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Councilmember Elissa Silverman

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A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To declare the existence of an emergency, due to congressional review, with respect to the need to require employers to adopt and implement social distancing policies that adheres to Mayor’s Order 2020-080 or subsequent Mayor’s Order, to prohibit retaliation against an employee who refuses to work with or serve an individual who refuses to comply with Mayor’s Order 2020-080, to prohibit retaliation against employees for other reasons, to authorize the Mayor and Attorney General to administer and enforce workplace and employee protections in title I, to authorize the Attorney General to bring civil actions in a court of competent jurisdiction, to authorize the Chief Procurement Officer to enter into an indefinite duration/indefinite quantity contract to assist eligible businesses in the purchase of personal protective equipment and other supplies related to the containment of COVID-19, to permit federal laws, polices, and standards or a Mayor’s Order that contains stricter personal protective equipment standards, to preempt the terms of title I; and to amend the Small and Certified Business Enterprise Act of 2005 to authorize the Mayor to issue grants for small businesses to purchase or receive reimbursements for the purchase of personal protective equipment for their employees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Protecting Businesses and Workers from COVID-19 Congressional Review Emergency Declaration Resolution of 2021”.

Sec. 2. (a) On July 28, 2020, the Council passed the Protecting Businesses and Workers from COVID-19 Emergency Amendment Act of 2020, effective August 13, 2020 (D.C. Act 23-384; 67 DCR 9870) (“emergency Act”). The corresponding Protecting Businesses and Workers from COVID-19 Congressional Review Emergency Amendment

1 Act of 2020 (D.C. Act 23-483; 67 DCR 13860) is set to expire on February 13, 2021. The  
2 emergency Act created important COVID-19-related workers' rights, protections against  
3 retaliation if they act to protect their safety and health, and enforcement mechanisms; and  
4 the Act authorized additional resources for businesses to purchase personal protective  
5 equipment during the COVID-19 public health emergency.

6 (b) On September 22, 2020, the Council passed the Protecting Businesses and  
7 Workers from COVID-19 Temporary Amendment Act of 2020, passed on 2nd reading on  
8 September 22, 2020 (Enrolled version of Bill 23-871). It was transmitted to Congress on  
9 November 5, 2020, and is currently under congressional review.

10 (c) In order to prevent a gap in the law between the expiration of the emergency  
11 Act and the effective date of the temporary legislation, it is necessary to approve  
12 congressional review emergency legislation.

13 Sec. 3. The Council of the District of Columbia determines that the circumstances  
14 enumerated in section 2 constitute emergency circumstances making it necessary that the  
15 Protecting Businesses and Workers from COVID-19 Congressional Review Emergency  
16 Amendment Act of 2020 be adopted after a single reading.

17 Sec. 4. This resolution shall take effect immediately.