

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to provide paid leave for a District government employee when the employee suffers the death of the employee's minor child or a stillbirth.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District Government Family Bereavement Leave Second Emergency Amendment Act of 2022".

Sec. 2. Section 1203 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-612.03), is amended by adding a new subsection (n-1) to read as follows:

"(n-1)(1) In addition to the leave authorized by subsection (n) of this section, an employee shall be entitled to 10 days of bereavement leave without loss of pay, leave, or service credit when the employee suffers a stillbirth or the employee suffers the death of the employee's child under the age of 21 years.

"(2) Leave authorized by paragraph (1) of this subsection must be exercised within 60 days after the death of the employee's child or after the employee suffers a stillbirth.

"(3) Leave authorized by paragraph (1) of this subsection shall not count toward the unpaid medical and family leave entitlements in the District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*), and shall be in addition to paid medical or family leave otherwise available to the employee under this title.

"(4) For the purposes of this subsection, the term:

"(A) "Child" means:

"(i) The biological, adoptive, or step-child of the employee or the employee's spouse; or

"(ii) A person for whom the employee stands in loco parentis.

"(B) "Stillbirth" means the death of a fetus at 20 weeks' gestation or later for the following employees:

"(i) An employee who was pregnant with the fetus;

“(ii) An employee who is the spouse or domestic partner of the individual who was pregnant with the fetus; or

“(iii) An employee who intended to assume parental responsibilities for the fetus had the fetus been born alive.”.

Sec. 3. Applicability.

This act shall apply as of November 19, 2022.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia