

Virginia Workplace Safety Mandate

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While the federal government has been providing recommendations for how workplaces should safely operate during the COVID-19 pandemic, Virginia on Wednesday became the first state to begin the process of enacting actual legislation on the subject. Pursuant to Governor Ralph Northam's May executive order, Virginia's Department of Labor and Industry's Safety and Health Code Board (DOLI) is currently finalizing standards that include requirements that employers notify all employees within 24 hours if a coworker tests positive for the virus, and mandating that employees who are known to have tested positive for the virus not be allowed to return to work for 10 days or until they receive two consecutive negative tests. Additional measures include social distancing measures, face coverings, providing frequent access to hand cleansers, and the regular cleaning of high-contact surfaces. For the time being, these measures are temporary and will remain in effect for six months. However, there is a mechanism for these measures to be made permanent through an existing statutory process. According to DOLI, the regulations should become available on its website during the week of July 27.

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