

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to require workplaces to have policies for social distancing, face coverings, and access to personal protective equipment; and to provide funds for small businesses to purchase personal protective equipment; and to prohibit retaliation against workers who act in the interest of the health and safety of themselves, coworkers, and customers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Protecting Businesses and Workers from Covid-19 Emergency Declaration Resolution of 2020”.

Sec.2. (a) There exists an immediate need to establish workplace safety protections as the District reopens for business following the declaration of the public health emergency in the District by Mayor’s Order 2020-045 on March 11, 2020.

(b) COVID-19 has created circumstances in which the most routine parts of daily life, such as going to work, shopping, enjoying a meal out, can be deadly. COVID-19 is most often transmitted through the exchange of respiratory droplets through the mouth and nose orifices. The use of a face covering to cover the nose and mouth while within 6 feet of another person greatly reduces rates of transmission and infection.

(c) After months on pause, many District businesses have begun reopening with new health and safety guidelines in place. To support a successful and sustainable reopening and ensure that customers and employees have peace of mind that it is safe to shop, dine out, and

34 return to workplaces, to prevent transmission of COVID-19, and to ensure the public health, it is
35 necessary to set standards and basic protocols for businesses and workplaces.

36 (d) Current District law requires employers to provide a safe place of employment for
37 employees and relies on a federal agency, the Occupational Safety and Health Administration, to
38 create mandatory standards and processes, enforce safety regulations, and otherwise respond to
39 new workplace dangers that affect the safety of workers and workplaces. OSHA has abdicated
40 this responsibility during the coronavirus pandemic.

41 (e) In the absence of OSHA, federal and local authorities have established piecemeal
42 guidelines and recommendations that sometimes conflict or are otherwise ambiguous. Some
43 other jurisdictions that reopened have been forced to shutter businesses for a second time, some
44 permanently, when workplaces became sources of community infection, undoing any economic
45 progress made and causing great strain on healthcare facility capacities.

46 (f) Workers in the District and elsewhere have perished after contracting COVID-19 at
47 work, and many who have not been working during the public health emergency are afraid to
48 report for work without adequate protections. Consumers are also resistant to engaging in the
49 marketplace due to safety concerns, further delaying a full economic recovery

50 (g) The District must establish policies to require employees to report a positive COVID-
51 19 infection to their employer, establish social distancing and face covering policies that apply to
52 customers and workers, provide personal protective equipment to employees, and prohibit
53 retaliation against workers who attempt to exercise their rights.

54 Sec.3. The Council of the District of Columbia determines that the circumstances
55 enumerated in Section 2 constitute emergency circumstances making it necessary that the

56 “Protecting Businesses and Workers from Covid-19 Emergency Declaration Resolution of 2020”
57 be adopted on an emergency basis.

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

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