

"Virginia's COVID-19 Workplace Safety Regulation Is Permanent: A National Model"

Publications

February 23, 2021

On July 2020, we reported that Virginia, an OSHA State-plan State, was the first in the country to issue a workplace safety regulation specifically addressing COVID-19. At that time, the Virginia standard was issued as a temporary emergency rule, which would expire by January 27, 2021, unless made permanent. On the expiration date, Governor Northam formally approved a revised version of the temporary emergency rule, 16VAC25-220, "Final Permanent Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus That Causes COVID-19," applicable to all regulated workplaces in the Commonwealth (the Permanent Standard). Although described as permanent, by its own terms, within 14 days of the expiration of the Governor's temporary declaration for the COVID-19 pandemic, the Virginia Department of Labor and Industry's Safety and Health Codes Board must meet to determine whether there remains an ongoing need for the COVID-19 workplace safety regulation. § 20B. The Permanent Standard is immediately effective, except that the program documentation and training requirements go into effect on March 26, 2021. The Permanent Standard will be enforced by the Department of Labor and Industry, which operates the Virginia State Plan for Occupational Safety and Health (VOSH).

Related Capabilities

ESG: Environmental, Social, and Governance

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before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number 615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact dataprotection@jenner.com.

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