities Act.

DHRM is updating the Employee Handbook to include this information. However, agencies must advise employees regarding their internal process for requesting reasonable accommodations. Agencies are reminded to participate in an Interactive Process to identify and implement reasonable accommodations for members of their workforce who require accommodation to perform their essential job duties due to a disability.



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