

FINAL
SAFETY AND HEALTH CODES BOARD
PUBLIC HEARING AND MEETING MINUTES
July 7, 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, and the continued meeting on June 29, 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=31057> .

A copy of the 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=31057> contemporaneously with the documents being furnished to the members of the Board.

BOARD MEMBERS

PARTICIPATING:

Mr. Charles L. (“Chuck”) Stiff (Chair)
Mr. Jeffery Steers
Dr. Dwight Flammia
Mr. John D. Fulton
Mr. Phil Glaize
Ms. Tina Hoover
Ms. Anna E. Jolly
Mr. Michael. A. Luce
Mr. Courtney M. Malveaux (partially present)
Mr. Travis M. Parsons
Ms. Milagro (“Milly”) Rodriguez
Mr. Thomas A. Thurston
Mr. Louis J. (“Lou”) Cernak Jr.

BOARD MEMBERS ABSENT:

Mr. Kenneth W. Richardson, II

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

Interim Chair Chuck Stiff called the Public meeting to order at 9:15 a.m. A quorum was present. Mr. Stiff made opening remarks informing the public that this meeting was an emergency electronic meeting, held under Va. Code Section 2.2-3708.2, and using WebEx to allow panelists (Board members and DOLI staff) and participants to listen to the meeting by internet or telephone.

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

Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, and carried by unanimous voice vote.

| <i>Approval of Agenda</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | | | | 1 | |
| <i>Mr. Louis J. ("Lou") Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |
| <i>Mr. Courtney M. Malveaux</i> | | | | 1 | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro ("Milly") Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. ("Chuck") Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 12 | | | 2 | |

NEW BUSINESS

Jay Withrow, Director of Legal Support, ORA, OPPO, and OWP began his presentation of the DRAFT Emergency Temporary Standard with amendments to be considered on page 6. This version of the DRAFT ETS is available on the DOLI website. Mr. Withrow presented an amendment offered by the Administration for §10.G.1 and §10.G.2.

Mr. Stiff asked the Board if there is any discussion on the agenda. There was discussion. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Administration's Amendment to 10.G</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. ("Lou") Cernak Jr.</i> | | 1 | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | | 1 | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | | | | 1 | |
| <i>Mr. Travis M. Parsons</i> | | 1 | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro ("Milly") Rodriguez</i> | | 1 | | | |
| <i>Mr. Charles L. ("Chuck") Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | | 1 | | | |
| Totals | 6 | 5 | 1 | 2 | |

Mr. Withrow continued to §30 and amendments made to definitions under "Medium Exposure." Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| Section 30 Definitions and Administration Amendment | Yea | Nay | Abstain | Absent | Other |
|--|------------|------------|----------------|---------------|--------------|
| <i>Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. ("Lou") Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |
| <i>Mr. Courtney M. Malveaux</i> | | | | 1 | |
| <i>Mr. Travis M. Parsons</i> | | 1 | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro ("Milly") Rodriguez</i> | | 1 | | | |
| <i>Mr. Charles L. ("Chuck") Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | | 1 | | | |
| TOTALS | 9 | 3 | | 2 | |

Mr. Withrow suggested a change in Ms. Jolly’s amendment to §30 Lower Exposure Risk Level from “close contact” to “contact with others inside six feet” and Ms. Jolly agreed. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Jolly Amendment §30 Lower Exposure Risk Level</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|-------------------|-------------------|-----------------------|----------------------|---------------------|
| <i>Jeffery Steers</i> | <i>1</i> | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | | | <i>1</i> | | |
| <i>Dr. Dwight Flammia</i> | <i>1</i> | | | | |
| <i>Mr. John D. Fulton</i> | <i>1</i> | | | | |
| <i>Mr. Phil Glaize</i> | <i>1</i> | | | | |
| <i>Ms. Tina Hoover</i> | <i>1</i> | | | | |
| <i>Ms. Anna E. Jolly</i> | <i>1</i> | | | | |
| <i>Mr. Michael. A. Luce</i> | <i>1</i> | | | | |
| <i>Mr. Courtney M. Malveaux</i> | | | | <i>1</i> | |
| <i>Mr. Travis M. Parsons</i> | <i>1</i> | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | <i>1</i> | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | | | <i>1</i> | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | <i>1</i> | | | | |
| <i>Mr. Thomas A. Thurston</i> | | | <i>1</i> | | |
| <i>TOTALS</i> | <i>9</i> | | <i>3</i> | <i>2</i> | |

Mr. Withrow presented Ms. Jolly’s two amendments in §30 to “Feasible” and “Filtering Facepiece” respirator. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Jolly Amendment §30 Feasible and Filtering Facepiece respirator</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|-------------------|-------------------|-----------------------|----------------------|---------------------|
| <i>Mr. Jeffery Steers</i> | <i>1</i> | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | <i>1</i> | | | | |
| <i>Dr. Dwight Flammia</i> | <i>1</i> | | | | |
| <i>Mr. John D. Fulton</i> | <i>1</i> | | | | |
| <i>Mr. Phil Glaize</i> | <i>1</i> | | | | |
| <i>Ms. Tina Hoover</i> | <i>1</i> | | | | |
| <i>Ms. Anna E. Jolly</i> | <i>1</i> | | | | |
| <i>Mr. Michael. A. Luce</i> | <i>1</i> | | | | |
| <i>Mr. Courtney M. Malveaux</i> | | | | <i>1</i> | |
| <i>Mr. Travis M. Parsons</i> | <i>1</i> | | | | |

| | | | | | |
|--|-----------|--|--|----------|--|
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 12 | | | 2 | |

Mr. Withrow presented a Department change to “May be infected with SARS-CoV-2” to Include “and not currently vaccinated against the SARS-Cov-2 virus.” Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried. However, Mr. Glaize was muted and could not speak. Then Phil was able to speak and asked questions so there was some discussion.

| <i>Dept. change to “May be infected with SARS-CoV-2”</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | | 1 | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | | | 1 | | |
| <i>Mr. Phil Glaize</i> | | | 1 | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | | | | 1 | |
| <i>Mr. Travis M. Parsons</i> | | 1 | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | | 1 | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | | 1 | | | |
| TOTALS | 5 | 4 | 3 | 2 | |

Mr. Withrow presented Ms. Jolly’s two amendments and changes by Department to the end of the definitions section. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Jolly 2 Amendments and Department changes to end of definitions</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | | | 1 | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |

| | | | | | |
|--|-----------|--|----------|----------|--|
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | | | | 1 | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | 1 | | | | |
| <i>Ms. Milagro ("Milly") Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. ("Chuck") Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 10 | | 2 | 2 | |

Mr. Withrow presented Ms. Jolly's amendment to Section 40.A.1 and Department cleanup. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Ms. Jolly Amendment to §40.A.1 and Department cleanup</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. ("Lou") Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |
| <i>Mr. Courtney M. Malveaux</i> | | | | 1 | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro ("Milly") Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. ("Chuck") Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 12 | | | 2 | |

Mr. Withrow presented the Administration's amendment to delete §40.A.3. Ms. Jolly started discussion stating that she thinks 40.A.3.a and b should stay, but c and d will be deleted. Ms. Rodrigues asked why §40.A.3.c would not be retained, but she agreed with Jay's reasoning. Mr. Thurston withdrew his amendment on serological testing. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Administration Amendment to §40.A.3</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. ("Lou") Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |

| | | | | | |
|--|-----------|--|--|----------|--|
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |
| <i>Mr. Courtney M. Malveaux</i> | | | | 1 | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 12 | | | 2 | |

Mr. Withrow presented Department changes from §40.A.4, 40.A.5, 40.A.7, and Ms. Jolly’s amendments to §40.A.5 and 40.A.7. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Department changes from §40.A.4, 40.A.5, 40.A.7, and Ms. Jolly’s amendments to §40.A.5 and 40.A.7</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |
| <i>Mr. Courtney M. Malveaux</i> | | | 1 | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 12 | | 1 | 1 | |

Mr. Withrow presented Mr. Malveaux’s amendment to §40.A.7 and Ms. Jolly’s amendment to §40.A.8. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Mr. Malvaeux's amendment to §40.A.7 and Ms. Jolly's amendment to §40.A.8</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. ("Lou") Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro ("Milly") Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. ("Chuck") Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 13 | | | 1 | |

Mr. Withrow presented VDH's amendment to §40.A.7, Department change to §40.A.8, and Ms. Jolly's amendment to §40.A.8. Mr. Withrow suggests combining Mr. Malveaux's amendment to §40.A.8.a, but Ms. Jolly did not agree because her change was different. Mr. Stiff suggested breaking it up and taking a vote on Ms. Jolly's amendment to §40.A.8. There was a discussion about HIPAA or other legal obstacles around privacy. Mr. Withrow suggested adding language "to the extent permitted by law, including HIPAA." The Board discussed system to report. Ms. Jolly wanted to change "report" to "receive reports of" in her amendment. Ms. Jolly was ok with this change and Mr. Withrow's language changing the language to "To the extent permitted by law, including HIPAA, employer shall establish a system to receive report of..." Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>VDH's amendment to §40.A.7, Department change to §40.A.8, and Ms. Jolly's amendment to §40.A.8.</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. ("Lou") Cernak Jr.</i> | | 1 | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |

| | | | | | |
|--|-----------|----------|----------|----------|--|
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 11 | 1 | 1 | 1 | |

Mr. Withrow presented Mr. Malveaux’s Amendment to § 40A.8.a. Mr. Parsons asked to remove “upon reasonable belief of the employer” and he was fine with the rest of the language and Mr. Malvaeux agreed. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Mr. Malvaeux’s Amendment to §40.A.8.a and Mr. Parson’s change</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | | | 1 | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 11 | | 2 | 1 | |

Mr. Withrow presented Mr. Malvaeux’s amendment and Ms. Jolly’s amendment to §40.A.8.c. Mr. Malvaeux withdrew his amendment. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Ms. Jolly’s Amendment to §40.A.8.c</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | | | | 1 | |
| <i>Mr. John D. Fulton</i> | | 1 | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | | 1 | | | |

| | | | | | |
|--|----------|----------|----------|----------|--|
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | | 1 | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro ("Milly") Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. ("Chuck") Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 8 | 3 | 1 | 1 | |

Mr. Withrow presented Ms. Rodriguez's amendment to §40.8.d. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Ms. Rodriguez's Amendment to §40.8.d</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. ("Lou") Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | | 1 | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | | 1 | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro ("Milly") Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. ("Chuck") Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 10 | 2 | 1 | 1 | |

Mr. Withrow presented Ms. Rodriguez's amendment to §40.8.e. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Ms. Rodriguez's Amendment to §40.8.e</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | | | 1 | | |
| <i>Mr. Louis J. ("Lou") Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | | | 1 | | |
| <i>Mr. John D. Fulton</i> | | 1 | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | | 1 | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |

| | | | | | |
|--|----------|----------|----------|----------|--|
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | | 1 | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 7 | 3 | 3 | 1 | |

Mr. Withrow presented Department Changes to §40.A.9 – 40.C. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Department changes to §40.A.9-40.C</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 13 | | | 1 | |

Mr. Withrow presented Mr. Thurston’s amendment to §40.C.1 to change “and” to “or.” Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Mr. Thurston’s amendment to §40.C</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | | 1 | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |

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|--|-----------|----------|--|----------|--|
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 12 | 1 | | 1 | |

Mr. Withrow presented Mr. Thurston’s amendment to §40.D.1. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Mr. Thurston’s amendment to §40.D.1</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 13 | | | 1 | |

Mr. Withrow presented Department changes from Section 40.D.1.a to 40.D.1.c. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Department changes from Section 40.D.1.a to 40.D.1.c</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |

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|--|-----------|--|--|----------|--|
| 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 | |

Mr. Withrow presented Ms. Jolly’s Amendment to §40.D.1.d, added language “where feasible” and “Hand sanitizers required for use to protect against SARS-CoV-2 are flammable and use and storage in hot environments can result in a hazard.” Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| Ms. Jolly’s Amendment to §40.D.1.d, added language “where feasible” and “Hand sanitizers | Yea | Nay | Abstain | Absent | Other |
|---|------------|------------|----------------|---------------|--------------|
| 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 | 10 | | 2 | 2 | |

Mr. Malvauex asked to amend to strike “and hand sanitizer” and there was a lot of discussion. Mr. Malvauex suggested making an alternative motion “Handwashing facilities or if hand washing facilities are unavailable, hand sanitizer, are available...” Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion failed.

| Mr. Malvauex Amendment to hand sanitizer | Yea | Nay | Abstain | Absent | Other |
|---|------------|------------|----------------|---------------|--------------|
| Mr. Jeffery Steers | | 1 | | | |
| Mr. Louis J. (“Lou”) Cernak Jr. | | 1 | | | |
| Dr. Dwight Flammia | | 1 | | | |
| Mr. John D. Fulton | | 1 | | | |

| | | | | | |
|--|----------|-----------|----------|----------|--|
| <i>Mr. Phil Glaize</i> | | 1 | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | | 1 | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | | 1 | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | | 1 | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | | 1 | | | |
| <i>Mr. Thomas A. Thurston</i> | | 1 | | | |
| TOTALS | 2 | 10 | 1 | 1 | |

Mr. Malvaeux withdrew his amendment regarding §40.E

Ms. Jolly withdrew her amendment regarding §40.E

Mr. Withrow presented VDH’s Amendment to §40.E, to split §40.E into an E and an F. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>VDH’s Amendment to §40.E, to split §40.E into E and an F</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|-------------------|-------------------|-----------------------|----------------------|---------------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 12 | | 1 | 1 | |

Mr. Withrow presented Department changes to §40.G, Mr. Malvaeaux’s Amendment to §40.H and Department changes to §40.I.1. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Department changes to §40.G, Mr. Malvaeaux’s Amendment to §40.H and Department changes to §40.I.1</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|-------------------|-------------------|-----------------------|----------------------|---------------------|
| <i>Mr. Jeffery Steers</i> | <i>1</i> | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | <i>1</i> | | | | |
| <i>Dr. Dwight Flammia</i> | <i>1</i> | | | | |
| <i>Mr. John D. Fulton</i> | | | | <i>1</i> | |
| <i>Mr. Phil Glaize</i> | <i>1</i> | | | | |
| <i>Ms. Tina Hoover</i> | <i>1</i> | | | | |
| <i>Ms. Anna E. Jolly</i> | <i>1</i> | | | | |
| <i>Mr. Michael. A. Luce</i> | <i>1</i> | | | | |
| <i>Mr. Courtney M. Malveaux</i> | <i>1</i> | | | | |
| <i>Mr. Travis M. Parsons</i> | <i>1</i> | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | <i>1</i> | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | <i>1</i> | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | <i>1</i> | | | | |
| <i>Mr. Thomas A. Thurston</i> | <i>1</i> | | | | |
| <i>TOTALS</i> | <i>12</i> | | | <i>2</i> | |

Mr. Withrow presented Mr. Malveaux’s amendment to §40.I.2 and Ms. Jolly’s amendment to §40.I.3. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Mr. Malveaux’s amendment to §40.I.2 and Ms. Jolly’s amendment to §40.I.3</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|-------------------|-------------------|-----------------------|----------------------|---------------------|
| <i>Mr. Jeffery Steers</i> | <i>1</i> | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | <i>1</i> | | | | |
| <i>Dr. Dwight Flammia</i> | <i>1</i> | | | | |
| <i>Mr. John D. Fulton</i> | | | <i>1</i> | | |
| <i>Mr. Phil Glaize</i> | <i>1</i> | | | | |
| <i>Ms. Tina Hoover</i> | <i>1</i> | | | | |
| <i>Ms. Anna E. Jolly</i> | <i>1</i> | | | | |
| <i>Mr. Michael. A. Luce</i> | <i>1</i> | | | | |
| <i>Mr. Courtney M. Malveaux</i> | <i>1</i> | | | | |
| <i>Mr. Travis M. Parsons</i> | <i>1</i> | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | <i>1</i> | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | <i>1</i> | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | <i>1</i> | | | | |
| <i>Mr. Thomas A. Thurston</i> | <i>1</i> | | | | |
| <i>TOTALS</i> | <i>12</i> | | <i>1</i> | <i>1</i> | |

Mr. Withrow presented VDH’s amendment to §40.I.4. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>VDH’s amendment to §40.I.4</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | | 1 | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 11 | 1 | 1 | 1 | |

Mr. Withrow presented Mr. Thurston’s amendment to §40.I.5, Ms. Jolly’s amendment to §40.I.6, and Mr. Malveaux’s amendment to §40.I.6 Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Mr. Thurston’s amendment to §40.I.5, Ms. Jolly’s amendment to §40.I.6, and Mr. Malveaux’s amendment to §40.I.6</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | 1 | | | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 13 | | | 1 | |

Mr. Withrow presented Department changes §40.I.8 based on Mr. Malveaux’s earlier amendments regarding hand sanitizer, adding the language “where feasible,” adding Ms. Jolly’s earlier amendment regarding flammability of hand sanitizers, and Department change to 40.I.9. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>§40.I.8 based on Mr. Malveaux’s earlier amendments regarding hand sanitizer, adding the language “where feasible,” adding Ms. Jolly’s earlier amendment regarding flammability of hand sanitizers, and Department change to 40.I.9</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|-------------------|-------------------|-----------------------|----------------------|---------------------|
| <i>Mr. Jeffery Steers</i> | <i>1</i> | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | <i>1</i> | | | | |
| <i>Dr. Dwight Flammia</i> | <i>1</i> | | | | |
| <i>Mr. John D. Fulton</i> | <i>1</i> | | | | |
| <i>Mr. Phil Glaize</i> | <i>1</i> | | | | |
| <i>Ms. Tina Hoover</i> | <i>1</i> | | | | |
| <i>Ms. Anna E. Jolly</i> | <i>1</i> | | | | |
| <i>Mr. Michael. A. Luce</i> | <i>1</i> | | | | |
| <i>Mr. Courtney M. Malveaux</i> | <i>1</i> | | | | |
| <i>Mr. Travis M. Parsons</i> | <i>1</i> | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | <i>1</i> | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | <i>1</i> | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | <i>1</i> | | | | |
| <i>Mr. Thomas A. Thurston</i> | <i>1</i> | | | | |
| <i>TOTALS</i> | <i>13</i> | | | <i>1</i> | |

Mr. Withrow presented Mr. Malveaux’s to §40.J, delete section J, Mr. Thurston’s amendment to §40.L to move it to §90, and Department changes from §40.K to 50.A.4. Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>presented Mr. Malveaux’s to §40.J, delete section J, Mr. Thurston’s amendment to §40.L to move it to §90, and Department changes from §40.K to 50.A.4</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|---|-------------------|-------------------|-----------------------|----------------------|---------------------|
| <i>Mr. Jeffery Steers</i> | <i>1</i> | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | <i>1</i> | | | | |
| <i>Dr. Dwight Flammia</i> | <i>1</i> | | | | |
| <i>Mr. John D. Fulton</i> | <i>1</i> | | | | |
| <i>Mr. Phil Glaize</i> | <i>1</i> | | | | |
| <i>Ms. Tina Hoover</i> | <i>1</i> | | | | |
| <i>Ms. Anna E. Jolly</i> | <i>1</i> | | | | |
| <i>Mr. Michael. A. Luce</i> | <i>1</i> | | | | |
| <i>Mr. Courtney M. Malveaux</i> | <i>1</i> | | | | |

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

Mr. Withrow presented Department changes to §50.A.5, VDH Amendment to §50.A.5, Mr. Thurston’s Amendment to §50.B.1, VDH Amendment to §50.B.3, and Department changes to §50.B.8. (stopped before CM Amendment to 50.B.8) Mr. Stiff asked the Board if there is any discussion on the agenda. The motion was made, properly seconded, a roll call vote was conducted, and the motion carried.

| <i>Department changes to §50.A.5, VDH Amendment to §50.A.5, Mr. Thurston’s Amendment to §50.B.1, VDH Amendment to §50.B.3, and Department changes to §50.B.8</i> | <i>Yea</i> | <i>Nay</i> | <i>Abstain</i> | <i>Absent</i> | <i>Other</i> |
|--|------------|------------|----------------|---------------|--------------|
| <i>Mr. Jeffery Steers</i> | 1 | | | | |
| <i>Mr. Louis J. (“Lou”) Cernak Jr.</i> | 1 | | | | |
| <i>Dr. Dwight Flammia</i> | 1 | | | | |
| <i>Mr. John D. Fulton</i> | 1 | | | | |
| <i>Mr. Phil Glaize</i> | 1 | | | | |
| <i>Ms. Tina Hoover</i> | 1 | | | | |
| <i>Ms. Anna E. Jolly</i> | 1 | | | | |
| <i>Mr. Michael. A. Luce</i> | | | 1 | | |
| <i>Mr. Courtney M. Malveaux</i> | 1 | | | | |
| <i>Mr. Travis M. Parsons</i> | 1 | | | | |
| <i>Mr. Kenneth W. Richardson, II</i> | | | | 1 | |
| <i>Ms. Milagro (“Milly”) Rodriguez</i> | 1 | | | | |
| <i>Mr. Charles L. (“Chuck”) Stiff</i> | 1 | | | | |
| <i>Mr. Thomas A. Thurston</i> | 1 | | | | |
| TOTALS | 12 | | 1 | 1 | |

ITEMS OF INTEREST FROM THE DEPARTMENT OF LABOR AND INDUSTRY

The Department had no items of interest.

MEETING ADJOURNMENT

Mr. Stiff asked the Board if there is a motion to recess, and the meeting of the Safety and Health Codes Board ended around 5:00 PM on July 7, 2020.