July 31, 2021

VIA Email: jay.withrow@doli.virginia.gov; princy.doss@doli.virginia.gov

Mr. Jay Withrow, Director
Division of Legal Support, ORA, OPPPI, and OWP
Virginia Department of Labor and Industry
600 East Main Street, Suite 207
Richmond, VA 23219

Re: Comments on Final Permanent Standard (FPS) for Virus that Causes COVID-19

Dear Director Withrow:

We appreciate the opportunity to comment on the proposed amendments to the Final Permanent Standard (FPS) for Infectious Disease Prevention of the SARS-CoV02 that Causes COVID-19, § 16 VAC 25-220, as adopted on June 29, 2021.

The University of Virginia (UVA) takes seriously the responsibility of ensuring the safety and wellbeing of our faculty, staff, students, and the entire community. Over the last nearly 18 months, UVA and other institutions of higher education across the Commonwealth have implemented policies and procedures designed to protect both employees and students, adhering to the guidance from the CDC, VDH, Governor Northam, and others, and we remain steadfast in our commitment to the health and safety of all in our community and across the Commonwealth.

Given the rapidly evolving landscape, we urge adoption of Governor Northam's proposed substitute language for § 16 VAC 25-220-10. E. which would provide that employers in compliance with the CDC guidelines would be considered in compliance with the FPS and would allow CDC guidelines to be the guiding standard of care for workplace safety in the Commonwealth. Additionally, the CDC guidance specific to institutions of higher education take into account the different nature of our "business" and are intended to protect our communities and mitigate the spread of COVID on our campuses.

Thank you for your consideration.

Sincerely,

Colette Sheehy
Senior Vice President for Operations
and State Government Relations