

**FINAL  
SAFETY AND HEALTH CODES BOARD  
PUBLIC HEARING AND MEETING MINUTES  
Monday June 29, 2020**

On March 12, 2020, Governor Ralph Northam issued Executive Order Number 51, declaring a State of Emergency under § 44-146.17 due to the spread within the Commonwealth and surrounding states of the Novel Coronavirus (COVID-19), a communicable disease of public health threat. On May 26, 2020, Governor Northam issued Executive Order Number 63, directing the Commissioner of Labor and Industry to promulgate emergency standards to “control, prevent, and mitigate the spread of COVID-19 in the workplace.

“Under §2.2-3708.2.A.3, a public body may meet by electronic means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency.”

Given the nature of the emergency, that COVID-19 spreads easily from person to person, and the purpose of the meeting, which was to promulgate an emergency temporary standard specifically addressing the emergency, the Safety and Health Codes Board (“Board”) held an entirely electronic emergency meeting utilizing WebEx.

The Board members and Department staff listed below as “participating” were all participating via WebEx. There was no quorum of Board members physically assembled at one location. There was a quorum of Board members participating on WebEx for purposes of the emergency electronic meeting.

This meeting was a continued emergency meeting under Va. Code 2.2-3708.2(D)(2), following the initial meeting on June 24, 2020. Notice of the continued meeting was provided to the public contemporaneously with the notice given to the Board. The notice invited the public to witness the meeting remotely via WebEx. Notice was provided on the Department of Labor and Industry’s (DOLI) website at <https://www.doli.virginia.gov/safety-and-health-codes-board-electronic-emergency-meeting/> as well as on the Virginia Regulatory Townhall’s website at <https://townhall.virginia.gov/L/ViewMeeting.cfm?MeetingID=31037>.

A copy of this proposed agenda and all agenda packets, unless exempt, and all materials furnished to members of the Board for this meeting were made available for public inspection on the Doli’s website at <https://www.doli.virginia.gov/safety-and-health-codes-board-electronic-emergency-meeting/> and the Virginia Regulatory Townhall’s website at <https://townhall.virginia.gov/L/ViewMeeting.cfm?MeetingID=31037> contemporaneously with the documents being furnished to the members of the Board.

**BOARD MEMBERS**

**PARTICIPATING:**

Mr. Charles L. (“Chuck) Stiff, current chairman  
Mr. Louis J. (“Lou”) Cernak, Jr  
Dr. Norman Oliver, Commissioner of the Virginia Department of Health, given full voting rights by the board (only present for opening comments and the first vote the agenda, from that point on represented by Dr. Dwight Flammia)  
Dr. Dwight Flammia – acting in Dr. Norman Oliver’s stead, given full rights of a board member on a temporary basis as a representative of the Department of Health.  
Mr. John Fulton  
Mr. Phil Glaize  
Ms. Tina Hoover  
Ms. Anna Jolly

Mr. Courtney Malveaux  
Mr. Travis Parsons  
Mr. Kenneth Richardson, II  
Ms. Milagro Rodriguez  
Mr. Jeffrey Steers  
Mr. Thomas A Thurston

**BOARD MEMBERS ABSENT:** Mr. Michael A. Luce

**STAFF PARTICIPATING:** Mr. C. Ray Davenport, Commissioner of Dept. of Labor & Industry  
Mr. William P. Burge, Assistant Commissioner  
Mr. Jay Withrow, Director, Legal Support, BLS, VPP, ORA, and OWB  
Ms. Princy R. Doss, Director, Policy, Planning, & Public Information  
Mr. Ron Graham, Director, VOSH Health Compliance  
Ms. Marta Fernandes, VOSH Safety Compliance  
Ms. Jennifer Rose, Director  
Ms. Christine Childress  
Mr. Richard White  
Ms. Diane Duell, Director, Legal Support  
Ms. Holly Trice, Senior Staff Attorney  
Mr. Edward G. Hilton, Director of Boiler Safety  
Ms. Cristin Bernhardt, Staff Attorney  
Mr. Alex West, Staff Attorney  
Ms. Elizabeth DePatie, DOLI Legal Intern

**OTHERS PARTICIPATING:** Mr. Joshua Laws, Attorney General's Office  
Ms. Lisa Wright, Court Reporter, Chandler & Halasz, Stenographic Court Reporters

**Call to Order.**

Meeting begin at 9:19 AM. Meeting was held entirely virtually/electronically in compliance with the state of emergency declared by Governor Northam. No members of the board physically assembled for this meeting to form a quorum but instead entirely met through the Cisco Webex platform.

The purpose of the continued emergency meeting was to adopt an Emergency Temporary Standard under Va. Code 40.1-22(6a), Infectious Disease Prevention, SARS-CoV-2 Virus That Causes COVID-19, VAC 25-220, applicable to all employers and employees covered by Virginia Occupational Safety and Health (VOSH) program.

Section 2.2-3708.2(d)(7), Code of Virginia, requires that "votes taken during any meeting conducted through electronic communication means shall be recorded by name in roll-call fashion and included in the minutes." It also requires that "For emergency meetings held by electronic communication means, the nature of the emergency shall be stated in the minutes."

**Approval of Agenda.**

Before agenda approval: 21:05 minutes into meeting: full voting rights of Dept. of Health and Dept of Environment. Mr. Courtney Malveaux made a motion to continue the meeting in order to receive more comments from the public and employers, motion did not succeed. Department had actually already gone well beyond the requirements for public input for an Emergency Temporary Standard under Title 40.1, including reviewing over 3,000 public comments collected prior to discussions of the standard began. Chairman of the board moves to have the agenda approved and to move through the standard which is approved.

Agenda approved an hour and fifteen minutes after proposed start time at around 10:30

<b>Approval of Agenda</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Norm Oliver (Dr. Dwight Flammia acted on behalf of Dr. Norm Oliver after the agenda vote)	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover		1			
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
<b>TOTALS</b>	<b>12</b>	<b>1</b>		<b>1</b>	

**New Business.**

Meeting began with comments from Dr. Norman Oliver on the importance of this standard before leaving, Dr. Dwight Flammia is his representative from this point onwards (1 hour and 21 minutes into the meeting). This was followed by Jay Withrow, Director of Legal Support, ORA, OPPO, and OWP, presenting the briefing package for the Emergency Temporary Standard/Emergency Regulation to address the SARS-CoV-2 Virus and COVID-19 Disease hazards for all employees and employers under the jurisdiction of the Virginia Occupational Safety and Health (VOSH) program, 16 VAC 25-220. This presentation is available on the DOLI website. On this day only the agenda and §10, 20, and 30 were discussed. The below reflects the discussions around amendments made by the Department as well as board members only as they pertain to those sections. The below includes: section and subsection(s), person making the motion, timestamps, and critical discussions around these areas. Meeting was continued and the board met again on July 7<sup>th</sup>.

Adoption of the term "Temporary Standard" in lieu of "Emergency Regulation" –running change proposed by the department. This, along with some clean up language in the start of section 10, was approved 2 hours and 15 minutes into the meeting.

<b>Non substantive changes for draft (pages 4, 5, and 6)</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia (Dr. Flammia acted as Dr. Oliver's representative from this vote forward, with approval)	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				

Mr. Michael. A. Luce	1				
Mr. Courtney M. Malveaux				1	
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13			1	

**Section 10 Purpose, scope and applicability**

Minor updates to the language, proposed by the Department, which were non-substantive in nature were made throughout votes on this section. These were accepted at various points. None of these changes affected the substance of the standard but were largely for clarity and/or grammar. These minor changes can be viewed in the document as strikethroughs/highlights for the record. The motions for these changes were properly seconded, and a roll call vote conducted. The tables below reflect the votes for the changes in the order in which they occurred.

<b>Department motion to clean up language in §10 through original page 8</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13			1	

<b>Department motion on Page 6</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				

Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
<b>TOTALS</b>	<b>13</b>			<b>1</b>	

Amendment to §10 by Mr. Courtney Malveaux

Mr. Malveaux asked to have the standard amended to include language that the standard shall not be extended without public participation in accordance with the Virginia Administrative Process Act. The motion was properly seconded, and a roll call vote conducted. The motion carried 2 hrs. and 24 minutes into meeting.

<b>§10 motion to add language to 10.B. submitted by Mr. Mr. Malveaux</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers			1		
Mr. Louis J. ("Lou") Cernak Jr.		1			
Dr. Dwight Flammia			1		
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons		1			
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez		1			
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston		1			
<b>TOTALS</b>	<b>7</b>	<b>4</b>	<b>2</b>	<b>1</b>	

10.D.2.a BOARD AMENDMENT proposed by Mr. Thompson Thuston.

Mr. Thurston raised concerns for the factors that help to determine if an employee should be in the "high" category including the environment (indoor/outdoor) and the contact/closeness of the employee to other person in the work area. This language is meant to ensure and assist employers have a baseline for how to perform a risk assessment. The motion was properly seconded, and a roll call vote conducted. This was approved in 2 hrs. and 51 minutes into the meeting.

<b>§10.D.2 amendment submitted by Thomas Thurston</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				

Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13			1	

10.D.2.a AMENDMENT proposed by Dr. Dwight Flammia.

Dr. Dwight Flammia proposed a running change throughout the document to change "known or suspected COVID-19 person" to use person-first language. Motion was made by the chairman to use the phrase "person known or suspected to be infected with SARS-CoV-2 virus." The motion was properly seconded, and a roll call vote conducted. This was accepted 2hrs and 55 minutes into the meeting.

<b>§10.D.2.a Language change by Dr. Dwight Flammia (move to person first language for whole document)</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13			1	

10.D.2.b BOARD AMENDMENT proposed by Mr. Thomas Thurston

After discussion this amendment was updated with the language: shared work vehicles; industries or places of employment where **employer sponsored shared transportation is a common practice** such as . . . " The motion was properly seconded, and a roll call vote conducted. Motion carries 3hr 12min in.

<b>§10.D.2.b, amendment submitted by Mr. Thomas Thurston</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				

Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13			1	

10.G

10.G offers employers and schools an option to comply with the CDC standards instead of VOSHA standards. A motion to strike 10.G, due to concerns about the CDC guidelines not being sufficient or consistent in order to protect Virginia employees, by Mr. Parsons was withdrawn. There was a lot of concern around this amendment as it was originally written, particularly in ensuring employers actually comply with CDC regulations (if they so choose) and that these protections meet the same standards and level of care as those proposed by VOSH. Additional concerns that employers will not be able to understand or know what standards to comply with or be abreast of the CDC standards. Mr. Withrow explains how the Department typically handles such wording typically during inspections. Various modifications and substitutes were made, detailed below. This does not represent the final wording, lettering, or numbering seen in the final standard. (See minutes from July 7<sup>th</sup> and 15<sup>th</sup> for more discussion/final version of the amendment).

10.G.1, substitute amendment proposed by the department. The motion was properly seconded, and a roll call vote conducted. Accepted 4 hrs. and 53 minutes.

<b>§10.G language clean up, submitted by Department</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13			1	

10.G.1.A was struck and replaced by language of 10.G.1. Two separate votes were had to make the final language of 10.G.1. The first vote concerned documenting which CDC publication an employer was complying with. The

second added the language “In order to take advantage of . . .” Both of these motions were properly seconded and a role call vote was had. Both motions carried.

<b>10.G.1., “The employer must document which CDC publication and section the employer is complying with that provides an equivalent or greater level of protection than a specific requirement of this standard.”</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. (“Lou”) Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton		1			
Mr. Phil Glaize		1			
Ms. Tina Hoover		1			
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux		1			
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro (“Milly”) Rodriguez	1				
Mr. Charles L. (“Chuck”) Stiff		1			
Mr. Thomas A. Thurston	1				
<b>TOTALS</b>	<b>8</b>	<b>5</b>		<b>1</b>	

<b>§10.G.1 adding language “In order to take advantage . . . ”</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. (“Lou”) Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton		1			
Mr. Phil Glaize	1				
Ms. Tina Hoover		1			
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux		1			
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro (“Milly”) Rodriguez	1				
Mr. Charles L. (“Chuck”) Stiff		1			
Mr. Thomas A. Thurston	1				
<b>TOTALS</b>	<b>9</b>	<b>4</b>		<b>1</b>	



10.G.1.B was adopted that required employers to document the CDC publication and section that employers are in compliance with if they wish to invoke 10.G.1

10.G.2 – specific to standards related to schools re-opening. This section allows schools to follow the guidance of the State Council of Higher education and to be found in compliance with this standard provided they are following their certified re-opening plans. There are concerns about employers who work for the school. There are concerns about confusion over which standards to comply with. There are concerns about this not providing enough protection for employees and staff at schools. Board wants to insure that there will be an equivalency of protections between what the school boards do and what the VOSH standard requires. The guidance document drafted on June 11<sup>th</sup> for schools is reviewed and language for this amendment is drafted. The motion was properly seconded, and a roll call vote conducted and approved.

<b>2A Public Institution Section Administration</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize		1			
Ms. Tina Hoover		1			
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
<b>TOTALS</b>	<b>11</b>	<b>2</b>		<b>1</b>	

10.H was added to the document. This motion was properly seconded and a roll call vote held. This motion was approved.

<b>§10.H</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				

Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
<b>TOTALS</b>	<b>13</b>			<b>1</b>	

§20 Dates

Mr. Courtney Malveaux made a motion adding language that the temporary standard will expire on a specified date or be superseded by a permanent standard. This motion was properly seconded, and a roll call vote conducted. The motion passed.

<b>§20, Addition of expiration language by Mr. Courtney Malveaux</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.		1			
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly		1			
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons		1			
Mr. Kenneth W. Richardson, II		1			
Ms. Milagro ("Milly") Rodriguez		1			
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston		1			
<b>TOTALS</b>	<b>7</b>	<b>6</b>		<b>1</b>	

Minor updates to the language, proposed by the Department, were accepted. The motions for these changes were properly seconded, and a roll call vote conducted. This occurs 5 hrs. and 50 minutes into the meeting.

<b>§20 Clean up language from department on original pages 13 + 14 (non-substantive)</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				

Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13			1	

The section as a whole mostly remained unchanged from this meeting pending a larger discussion about adoption dates and training dates for COVID-19 as well as work safety protocols. (See July 15<sup>th</sup> meeting notes for updates).

**§30 Definitions**

Language proposed by the Department to make this section clearer and/or grammatically correct was voted upon throughout the discussion of section 30. None of these changes affected the substance of the standard. These motion were properly seconded, and a roll call vote conducted. All of these changes were approved at various vote points. The tables below reflect the vote tallies for these changes. These were non-substantiate in nature.

The first vote on Department clean up language includes an amendment by Dr. Dwight Flammia. Amendment proposed by Dr. Dwight Flammia - §30. DEFINITION OF "ASYMTOMATIC. After discussion, during the meeting, the language proposed by Dr. Dwight Flammia was slightly modified to be "Asymptomatic means a person who is not symptomatic." This modified language was accepted. A motion was made to approve this modified language and properly seconded, and a roll call vote conducted. This change was incorporated throughout the document.

<b>§30, Department Clean up language for original pages 14+15 (non-substantive) Includes Dr. Dwight Flammia's definition of "asymptomatic"</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13			1	

<b>§30 Department language clean on pages 19-20 (non-substantive changes)</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				

Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13			1	

In addition to clean up language proposed by the Department. The below also reflects votes taken for an amendment proposed by Mr. Thomas Thurston. This amendment expanded on exposure risks for employees in the "high" risk category. The amended language added a sentence "patient/client/customer with unknown COVID-19 status." This language was accepted along with the addition of "blood donation services" to the High Risk category.

<b>§30 Department motion, clean up language on pg. 21 (non-substantive). This included an amendment to the definition "High" by Mr. Thomas Thurston.</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13			1	

<b>§30, Department language cleanup for definition “exposure risk level” medium, subsection 1 + 2. Original pages 23-24. (non-substantive)</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. (“Lou”) Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro (“Milly”) Rodriguez	1				
Mr. Charles L. (“Chuck”) Stiff	1				
Mr. Thomas A. Thurston	1				
<b>TOTALS</b>	<b>13</b>			<b>1</b>	

<b>§30, Department clean up language on original pages 25, 26, 27 (non-substantive changes)</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. (“Lou”) Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro (“Milly”) Rodriguez	1				
Mr. Charles L. (“Chuck”) Stiff	1				
Mr. Thomas A. Thurston	1				
<b>TOTALS</b>	<b>13</b>			<b>1</b>	

§30, DEFINITION OF “EXPOSURE RISK LEVEL” BOARD AMENDMENT – Thomas Thurston

Language was added to this amendment to help guide what an employer should look to when making an exposure risk level assessment. This included explicitly looking at all methods of exposure as well as assessing risk factors present during the course of employment regardless of location. The motion was properly seconded, and a roll call vote conducted. This was accepted.

<b>§30 Employee Definition and Exposure risk, Mr. Thomas Thurston</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. ("Lou") Cernak Jr.	1				
Dr. Dwight Flammia	1				
Mr. John D. Fulton		1			
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly	1				
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons	1				
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro ("Milly") Rodriguez	1				
Mr. Charles L. ("Chuck") Stiff	1				
Mr. Thomas A. Thurston	1				
<b>TOTALS</b>	<b>12</b>	<b>1</b>		<b>1</b>	

§30, DEFINITION OF "EXPOSURE RISK LEVEL" specifically the definition of "HIGH" BOARD AMENDMENT – Thomas Thurston

This amendment would have removed the language "inside six feet." This amendment was withdrawn during the meeting, no changes were made.

§30, DEFINITION OF "EXPOSURE RISK LEVEL" – "HIGH" & "Medium"

Mr. Courtney Malveaux made motions to strike language from "Exposure Risk Level" "High" and "Medium". These motions were properly seconded and a roll call vote was held. Neither of these motions carried.

<b>§30, Mr. Malveaux motion to strike language in "exposure risk" "medium"</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers			1		
Mr. Louis J. ("Lou") Cernak Jr.		1			
Dr. Dwight Flammia		1			
Mr. John D. Fulton	1				
Mr. Phil Glaize		1			
Ms. Tina Hoover	1				
Ms. Anna E. Jolly		1			
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons		1			
Mr. Kenneth W. Richardson, II		1			
Ms. Milagro ("Milly") Rodriguez		1			
Mr. Charles L. ("Chuck") Stiff			1		
Mr. Thomas A. Thurston		1			
<b>TOTALS</b>	<b>3</b>	<b>8</b>	<b>2</b>	<b>1</b>	

<b>§30, Mr. Malveaux motion to strike language in “exposure risk” “high”</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Other</b>
Mr. Jeffery Steers	1				
Mr. Louis J. (“Lou”) Cernak Jr.		1			
Dr. Dwight Flammia			1		
Mr. John D. Fulton	1				
Mr. Phil Glaize	1				
Ms. Tina Hoover	1				
Ms. Anna E. Jolly		1			
Mr. Michael. A. Luce				1	
Mr. Courtney M. Malveaux	1				
Mr. Travis M. Parsons		1			
Mr. Kenneth W. Richardson, II	1				
Ms. Milagro (“Milly”) Rodriguez		1			
Mr. Charles L. (“Chuck”) Stiff	1				
Mr. Thomas A. Thurston		1			
<b>TOTALS</b>	<b>7</b>	<b>5</b>	<b>1</b>	<b>1</b>	

§30, DEFINITION OF “EXPOSURE RISK LEVEL” - MEDIUM” BOARD AMENDMENT by Thomas Thurston.

Mr. Thomas Thurston proposed an amendment that would remove the language “inside six feet” from exposure risk levels. This amendment was withdrawn and no changes were made. At this point, it was made clear that any amendment by Mr. Thurston to remove “inside six feet” was withdrawn going forward.

§30, DEFINITION OF “EXPOSURE RISK LEVEL” – “MEDIUM” BOARD AMENDMENT – Mr. Thomas Thurston

Mr. Thurston proposed an amendment relating specifically to those classified in the “medium risk category” which would add work performed in customer premises to the medium risk category. This discussion was tabled for a later date.

**Items of Interest from the Department of Labor and Industry.**

There were no specific items of interest from the Department.

**Meeting Adjournment.**

Meeting was adjourned at 5:15 PM. The Emergency Temporary Standard review was not complete by the end of the meeting. The discussion was continued on July 7, 2020.