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Councilmember Mary M. Cheh

Councilmember Elissa Silverman

Councilmember Brianne K. Nadeau

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require, on an emergency basis, employers to adopt and implement workplace safety policies that adhere to all applicable Mayor’s Orders related to the COVID-19 public health emergency, to prohibit retaliation against an employee for taking actions related to complying with, stopping a violation of, or complaining about an employer’s actions related to applicable COVID-19 health and safety laws and practices, testing positive or quarantining because of COVID-19, or caring for someone who has COVID-19 symptoms or is quarantining because of COVID-19, to prohibit an employer from prohibiting or discouraging an employee’s use or wearing of personal protective equipment and from requiring an employee to agree or to comply with a workplace policy not to disclose information about workplace safety related to COVID-19, to establish a rebuttable presumption that an employer who takes an adverse employment action within 60 days after an employee engages in protected activity took the action in retaliation for the employee’s protected activity, to authorize the Mayor to administer and enforce the workplace and employee protections in Title I of this act by receiving complaints, conducting investigations, and issuing civil fines, to authorize the Attorney General to enforce the workplace and employee protections in Title I of this act by receiving complaints, conducting investigations, and bringing civil actions in a court of competent jurisdiction, to authorize a private right of action to enforce title I of this act, to require employers to post notice of employees’ rights under Title I of this act upon publication of such notice by the Mayor, to permit federal laws, policies, and standards to preempt Tile I of this act; to authorize the Chief Procurement Officer to enter into an indefinite duration/indefinite quantity contract to assist eligible businesses in the purchase

47 of personal protective equipment and other supplies related to the containment of
48 COVID-19; to amend the Small and Certified Business Enterprise Act of 2005 to
49 authorize the Mayor to issue grants for small businesses to purchase or receive
50 reimbursements for the purchase of personal protective equipment for their employees; to
51 amend the District of Columbia Government Comprehensive Merit Personnel Act of
52 1978 to include COVID-19 as a compensable injury if contracted in the course and scope
53 of employment; and to amend the Workers' Compensation Act of 1979 to include
54 COVID-19 as a compensable injury if contracted in the course and scope of employment.
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57
58 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
59 act may be cited as the "Workplace Safety During the COVID-19 Pandemic Emergency
60 Amendment Act of 2021".

61 TITLE I. WORKPLACE PROTECTIONS

62 Sec. 101. Definitions.

63 For the purposes of this title the term:

64 (1) "Adverse employment action" means an action that an employer takes against
65 an employee, including a threat, verbal warning, written warning, reduction of work hours,
66 suspension, termination, discharge, demotion, harassment, material change in the terms or
67 conditions of the employee's employment, or any other action that is reasonably likely to deter
68 the employee from attempting to secure any right or protection contained in this title or to
69 prevent or stop a violation of this title.

70 (2) "Active Covid-19 infection" means an infection confirmed by a diagnostic test
71 for COVID-19 and not an antibody test.

72 (3) "COVID-19" means the disease caused by the novel coronavirus SARS-CoV-
73 2.

74 (4) "CDC" means the U.S. Centers for Disease Control.

75 (5) "DOES" means the Department of Employment Services.

76 (6) “FDA” means the U.S. Food and Drug Administration.

77 (7) “DOH” means the Department of Health.

78 (8) “Employee” includes any person suffered or permitted to work by an
79 employer.

80 (9) “Employer” includes every individual, partnership, firm, general contractor,
81 subcontractor, association, corporation, the legal representative of a deceased individual, or the
82 receiver, trustee, or successor of an individual, firm, partnership, general contractor,
83 subcontractor, association, or corporation, employing any person in the District of Columbia.
84 The term “employer” includes the District government and its agencies and does not include the
85 United States government or its agencies.

86 (10) “Mayor’s Order” means any order related to the public health emergency
87 issued by the Mayor pursuant to section 5 or 5a of the of the District of Columbia Public
88 Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149, D.C. Official Code §§ 7-
89 2304, 7-2304a).

90 (11) “Personal protective equipment” means clothing or accessories worn as a
91 barrier to protect against COVID-19, including face masks, disposable gloves, face shields,
92 plexiglass barriers, or any other protective equipment required by federal or District law or
93 regulations, or Mayor’s Order, or as recommended by the CDC or World Health Organization, to
94 make the transmission of COVID-19 between persons less likely.

95 (12) “PPE” means personal protective equipment.

96 (13) “Public health emergency” means the COVID-19 public health emergency
97 declared on March 11, 2020, pursuant to Mayor’s Order 2020-045, and all subsequent
98 extensions.

99 (14) “COVID-19 symptoms” means symptoms identified by the CDC or DOH
100 that may appear within 14 days after exposure to COVID-19 and include fever, chills, cough,
101 shortness of breath, difficulty breathing, fatigue, muscle or body aches, headache, new loss of
102 taste or smell, sore throat, congestion, runny nose, nausea, vomiting, conjunctivitis, a rash on
103 skin or discoloration of fingers or toes, chest pain or pressure, loss of speech or movement, or
104 diarrhea.

105 (15) “WHO” means World Health Organization.

106 (16) “Workplace” means any physical structure or space, over which an employer
107 maintains control, wherein an employee performs work for an employer; “workplace” does not
108 include the home or other location where an employee teleworks that is not subject to employer’s
109 control.

110 Sec. 102. Employer policies and workplace protections.

111 (a) During the public health emergency, employers in the District shall adopt and
112 implement social distancing and workplace protection policies to prevent transmission of
113 COVID-19 in the workplace in accordance with the requirements of all applicable Mayor’s
114 Orders.

115 (b)(1) An employer may establish a workplace policy to require an employee to report to
116 the employer a positive test for an active COVID-19 infection.

117 (2) An employer may not disclose the identity of an employee whom the
118 employer learns has tested positive for COVID-19 except to DOH or another District, state, or
119 federal agency responsible for and engaged in contact tracing or the containment of community
120 spread of COVID-19, or as otherwise required by law.

121 Sec. 103. Prohibited retaliation.

122 (a) No employer may take an adverse employment action against an employee because
123 the employee:

124 (1) Complied or reasonably attempted to comply with the requirements of a
125 Mayor's Order;

126 (2) Reasonably attempted to prevent or stop a violation of the requirements of a
127 Mayor's Order;

128 (3) Submitted a complaint pursuant to section 106;

129 (4) Attempted to secure any right or protection contained in this title or to prevent
130 or stop a violation of this title; or

131 (5) Raised reasonable concerns about workplace health and safety practices
132 related to COVID-19 to:

133 (A) The employer, the employer's agent, other employees, contractors, or
134 agents of the employer;

135 (B) A government agency; or

136 (C) The public.

137 (b)(1) No employer may take an adverse employment action against an employee because
138 the employee:

139 (A) Tested positive for COVID-19; provided, that the employee did not
140 physically report to the workplace within 2 weeks after receiving a positive test result or in the
141 timeframe recommended by current DOH or CDC guidance;

142 (B) Had close contact with someone who has a confirmed case or was
143 exposed to someone experiencing COVID-19 symptoms and needs to quarantine in accordance
144 with CDC or DOH guidance;

145 (C) Is sick with COVID-19 symptoms and is waiting for a COVID-19 test
146 result; or

147 (D) Is caring for someone who is sick with COVID-19 symptoms or who
148 is quarantined in accordance with CDC or DOH guidance.

149 (2) Nothing in this title prohibits an employer from requiring an employee who
150 has tested positive for COVID-19 to refrain from entering the workplace until the period of
151 quarantine currently recommended by the DOH or CDC or WHO has elapsed and the employee
152 is not experiencing COVID-19 symptoms, or until a medical professional has cleared the
153 employee to return to the workplace.

154 (c) No employer may prohibit or cause another person to prohibit or discourage an
155 employee from wearing or using PPE.

156 (d)(1) No employer may require an employee to sign a contract or other agreement that
157 would limit or prevent the employee from disclosing information about the employer's
158 workplace health or safety practices or hazards related to COVID-19 or to otherwise comply
159 with any workplace policy that would limit or prevent such disclosure.

160 (2) A contract, other agreement or policy prohibited pursuant to paragraph (1) of
161 this subsection shall be void and unenforceable as contrary to the public health and to the public
162 policy of the District.

163 (3) An employer's enforcement of a policy prohibited by paragraph (1) of this
164 subsection or an employer's attempt to obtain an employee's consent to a contract or other

165 agreement prohibited by paragraph (1) of this subsection, regardless of whether this attempt is
166 successful, shall constitute an adverse employment action.

167 (e)(1) If an employer takes an adverse employment action against an employee within 60
168 days after the employee engages or attempts to engage in activity protected under this section,
169 the adverse employment action shall be presumed retaliatory and taken because of the
170 employee's protected activity.

171 (2) An employer may rebut a presumption of retaliation with by a preponderance
172 of the evidence that the adverse employment action was taken for legitimate purposes and not
173 because the employee engaged in or attempted to engage in protected activity.

174 Sec. 104. Enforcement by the Mayor.

175 (a)(1) The Mayor may enforce and administer this title by conducting investigations (of
176 the Mayor's own volition or after receiving a complaint), holding hearings, and assessing
177 penalties. The Mayor shall have the power to administer oaths and examine witnesses under
178 oath, issue subpoenas, compel the attendance of witnesses, compel the production of papers,
179 books, accounts, records, payrolls, documents, and testimony, and to take depositions and
180 affidavits in any proceedings before the Mayor.

181 (2) A person to whom a subpoena or notice of deposition has been issued
182 pursuant to paragraph (1) of this subsection shall have the opportunity to move to quash or
183 modify the subpoena, or object to the notice of deposition, in the Superior Court of the District of
184 Columbia. In case of failure of a person to comply with any subpoena lawfully issued under this
185 section, or on the refusal of a witness to testify to any matter regarding which he or she may be
186 lawfully interrogated, it shall be the duty of the Superior Court of the District of Columbia, or
187 any judge thereof, upon application by the Mayor, to compel obedience by attachment

188 proceedings for contempt, as in the case of disobedience of the requirements of a subpoena
189 issued from the Court or a refusal to testify therein.

190 (b)(1) The Mayor may receive complaints for violations of sections 102 and 103 through
191 the District's 311 telephone service or portal, and through the District's Coronavirus website at
192 <https://coronavirus.dc.gov>. The Mayor may also receive complaints through other means.

193 (2) To file a complaint, a complainant shall provide the name and location of the
194 business or entity alleged to have committed a violation of this title, provide a description of the
195 nature of the violation, and indicate the date and time of the observed violation. A complainant
196 shall not be required to submit identifying information or a name, but if the complainant chooses
197 not to present identifying information, subsection (3) of this section shall not apply.

198 (3)(A) Within 2 business days after receipt of a complaint, the Mayor shall
199 confirm receipt, in writing, to the complainant (either via email or by depositing a written notice
200 of confirmation in the United States mail). Written confirmation may include a unique case
201 number, the date and time of receipt of the complaint, and information on how to track the
202 complaint process.

203 (B) The Mayor shall begin an investigation of the violations alleged in the
204 complaint within 5 business days after receiving the complaint.

205 (4)(A) The Mayor shall complete all investigations of complaints received
206 pursuant to this section within 60 days after receipt of the complaint and issue written findings to
207 the complainant (either via email or by depositing the written findings in the United States mail)
208 within 90 days after receiving the complaint. Findings may include information related to
209 whether:

210 (i) The violation complained of was substantiated;

211 (ii) If substantiated, if it is the employer’s first violation or the
212 employer is a repeat violator; and

213 (iii) Fines or corrective action were imposed.

214 (B) Written findings may be accompanied by statements regarding an
215 employee’s right to discuss and complain of workplace safety violations without retaliation
216 pursuant to this title and an employee’s right to relief through a private cause of action pursuant
217 to section 106 of this title.

218 (c)(1) The Mayor may impose the following civil fines for a violation of section 102 or
219 103:

220 (A) For violations of section 102, up to \$1,000 per violation per employee
221 per day for each violation.

222 (B) For violations of section 103, up to \$2,000 per violation.

223 (2) Enforcement and adjudication of fines imposed pursuant to paragraph (1) of
224 this subsection shall be pursuant to the Department of Consumer and Regulatory Affairs Civil
225 Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-
226 1801.01 *et seq.*).

227 (3) The penalties in this section are not preclusive of any other applicable
228 statutory penalties.

229 (d) Each month, the Mayor may post on the District’s Coronavirus website a summary of
230 the complaints received pursuant to this section. The summary may include:

231 (1) The total number of complaints received for the month;

232 (2) The status of the investigation into each complaint, whether resolved or
233 unresolved;

234 (3) The name of each business in which a violation was found and a citation was
235 issued.

236 (3) An analysis of complaints by industry e.g. restaurants, universities, daycares,
237 place of worship, retail, etc.; and

238 (4) The violation alleged.

239 (e) Nothing in this subsection shall be interpreted as obligating the Mayor to impose fines
240 on the District or a District agency for a violation of this title.

241 Sec. 105. Enforcement by the Attorney General.

242 (a)(1) The Attorney General has the authority to enforce this title by conducting
243 investigations (of the Attorney General's own volition or after receiving a complaint from the
244 Mayor or another person or entity), receiving complaints, and instituting actions. The Attorney
245 General shall have the power to administer oaths and examine witnesses under oath, issue
246 subpoenas, compel the attendance of witnesses, compel the production of papers, books,
247 accounts, records, payrolls, documents, and testimony, and to take depositions and affidavits in
248 any investigation or proceeding conducted to enforce this title.

249 (2) A person to whom a subpoena or notice of deposition has been issued pursuant
250 to paragraph (1) of this subsection shall have the opportunity to move to quash or modify the
251 subpoena, or object to the notice of deposition in the Superior Court of the District of Columbia.
252 In case of failure of a person to comply with any subpoena lawfully issued under this section, or
253 on the refusal of a witness to testify to any matter regarding which he or she may be lawfully
254 interrogated, it shall be the duty of the Superior Court of the District of Columbia, or any judge
255 thereof, upon application by the Attorney General, to compel obedience by attachment

256 proceedings for contempt, as in the case of disobedience of the requirements of a subpoena
257 issued from the Court or a refusal to testify therein.

258 (b) The Attorney General, acting in the public interest, including the need to deter future
259 violations, may enforce this title by commencing a civil action in the name of the District of
260 Columbia in a court of competent jurisdiction on behalf of the District or one or more aggrieved
261 employees.

262 (c) Upon prevailing in court after commencing a civil action as permitted by this
263 subsection, the Attorney General shall be entitled to:

264 (1) Reasonable attorneys' fees and costs, including fees and costs for any action
265 brought by the Attorney General under section 105(a)(2);

266 (2) Statutory penalties in amount not greater than the maximum civil fine
267 provided under section 104(c);

268 (3) The payment of restitution for lost wages, for the benefit of aggrieved
269 employees; and

270 (4) Equitable relief as may be appropriate.

271 Sec. 106. Private right of action.

272 (a) An employee who has suffered an adverse employment action prohibited pursuant to
273 section 103 may bring a civil action in the Superior Court of the District of Columbia within one
274 year after the alleged violation and, upon prevailing, shall be entitled to the following relief:

275 (A) Reasonable attorneys' fees and costs;

276 (B) The payment of lost wages and benefits;

277 (C) Equitable relief as may be appropriate; and

278 (D) Punitive damages, if the employee’s injuries were caused by the
279 employer’s wanton or reckless disregard for the safety of the affected employee.

280 (b) An employee need not exhaust administrative remedies before bringing suit pursuant
281 to this section.

282 Sec. 107. Notice.

283 (a) The Mayor may publish a notice that sets forth excerpts from or summaries of the
284 pertinent provisions of this title and information about filing a complaint under section 104 or
285 105 or a lawsuit under section 106. The Mayor may translate and publish the notice into other
286 languages, including Amharic, Spanish, French, Korean, Mandarin, and Vietnamese.

287 (b) Upon publication by the Mayor, an employer shall post and maintain the notice
288 required pursuant to subsection (a) of this section in a conspicuous location in the workplace.
289 The employer shall post such notice in English and any other language spoken by at least 10% of
290 employees.

291 Sec. 108. Preemption.

292 This title shall only apply to the conduct of employers and employees in the District to
293 the extent it does not conflict with or is not preempted by a federal law or regulation or standard
294 issued by the US. Occupational Safety and Health Administration.

295 TITLE II. GOVERNMENT ASSISTANCE TO PURCHASE PERSONAL
296 PROTECTIVE EQUIPMENT

297 Sec. 201. The Small and Certified Business Enterprise Development and Assistance Act
298 of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is
299 amended as follows:

300 (a) The table of contents is amended by adding a new section designation to read as
301 follows:

302 “Sec. 2317. Personal Protective Equipment emergency grant program.”.

303 (b) A new section 2317 is added to read as follows:

304 “Sec. 2317. Personal protective equipment grant program.

305 “(a)(1) Beginning October 1, 2020, during the public health emergency, and subject to
306 the availability of funds, the Mayor shall, subject to the requirements of the Grant Administration
307 Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et*
308 *seq.*), issue a grant or loan to an eligible small business; provided, that the eligible small
309 business:

310 “(A) Submits a grant application in the form and with the information
311 required by the Mayor;

312 “(B) Submits a clear statement describing the type and quantities of PPE
313 purchased or to be purchased; and

314 “(C) Demonstrates, to the satisfaction of the Mayor, financial distress
315 caused by a reduction in business revenue due to the circumstances giving rise to or resulting
316 from the public health emergency.

317 “(2) A grant issued pursuant to this section may be provided in an amount up to
318 \$1,000 per eligible small business for the purchase of or reimbursement for purchases of PPE
319 made on or after March 1, 2020.

320 “(b) The Mayor may issue one or more grants to a third-party grant-managing entity,
321 subject to the requirements of the Grant Administration Act of 2013, effective December 24,
322 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), for the purpose of administering

323 the grant program and making subgrants on behalf of the Mayor in accordance with the
324 requirements of this section.

325 “(c) The Mayor, pursuant to section 105 of the District of Columbia Administrative
326 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may
327 issue rules to implement the provisions of this section.

328 “(d) For the purposes of this section, the term:

329 “(1) “Eligible small business” means a business enterprise eligible for
330 certification under section 2332 or a nonprofit entity.

331 “(2) “Public health emergency” means the Coronavirus (“COVID-19”) public
332 health emergency declared pursuant to Mayor’s Order 2020-045, on March 11, 2020, and all
333 subsequent extensions.

334 “(3) “PPE” means personal protective equipment, including clothing or
335 accessories worn as a barrier to protect against COVID-19, including face masks, disposable
336 gloves, face shields, plexiglass barriers, or any other protective equipment required by federal or
337 District law or regulations.”.

338 Sec. 202. Authority of Chief Procurement Officer.

339 (a)(1) The Chief Procurement Officer (“CPO”), or the CPO’s designee, shall have the
340 authority during the public health emergency and for 90 days thereafter to enter into an
341 indefinite-delivery/indefinite quantity contract (“IDIQ contract”) for PPE, sanitization and
342 cleaning products, related equipment, or other goods or supplies in furtherance of the District’s
343 COVID-19 recovery efforts that permit an entity that is, or is similar to, a local business
344 enterprise, as that term is defined in section 2302(16) of the Small and Certified Business
345 Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-

346 33; D.C. Official Code § 2-218.01 *et seq.*) (“CBE Act”), to place orders under the IDIQ contract
347 at the prices specified in the IDIQ contract.

348 (2) Priority consideration for purchasing through the IDIQ contract shall be given
349 to an eligible entity that is also:

350 (A) A small business enterprise, as that term is defined in section 2302(16)
351 of the CBE Act;

352 (B) A resident-owned business, as that term is defined in section 2302(15)
353 of the CBE Act; or

354 (C) At least 51% owned by economically disadvantaged individuals, as
355 that term is defined in section 2302(7) of the CBE Act, or owned by individuals who have been
356 subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a
357 group without regard to their individual qualities.

358 (b) The CPO, or CPO’s designee, shall monitor and review, and may establish standards,
359 procedures, or rules for an IDIQ contract entered into pursuant to subsection (a) of this section.

360 (c) For the purposes of this section, the term:

361 (1) “PPE” means personal protective equipment, including clothing or accessories
362 worn as a barrier to protect against COVID-19, including face masks, disposable gloves, face
363 shields, plexiglass barriers, or any other protective equipment required by federal or District law
364 or regulations, or Mayor’s Order.

365 (2) “Public health emergency” means the Coronavirus (“COVID-19”) public
366 health emergency declared pursuant to Mayor’s Order 2020-045, on March 11, 2020, and all
367 subsequent extensions.

368 TITLE III. UNEMPLOYMENT AND WORKER’S COMPENSATION ELIGIBILITY

369 Sec. 301. Section 10(a) of the District of Columbia Unemployment Compensation Act,
370 approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-110(a)), is amended as
371 follows:

372 (1) Designate the existing text as paragraph (1).

373 (2) A new paragraph (2) is added to read as follows:

374 “(2) For the purposes of paragraph (1) of this subsection, the term “good cause”
375 includes an employer’s failure to promptly cure an unsafe working condition or environment, as
376 determined by the Director based on an assessment of the employer’s compliance with
377 applicable District and federal laws and regulations and Mayor’s Orders, where such unsafe
378 working condition or environment would cause a reasonable and prudent person in the labor
379 market to leave the work.”

380 Sec. 302. Title XXIII of the District of Columbia Government Comprehensive Merit
381 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-623.01
382 *et seq.*) is amended as follows:

383 (a) Section 2301(5)(B) (D.C. Official Code § 1-623.01(5)(B) is amended as follows:

384 (1) Sub-subparagraph (i) is amended by striking the phrase “; and” and inserting a
385 semicolon in its place.

386 (2) Sub-subparagraph (ii) is amend by striking the period and inserting the phrase
387 “; and” in its place.

388 (3) A new sub-subparagraph (iii) is added to read as follows:

389 “(iii) The contracting of COVID-19 (the disease caused by the
390 novel Coronavirus Sars-CovV-2) in the course of and within the scope of employment.”

391 (b) Section 2320 (D.C. Official Code § 1-623.20) is amended by adding a new subsection
392 (c) to read as follows:

393 “(c) The employer of an employee who has contracted COVID-19 in the course of and
394 within the scope of employment or whose contact with others in the course of and within the
395 scope of employment makes the contracting of COVID-19 probable shall report the injury or
396 probable injury to the Mayor in accordance this section.”

397 Section 303. The District of Columbia Workers’ Compensation Act of 1979, effective
398 July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1501 *et seq.*), is amended as follows:

399 (a) Section 2(12) (D.C. Official Code § 32-1501(12) is amended as follows:

400 (1) Strike the phrase “includes an injury caused by the willful act of third
401 persons directed against an employee because of his employment.” And insert the phrase
402 “includes:” in its place.

403 (2) New subparagraphs (A) and (B) are added to read as follows:

404 “(A) An injury caused by the willful act of third persons directed against
405 an employee because of his employment; and

406 “(B) The contracting of COVID-19 (the disease caused by the novel
407 Coronavirus Sars-CoV-2) in the course of and within the scope of employment.”.

408 (b) Section 33 (D.C. Official Code § 32-1532) is amended by adding a new subsection (a-
409 1) is added to read as follows:

410 “(a-1) The employer of an employee who has contracted COVID-19 (the disease caused
411 by the novel Coronavirus Sars-CoV-2) in the course of and within the scope of employment or
412 whose contact with others in the course of and within the scope of employment makes the

413 contracting of COVID-19 probable shall report the injury or probable injury to the Mayor in
414 accordance with subsection (a) of this section.”.

415 TITLE IV. REPEALER, FISCAL IMPACT, AND EFFECTIVE DATE

416 Sec. 401. (a) The Protecting Businesses and Workers from COVID-19 Temporary
417 Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-168; 68 DCR 742), is
418 repealed.

419 (b) The Protecting Businesses and Workers from COVID-19 Congressional
420 Review Emergency Amendment Act of 2021, effective February 2, 2021 (D.C. Act 24-___; 68
421 DCR ___), is repealed.

422 Sec. 402. Fiscal impact statement.

423 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
424 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
425 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

426 Sec. 403. Effective date.

427 This act shall take effect following approval by the Mayor (or in the event of veto by the
428 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
429 90 days, as provided for emergency acts of the Council of the District of Columbia in section
430 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
431 D.C. Official Code § 1-204.12(a)).