



Virginia Occupational Safety and Health (VOSH) Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus That Causes COVID-19

Effective September 8, 2021

The Virginia Department of Labor and Industry has finalized amendments to the [VOSH Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus](#), and those changes went into effect on September 8.

This message outlines the amendments to provide you the information you need to comply.

As we [shared with you last week](#), the Standard requires all employees wear masks in areas of high or substantial transmission. Amid the spread of COVID-19, those high and substantial transmission areas now encompass all of Virginia. Vaccinated employees can stop wearing masks when transmission levels fall to moderate or low.

Employers who comply with CDC Guidance, whether mandatory or non-mandatory, will be deemed in compliance with the Standard. See the [CDC Coronavirus Homepage here](#).

Additionally, the amended Standard continues many of the other requirements for employers that were included in both the Temporary and Permanent Standards, several of which apply only to unvaccinated employees.

Requirements for All Employers:

- Employers must have a policy to ensure compliance with the Standard, including a procedure to receive anonymous complaints of violations.
- Employers must post signage requiring masks for unvaccinated employees and for all employees in areas of high or substantial transmission. Again, that encompasses all of Virginia for now. Employers must post signage suggesting customers and others wear masks. See the [VADA Mask Sign by clicking this link](#).
- Employers should continue their procedures for identifying infected employees and remove those employees from the workplace. Employers may allow employees to return to work if a PCR test is negative or according to state Health Department and [CDC guidance](#), which can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/your-health/quarantine-isolation.html>.
- Employers must notify the following people of COVID cases in the workplace:



- Employees who may have been exposed to an infected coworker in the workplace.
 - VDH officials should be notified when there are 2 or more cases in a 14-day period. Notification within 24 hours is required. DOLI officials should also be notified when there are 2 or more cases in a 14-day period. Notification within 24 hours is also required for DOLI notification.
- Employers must ensure unvaccinated employees maintain physical distancing requirements, including restricting or limiting access to break rooms and other common spaces. Common spaces will only be available to unvaccinated employees if signage is posted at the entrance of the room that limits occupancy and requires handwashing and cleaning shared surfaces. Occupancy limits need to be enforced, and the room must be cleaned at least once per shift when no COVID cases have occurred. Hand washing and hand sanitizing are required to be available to employees.
- Employers should ensure that unvaccinated employees sharing vehicles with others use the following mitigation efforts in this order:
- First, eliminate the need for employees to share work vehicles or other transportation and arrange for alternative means for additional employees to travel to work sites.
 - Second, provide access to fresh air ventilation (e.g., windows) and do not recirculate cabin air.
 - Third, when physical distancing cannot be maintained, establish procedures to maximize separation between employees and other persons during travel (e.g., setting occupancy limits, sitting in alternate seats, etc.)
 - Finally, when an unvaccinated employee must share a work vehicle, respiratory protection is required.
- When suspected or confirmed COVID-19 cases occur, employers shall clean and disinfect areas where affected employees worked or accessed. That cleaning must adhere to these guidelines:
- If less than 24 hours have passed, clean and disinfect the space.
 - If more than 24 hours have passed, cleaning is enough. Employers may choose to also disinfect depending on certain conditions or everyday practices required by the facility.
 - If more than three days have passed, no additional cleaning or disinfecting beyond regular cleaning practices is needed.



- Employers shall ensure tools and equipment are cleaned when transferred between unvaccinated employees.

Higher-Risk Employers

Are you a higher-risk workplace? Here are the situations that may create a higher-risk workplace:

- Where employees who are not fully-vaccinated or otherwise at-risk employees are working close to one another.
- Where employees who are not fully-vaccinated or otherwise at-risk workers often have prolonged closeness to coworkers or potential frequent contact with members of the public who may not be fully-vaccinated.
- Where employees who are not fully-vaccinated or otherwise at-risk employees work in enclosed indoor spaces with inadequate ventilation where other coworkers or members of the public are present.
- Where employees who are not fully-vaccinated or otherwise at-risk employees may be exposed to the infectious virus through respiratory droplets or aerosols in the air. It is also possible that exposure could occur from contact with contaminated surfaces or objects, such as tools, workstations, or break room tables. Shared spaces such as break rooms, locker rooms, entrances, and exits to the facility may contribute to their risk.
- Other distinctive factors that may increase risk among these employees who are not fully-vaccinated or otherwise at-risk employees include the common practice of sharing employer-provided transportation in ride-share vans or shuttle vehicles.

If you determine you are a higher risk workplace, the following requirement continues to apply to you:

- Employers must continue to have an Infectious Disease Preparedness and Response Plan and do the required training for employees. There are two important qualifications here:
 - A plan is only required where there are 11 or more UNVACCINATED employees in the workplace.
 - Training for vaccinated employees may be completed by providing written information.