

§90 DISCRIMINATION

- **Discrimination** against an **employee** for **exercising** rights under this standard is **prohibited**.
- No person shall **discharge** or in any way **discriminate** against an employee because the employee has exercised rights under the safety and health provisions of this standard or Title 40.1 of the Code of Virginia, and implementing regulations under 16VAC25-60-110 for themselves or others.
- No person shall **discharge** or in any way **discriminate** against an employee who **voluntarily** provides and wears his or her **own personal protective equipment**, including but not limited to a respirator, face shield, or gloves, or face covering if such equipment is **not provided** by the employer, provided that the PPE **does not create** a greater hazard to the employee, or create a serious hazard for other employees.
- No person shall **discharge** or in any way **discriminate** against an employee who **raises a reasonable concern** about infection control related to the SARS-CoV-2 virus and COVID-19 disease to the employer, the employer's agent, other employees, a government agency, or to the public such as through print, online, social, or any other media.
- **Nothing in this standard shall limit an employee from refusing to do work or enter a location they feel is unsafe.** See §16VAC25-60-110 for requirements concerning discharge or discipline of an employee who has refused to complete an assigned task because of a reasonable fear of injury or death.