

**FINAL
SAFETY AND HEALTH CODES BOARD
PUBLIC MEETING MINUTES
Thursday, August 26, 2021**

This public meeting was held for the purpose of consideration of amendments to the 16VAC25-220, VOSH Standard: Infectious Disease Prevention: SARS-CoV2 Virus That Causes COVID-19 by the Virginia Safety and Health Codes Board pursuant to Va. Code §40.1-22(6a).

The Safety and Health Codes Board (“Board”) held a hybrid meeting that allowed participants to attend in person or electronically utilizing **WebEx**.

Notice of the public meeting was provided to the public as required by VA Code §2.2-3708.2 and Executive Order 14 (2018). The notice invited the public to attend the meeting in person at Patrick Henry Building, 1111 E. Broad Street, East Reading Room, Richmond, VA 23219 or witness the meeting remotely via WebEx. Notice of this hearing was also published on the Virginia Regulatory Townhall’s website here: <https://townhall.virginia.gov/L/ViewMeeting.cfm?MeetingID=32907>

The Board members and Department staff listed below participated either in person (indicated by asterick) or via WebEx.

A recording of the public hearing in its entirety is available here: <https://www.doli.virginia.gov/wp-content/uploads/2021/08/SHCB-Emergency-Meeting-08-27-21-1.mp4>

BOARD MEMBERS PARTIPATING: * in person

- *Ms. Milagro Rodriguez, Chair
- Mr. Jay Abbott
- Mr. Robert Buchler
- *Ms. Kelly Bundy
- Mr. Louis J. Cernak, Jr.
- *Mr. John Fulton
- * Ms. Julie Henderson
- Ms. Tina Hoover
- *Ms. Elizabeth (“Beth”) Lohman
- Mr. Michael Luce
- Mr. Travis Parsons
- Ms. Lutheria Smith
- * Mr. Charles Stiff
- Mr. Thomas Thurston

STAFF PARTICIPATING: *in person

- Mr. C. Ray Davenport, Commissioner
- *Mr. Jay Withrow, Director or Legal Services
- *Ms. Princy R. Doss, Director, Policy, Planning
- Ms. Marta Fernandes, Director of VOSH Safety Compliance
- *Mr. Richard White, IT Director
- *Ms. Holly Trice, Senior Staff Attorney

Ms. Cristin Bernhardt, Staff Attorney

OTHERS PARTICIPATING: Mr. Joshua Laws, Assistant Attorney General
Ms. Lisa Wright, Court Reporter

CALL TO ORDER

Chair Rodriguez called the Public meeting to order at 10:04 am. A quorum was present. Chair Rodriguez made opening remarks informing the public that this hybrid in person and virtual public hearing was being held for the purpose of consideration of amendments to 16VAC25-220, VOSH Standard: Infectious Disease Prevention: SARS-CoV2 Virus That Causes COVID-19 by the Virginia Safety and Health Codes Board pursuant to Va. Code §40.1-22(6a). The process and procedures of the hybrid meeting were also explained including in the event there is an interruption to the WebEx electronic broadcast.

APPROVAL OF AGENDA

Chair Rodriguez asked the Board if there was any discussion on the agenda. There was none. Chair Rodriguez asked if there was a motion to approve the agenda. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [10:10:00]

Motion #1: Approval of Agenda	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.	1				
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons	1				
Ms. Milagro ("Milly") Rodriguez	1				
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	14	0	0	0	

OPPORTUNITY FOR PUBLIC COMMENT ON THE PROPOSED AMENDMENTS TO THE VOSH STANDARD.

After Chair Rodriguez made her opening remarks and approval of the agenda, the opportunity of public comment on the proposed amendments to the VOSH standard began.

Members of the public had been given the opportunity to sign up to offer their comments on the proposed amendments to the VOSH standard ahead of the public hearing.

The following members of the public made appearances virtually through Webex to present public comment on the proposed amendments to the VOSH standard:

1. Juley Fulcher, Public Citizen/Congress Watch
2. Nicole Riley, National Federation of Independent Business (NFIB)
3. Beck Stanley, Virginia Agribusiness Council
4. Rachel McFarland, Virginia Justice Project for Farm & Immigrant Workers
5. Rebecca Reindel, AFL-CIO
6. M.K. Fletcher, AFL-CIO

The following members of the public made appearances in person to present public comment on the proposed amendments to the VOSH standard:

1. Sam Revenson,
2. Ben Traynham, Virginia Beer Wholesalers Association

At the conclusion of the public commenters, there was a **5 MINUTE RECESS for Lunch at 11:03 am; RECONVENE 11:08 am**

NEW BUSINESS

Next, Chair Rodriguez moved onto new business, which consisted of review and consideration of adoption of amendments to the VOSH standard for Infectious Disease Prevention, SARS-CoV-2 Virus that causes COVID-19. Co-Chair Chuck Stiff spoke to the Board of the concerns of the use and impact of the existing standards such as General Duty clause with the adoption of the VOSH Standard. Chair Rodriguez recognized the Department and introduced Director of Legal Support, Jay Withrow. Director Withrow addressed Co-Chair Stiff concerns in general terms and explained more specific concerns will be addressed during his presentation.

Director Withrow gave an update on statistics of the Coronavirus both in Virginia and across the United States. He also discussed the Economic Impact Analysis (EIA). *The EIA was not prepared pursuant to the Administrative Process Act (APA) as the amendments to the VOSH Standard was not being promulgated pursuant to the APA. However, the Agency contracted with an outside firm, CHMURA, to conduct an EIA as the Agency had stated it would follow the regulatory steps laid out in the APA as closely as it could, taking into consideration the 6 month time frame for promulgation of the Standard laid out in Va. Code § 40.1-22(6a).*

During the presentation by Director Withrow, there was a **33 MINUTE RECESS for Lunch at 12:27 pm; RECONVENE 1:00 pm. [recording timestamp: 2:22:33]**

After lunch, Director Withrow began with presentation of the briefing package, which included the current statistics and trends of COVID-19 in the United States and in Virginia hospitals and VOSH workplace complaints. Director Withrow discussed the purpose of the DOLI recommended revisions to the VOSH Standard are to address the Governor's proposed amendments as well as the CDC updated Guidelines for fully vaccinated persons. He discussed the changes requested by the Governor, the 30 day comment period, the public hearing held on August 5, 2021, and the 7 day comment period leading up to this August 26 meeting. Also included in the presentation of the briefing package were the

proposed amendments and recommendations to the VOSH Standard that will be discussed and voted on later on in the meeting. The Board asked various clarifying questions during the presentation.

During the presentation by Director Withrow, there was a **5 MINUTE RECESS at 1:58 pm; RECONVENE 2:03 pm. [recording timestamp: 3:53:30]**

After the recess, Director Withrow began with the proposed amendments to the VOSH Standard and the changes that will be voted on by the Board. Motion #2 involved Governor change to Sec. 10.#. to strike out CDC language referring requiring CDC recommendations to be “equivalent or greater protection than provided by this standard.” Member Parson and Member Thurston opposed the removal of this language as it weakens the protections for workers. Member Bundy asked about the experience from public with mandatory v. non-mandatory language and Director Withrow mentioned he has not been aware of any questioning of mandatory v non-mandatory language. After discussion by the Board with concerns with removal of this language and why it is necessary and Agency interpretation, Chair Rodriguez asked if there was a motion to accept the Admin recommendation. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [4:25:30]

Motion #2 Admin changes to Sec. 10.E. strike out CDC language highlighted	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.		1			
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons		1			
Ms. Milagro (“Milly”) Rodriguez		1			
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston		1			
TOTALS	10	4	0	0	

Director Withrow moved onto the proposed amendments to the VOSH standard beginning on page 3 and through page 26 with all non-substantive changes for consistency with federal OSHA ETA and definition updates. Chair Rodriguez asked if there was a motion to accept the Department recommended changes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [4:35:40]

Motion #3: pgs 3-26: Department highlighted changes	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				

Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.	1				
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons	1				
Ms. Milagro ("Milly") Rodriguez	1				
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	14	0	0	0	

Director Withrow continued with Section 40 on page 27 and asked the Board if anyone was planning to propose their own amendments to Sec. 40. A few Board members expressed their proposals and they will be discussed at the time in separate motions. Director Withrow went through the Department recommended changes from page 27 through 33 Section 40.C.2. Chair Rodriguez asked if there was a motion to accept the Department recommended changes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [4:44:40]

Motion #4: pgs 27-33: Department highlighted changes through Sec 40.C.2				Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				1				
Mr. Robert Buchler				1				
Ms. Kelly Bundy				1				
Mr. Louis J. (Lou) Cernak Jr.				1				
Mr. John Fulton				1				
Ms. Julie Henderson				1				
Ms. Tina Hoover				1				
Mr. Elizabeth (Beth) Lohman				1				
Mr. Michael Luce				1				
Mr. Travis M. Parsons				1				
Ms. Milagro ("Milly") Rodriguez				1				
Ms. Lutheria Smith				1				
Mr. Charles L. (Chuck) Stiff				1				
Mr. Thomas A. Thurston				1				
TOTALS				14	0	0	0	

Next Sec. 40.3.E. pg 33 and language recommended by VDH and Administration and Department recommends adoption of highlighted language. Member Abbott requests the language be removed

relating to the “the employee must follow any testing or quarantine guidance provided by a VDH public health professional.” Member Abbott believes it is vague and covered by VDH procedures already in standard. Department recommend voting on highlighted language with exception of contested language by Member Abbott. Chair Rodriguez asked if there was a motion to accept the Department recommended underlined changes to Sec.40.C.3 with exception of contested sentence highlighted at top of page 34. . The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [4:52:00]

Motion #5: pg 33: Sec. 40.C.3 Department underlined changes bottom page 33. Not including highlighted sentence (top of page 34)	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.	1				
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons	1				
Ms. Milagro (“Milly”) Rodriguez	1				
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	14	0	0	0	

Chair Rodriguez asked if there was a motion to accept the Department recommended underlined changes to Sec.40.C.3 with highlighted sentence at top of page 34. Member Lohman clarified the VDH position for adding this language and requirement. Chair Rodriguez asked if there was a motion to accept the Department recommended changes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [4:56:45]

Motion #6: pg. 33 Sc. 40.C.3 Department highlighted language in entirety	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott		1			
Mr. Robert Buchler		1			
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.	1				
Mr. John Fulton	1				
Ms. Julie Henderson	1				

Ms. Tina Hoover		1			
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce		1			
Mr. Travis M. Parsons	1				
Ms. Milagro ("Milly") Rodriguez	1				
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	10	4	0	0	

Director Withrow continued with Se. 40.C.4 top of page 34 and through the Department highlighted changes up through Sec.40.F.3 middle of page 36. Chair Rodriguez asked if there was a motion to accept the Department recommended changes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [5:01:00]

Motion #7: pg. 34 Department highlighted changes from top Sec. 40.C.4 through pg. 36 Sec. F.3	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.	1				
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons	1				
Ms. Milagro ("Milly") Rodriguez	1				
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	14	0	0	0	

Director Withrow explained the Department recommended changes to Sec. 40.F.4 regarding face coverings and fully vaccinated persons while in vehicle as relates to respirator requirements. Member Thurston proposed strike last highlighted sentence beginning with "or a face covering..." Chair Rodriguez asked if there was a motion to accept the changes proposed by Member Thurston. The motion was made, properly seconded and the roll call vote was conducted. The motion failed.

Meeting Recording Timestamp of Vote: [5:16:10]

Motion #8: pg. 36 Sec.40.F.4 1st sentence take out "and wear" and rest of highlighted sentence (Thurston motion)	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott		1			

Mr. Robert Buchler		1			
Ms. Kelly Bundy		1			
Mr. Louis J. (Lou) Cernak Jr.	1				
Mr. John Fulton		1			
Ms. Julie Henderson		1			
Ms. Tina Hoover		1			
Mr. Elizabeth (Beth) Lohman		1			
Mr. Michael Luce		1			
Mr. Travis M. Parsons	1				
Ms. Milagro ("Milly") Rodriguez	1				
Ms. Lutheria Smith		1			
Mr. Charles L. (Chuck) Stiff		1			
Mr. Thomas A. Thurston	1				
TOTALS	4	10	0	0	

Member Buchler proposed changes to Sec.40.F.4 to strike language from "and wear...." and replace with "shall be provided with a face covering. Director Withrow explained that Department would oppose the motion because removal of "and wear..." does not follow CDC guidelines. Chair Rodriguez asked if there was a motion to accept the changes proposed by Member Buchler. The motion was made, was not properly seconded and therefore no vote was taken. The motion failed.

Meeting Recording Timestamp of Vote:[5:21:20]

Motion #9: pg. 36 Sec. 40 F. 4 1st sentence take out "and wear" only (Abbott motion) NO SECOND/NO VOTE	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott					
Mr. Robert Buchler					
Ms. Kelly Bundy					
Mr. Louis J. (Lou) Cernak Jr.					
Mr. John Fulton					
Ms. Julie Henderson					
Ms. Tina Hoover					
Mr. Elizabeth (Beth) Lohman					
Mr. Michael Luce					
Mr. Travis M. Parsons					
Ms. Milagro ("Milly") Rodriguez					
Ms. Lutheria Smith					
Mr. Charles L. (Chuck) Stiff					
Mr. Thomas A. Thurston					
TOTALS		0	0	0	

Member Henderson then made a motion to accept the original Department recommended changes highlighted in the proposed standard. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [5:22:30]

Motion #10: pg. 36 Sec. 40 F. 4 Department recommended changes as highlighted	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler		1			
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.	1				
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons	1				
Ms. Milagro ("Milly") Rodriguez		1			
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston		1			
TOTALS	11	3	0	0	

There was a **5 MINUTE RECESS at 3:28 pm; RECONVENE 3:33 pm. [recording timestamp: 5:24:00]**

Director Withrow continued with Sec. 40.F.5 (pg. 36) through Sec.40.M. (pg. 45) with non-substantive changes and changes based on new CDC guidelines. Chair Rodriguez asked if there was a motion to accept the Department recommended changes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [5:35:30]

Motion #11: pg. 36 Sec. 40 F.5 through Pg. 45 Sec. 40.M.	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.				1	
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons	1				
Ms. Milagro ("Milly") Rodriguez	1				
Ms. Lutheria Smith	1				

Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13	0	0	1	

Director Withrow continued with Sec. 50 (pg 46) through Sec.60. (pg. 62) with non-substantive changes and changes based on new CDC guidelines. Chair Rodriguez asked if there was a motion to accept the Department recommended changes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [5:43:10]

Motion #12: pg 46 through pg 62 Department highlighted changes	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.				1	
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons	1				
Ms. Milagro ("Milly") Rodriguez	1				
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13	0	0	1	

Discussion continued with pg 63 Sec. 70.A.2 relating to counting vaccinated and unvaccinated employees for purposes of applicability to requirement for response plan for employees with 11 or more employees. Member Parsons opposes exclusion of vaccinated employees into the count. Decision was made to vote on Sec. 70.A. with exception of last sentence that is at issue for further discussion. Chair Rodriguez asked if there was a motion to accept the Department recommended changes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [5:50:00]

Motion #13: pg. 63, Sec.70.A.2 (except last sentence "In counting...exclude fully vaccinated...")	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				

Mr. Louis J. (Lou) Cernak Jr.				1	
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons	1				
Ms. Milagro ("Milly") Rodriguez	1				
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston	1				
TOTALS	13	0	0	1	

Moving to the last sentence of Sec.70.A.2 opposed by Member Parson, Director Withrow presented to the Board the Department recommendation that the last sentence excluding vaccinated employees remain in the standard. Chair Rodriguez asked if there was a motion to accept the Department recommended changes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [5:52:25]

Motion #14: pg 63, Sec.70.A.2. entirely as Department recommended changes (including sentence "In counting...")	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.				1	
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons		1			
Ms. Milagro ("Milly") Rodriguez		1			
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston		1			
TOTALS	10	3	0	1	

Director Withrow proceeded with Department recommendations to adopt starting with Sec.70.B. (pg 63) and through the end of the standard on page 74. Member Bundy asked clarifying question to Director Withrow regarding rationale to Sec.70.B.2. which provides for exclusion of plan and training requirements for those vaccinated employees. It was clarified that it was placed in the standard to encourage employee vaccinations. Chair Rodriguez then asked if there was a motion to accept the

Department recommended changes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [5:55:30]

Motion #15: Pg 62 Sec.70.B through pg 74 end of standard/chapter	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.				1	
Mr. John Fulton	1				
Ms. Julie Henderson	1				
Ms. Tina Hoover	1				
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce	1				
Mr. Travis M. Parsons		1			
Ms. Milagro ("Milly") Rodriguez		1			
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				
Mr. Thomas A. Thurston		1			
TOTALS	10	3	0	1	

Director Withrow then presented the Department's recommendation that the Safety and Health Codes Board adopt final amendments to the VOSH Standard for Infectious Disease Prevention of the SARS-CoV-2 That Causes COVID-19, §16 VAC 25-220 ("VOSH Standard"). Va. Code §40.1-22(6a). The Department also recommends that the Board state in this motion that it may make to amend this standard that it will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision of this or any other regulation. Chair Rodriguez then asked if there was a motion to accept the Department recommended changes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Meeting Recording Timestamp of Vote: [5:59:25]

Motion #16: Adopt VOSH Standard amendments as voted upon	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott	1				
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis J. (Lou) Cernak Jr.	1				
Mr. John Fulton		1			
Ms. Julie Henderson	1				
Ms. Tina Hoover		1			
Mr. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce			1		
Mr. Travis M. Parsons		1			
Ms. Milagro ("Milly") Rodriguez		1			
Ms. Lutheria Smith	1				
Mr. Charles L. (Chuck) Stiff	1				

Mr. Thomas A. Thurston		1			
TOTALS	8	5	1	0	

Chair Rodrigues announced that this concludes New Business and moved onto Agenda item 5 and asked if there were any items of interest from the Department of Labor and Industry. Director Withrow announced to the new Board members the Department is working on a Heat Illness Prevention Standard with approximately 40 person regulatory advisory panel and a dedicated webpage for those interested in following the process of this regulation.

Commissioner Davenport then welcomed the new Board members, thanked the current Board members for their service and expressed appreciation to the departing Board members, Anna Jolly, Phil Glaize, Courtney Malveaux and Ken Richardson for their dedicated service during their terms on the Board.

Chair Rodriguez proceeded to agenda item 6 and asked if the members of the Board had any items of interest to share at this time. No Board members had any items at this time.

ADJOURNMENT

Chair Rodriguez thanked the Board members, all participants and the Agency. The meeting was adjourned at 4:07 pm.