

SENATE OF VIRGINIA

MARK D. OBENSHAIN
26TH SENATORIAL DISTRICT
ALL OF PAGE, RAPPAHANNOCK, SHENANDOAH,
AND WARREN COUNTIES;
ALL OF THE CITY OF HARRISONBURG;
AND PART OF ROCKINGHAM COUNTY
POST OFFICE BOX 555
HARRISONBURG, VIRGINIA 22803



COMMITTEE ASSIGNMENTS:
AGRICULTURE, CONSERVATION AND
NATURAL RESOURCES
COMMERCE AND LABOR
JUDICIARY
TRANSPORTATION

June 5, 2020

Mr. C. Ray Davenport
Commissioner
Virginia Department of Labor and Industry
Main Street Center
600 E. Main Street, Suite 207
Richmond, VA 23219

Dear Commissioner Davenport:

Last week, Governor Northam signed Executive Order 63 which directed the Department of Labor and Industry (DOLI) to “*promulgate emergency regulations and standards to control, prevent, and mitigate the spread of COVID-19 in the workplace.*” Additionally, the Order states the regulations must address “*personal protective equipment, respiratory protective equipment, and sanitation, access to employee exposure and medical records and hazard communication.*” Moreover, in his news release the Governor stated, “*Upon approval, the Department of Labor and Industry will be able to enforce the standards through civil penalties and business closures.*”

Safety in the workplace has always been of the utmost importance to the businesses and industries here in the Shenandoah Valley and across the Commonwealth. In response to the COVID-19 outbreak, businesses have gone to great lengths to institute increased safety measures and put new protocols in place to maintain a healthy workplace. As a result of doing so, many businesses, small and large, have constructed positive working relationships with the Virginia Department of Health (VDH), DOLI and the CDC and continue to follow the guidelines and recommendations set forth by these agencies to operate a safe and healthy workplace for their employees and customers.

C. Ray Davenport
Commissioner
Virginia Department of Labor and Industry
June 5, 2020

A prime example here in the Shenandoah Valley is the poultry industry. As you may know the poultry industry is the largest sector of Virginia's agricultural marketplace. It annually contributes \$13 billion to the Commonwealth's economy. It employs almost 15,000 citizens directly and generates an estimated 30,000 jobs in supplier and ancillary industries. Equally important, it provides the livelihood for 1,100 family farms across Virginia.

Since the outbreak of COVID-19, the industry has increased its safety and sanitation controls. It has and will continue to adhere to CDC, OSHA, and VDH guidelines and recommendations on mitigating the spread of the virus in the workplace. They have forged positive working relationships with the above referenced agencies. They have encouraged their workers to adhere to social distancing guidelines and use protective measures even outside of the workplace. The industry understands that all these measures are critical to maintaining a healthy workplace.

As we have seen over the past few months, COVID-19 is certainly a very fluid situation. Data and metrics are changing daily. Guidelines, recommendation, and best practices at the state and federal level are constantly being updated. Businesses in Virginia are taking the appropriate measures to adapt and adhere to this evolving climate and environment. We do not believe it is in the best interest of the Commonwealth and our business community to add additional static regulations on top of the numerous recommendations and guidelines that our businesses are already following from state and federal agencies.

In conclusion, we would encourage you to exercise caution in establishing any additional static regulations on businesses during these challenging times. Enforcement of such additional regulations that results in the closure of businesses would be an unprecedented move by the Commonwealth and would drastically weaken our business climate. With the continued guidance from the CDC, VDH and OSHA we need to trust our businesses that they will continue to take the appropriate and necessary steps to ensure a safe and healthy workplace environment.

Sincerely,



Senator Mark Obenshain



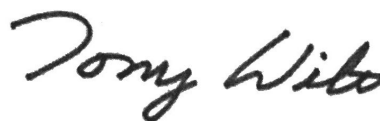
Delegate Todd Gilbert



Delegate John Avoli



Delegate Chris Runion



Delegate Tony Wilt

cc: The Honorable Ralph S. Northam, Governor of Virginia
The Honorable Bettina Ring, Secretary of Agriculture and Forestry
The Honorable Brian Ball, Secretary of Commerce and Trade
Dr. Megan Healy, Chief Workforce Advisor to the Governor