


COUNCIL OF THE DISTRICT OF COLUMBIA
MEMORANDUM

To: Chairman Phil Mendelson
From: Councilmember Elissa Silverman 
Date: January 28, 2021
Subject: Request to Agendize measures for the February 2, 2021, Legislative Meeting

I request the following measures be agendized for the February 2, 2021, Legislative Meeting:

- “Workplace Safety During the Covid-19 Pandemic Emergency Declaration Resolution of 2021”
- “Workplace Safety During the Covid-19 Pandemic Emergency Amendment Act of 2021”
- “Workplace Safety During the Covid-19 Pandemic Temporary Amendment Act of 2021”

The Council passed emergency and temporary COVID-19 worker and business safety measures that became effective in July and December of 2020, respectively. The existing law has enhanced business and worker safety in the District and provided an effective vehicle for enforcement by the Office of the Attorney General (OAG). There is opportunity to improve and expand upon the existing law by including additional protections and incorporating best practices into existing protections. Given the urgency and dire health and safety consequences of working during the pandemic, additional emergency legislation is necessary. This legislation will repeal the existing law and replace it with a new version.

This legislation codifies the requirement for employers to comply with all COVID-related Mayor’s Orders; the current law is limited to compliance with the mask order. The legislation also further develops the prohibitions against retaliation for employees who attempt to comply with or prevent violations of the District’s safety laws, codifies the District’s unemployment regulation specifying that an employee who voluntarily quits due to an unsafe workplace or condition is eligible for unemployment, and makes clear that COVID-19 is an injury that is compensable under our public and private workers sector programs. Finally, the legislation authorizes the Mayor to create a digital home to receive complaints on the District’s Coronavirus website and accept complaints via the 311 telephone and website mechanism. The bill maintains the PPE grant program and special procurement authority contained in the existing law.

Drafts of the measures are attached. If you have any questions regarding this measure, please contact Richard Grant at rgrant@dccouncil.us

cc: Members, Council of the District of Columbia
Office of the Secretary