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A BILL
24-649

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Commission for Women Act of 1978 to require that all District government agencies conduct gender analyses every two years, to require the Commission for Women to develop a Citywide Action Plan to eliminate discrimination against women, and to require the Commission for Women to provide training on gender equity and human rights to District government employees.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Elimination of Discrimination Against Women Amendment Act of 2022”.

Sec. 2. The District of Columbia Commission for Women Act of 1978, effective September 22, 1978 (D.C. Law 2-109; D.C. Official Code § 3-701 *et seq.*), is amended as follows:

(a) A new section 2a is added to read as follows:

“Sec. 2a. Definitions.

For the purposes of this act, the term:

“(1) “CEDAW” means the Convention on the Elimination of All Forms of Discrimination Against Women, as adopted by the United Nations General Assembly.

28 “(2) “Gender” means the socially constructed characteristics and needs for
29 women, men, and those who are nonbinary in a society.

30 “(3) “Gender equity” means the fair treatment and distribution of opportunities
31 and resources for women, men, and those who are nonbinary according to their respective needs.

32 “(4) “Gender perspective” means type of analysis which looks at the impact of
33 gender on people's opportunities, responsibilities, social roles, and interactions.

34 “(5) “Intersectionality” means an analytical framework for understanding the
35 ways in which systems of inequality based on gender, race, ethnicity, sexual orientation, gender
36 identity, disability, class, and other forms of discrimination intersect to create unique dynamics
37 and effects.

38 “(6) “PII” means Personal Identifiable Information that can be used to distinguish
39 or trace an individual’s identity, either alone or when combined with other personal or
40 identifying information that is linked or linkable to a specific individual, including name,
41 birthdate, race, ethnicity, sex, gender, gender identity or expression, age, social security number,
42 address, marital status, educational history, salary, job title, telephone numbers, disability,
43 medical history, email addresses, computer passwords, spouse name, financial information,
44 credit card numbers, bank account numbers, and biometric identifiers such as fingerprints,
45 voiceprints, and iris scans.

46 “(7) "Gender identity or expression” shall have the same meaning as provided in
47 section 102(12A) of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-
48 38; D.C. Official Code § 2-1401.02(12A)).”.

49 (b) Section 4 (D.C. Official Code § 3-703) is amended as follows:

50 (1) Subsection (a)(1) is amended by striking the phrase “sex role” and inserting
51 the word “gender” in its place.

52 (2) A new subsection (a-1) is added to read as follows:

53 “(a-1)(1)(A) Each District agency shall conduct a gender analysis, pursuant to guidelines
54 developed by the Commission, and provide a report including the results of the analysis to the
55 Mayor, the Council, and the Commission, not later than 6 months after the applicability date of
56 the Elimination of Discrimination Against Women Amendment Act of 2022, as approved by the
57 Committee on Housing and Executive administration on November 9, 2022 (Committee print of
58 Bill 24-0649), and every 2 years thereafter, that shall include:

59 “(i) Data on gender disparities, including data on salaries, job
60 titles, and promotional timelines, disaggregated by sex, race, ethnicity, age, familial status,
61 marital status, sexual orientation, gender identity, immigration status, and disability; provided,
62 that data shall be collected, stored, aggregated, and presented in a way that protects any PII from
63 disclosure;

64 “(ii) An evaluation of gender equity in the agency’s operations
65 including its budget allocations, delivery of direct and indirect services, staff salaries and
66 benefits, and employment practices; and

67 “(iii) A review of the agency’s efforts to integrate the human rights
68 principles identified in the CEDAW into its policies and practices.

69 “(B) The Commission shall review each agency’s gender analysis and
70 provide recommendations for corrective action where efforts to attain gender equity are found to
71 be lacking by the Commission to the Mayor and the Council, not later than 3 months after receipt
72 of each agency’s gender analysis pursuant to subparagraph (A) of this paragraph and shall
73 publish its recommendations online.

74 “(C) Each District agency shall designate a liaison to the Commission to
75 coordinate the completion of the gender analysis to receive training, and the Commission shall
76 publicly post a list of current liaisons online not later than 3 months after the applicability date of
77 the Elimination of Discrimination Against Women Amendment Act of 2022, as approved by the
78 Committee on Housing and Executive Administration on November 9, 2022 (Committee print of
79 Bill 24-0649), and annually thereafter.

80 “(D) The Commission shall provide guidelines to the liaisons designated
81 pursuant to subparagraph (C) of this paragraph on how to conduct gender analyses and provide
82 technical assistance throughout the gender analysis process.

83 “(2) The Commission shall develop and publish online a Citywide Action Plan to
84 address and correct any deficiencies identified in the gender analyses conducted pursuant to
85 paragraph (1) of this subsection and integrate the CEDAW principles of equality of rights and
86 respect for human dignity to further local implementation not later than one year after the
87 applicability date of the Elimination of Discrimination Against Women Amendment Act of
88 2022, as approved by the Committee on Housing and Executive Administration on November 9,
89 2022 (Committee print of Bill 24-0649), and every 5 years thereafter, and the Commission shall
90 submit the Citywide Action Plan to the Mayor and the Council.

91 “(3) The Commission shall make training available to all District government
92 employees not later than 4 months after the applicability date of the Elimination of
93 Discrimination Against Women Amendment Act of 2022, as approved by the Committee on
94 Housing and Executive Administration on November 9, 2022 (Committee print of Bill 24-0649),
95 and annually thereafter, and District government employees shall complete the training at least
96 once during employment, in the following areas:

97 “(A) The principles of equality of rights and respect for human dignity as
98 described in CEDAW;

99 “(B) Gender bias and stereotyping and how they can lead to inequities in
100 the workplace;

101 “(C) The right to promotion, job security, and all benefits and conditions
102 of employment, regardless of gender identity or expression or familial status;

103 “(D) Content regarding violence against women and girls, where
104 appropriate, with a perspective sensitive to gender diversity;

105 “(E) The intersectionality of gender and race to create unique dynamics
106 and effects;

107 “(F) Opportunities for participants to practice the gender-inclusive skills
108 that will be expected of them; and

109 “(G) How to report incidents of discrimination.”.

110 Sec. 3. Applicability.

111 (a) This act shall apply upon the date of inclusion of its fiscal effect in an approved
112 budget and financial plan.

113 (b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in
114 an approved budget and financial plan, and provided notice to the Budget Director of the Council
115 of the certification.

116 (c)(1) The Budget Director shall cause the notice of the certification to be published in
117 the District of Columbia. Register.

118 (2) The date of publication of the notice of the certification shall not affect the
119 applicability of the act.

120 Sec 4. Fiscal impact statement.

ENGROSSED ORIGINAL

121 The Council adopts the fiscal impact statement in the committee report as the fiscal
122 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
123 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

124 Sec. 5. Effective date.

125 This act shall take effect following approval by the Mayor (or in the event of veto by the
126 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
127 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
128 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
129 Columbia Register.