



Monday, November 30, 2020

DC Council Set to Mark-Up Employee Retention Bill

As we previously informed you, Chairman Mendelson introduced Bill 23-965, the “Displaced Workers Right to Reinstatement and Retention Amendment Act of 2020.” As introduced, the Bill only applied to contract employees. The Council intends to move this Bill out of Committee tomorrow and despite conversations that we’ve had with the Council, we just received notice of the amended language of the Bill, which now expands the language to all hotel workers.

As amended, the Bill would apply to any hotel employer that had more than 35 workers, as of December 1, 2019, and any hotel worker that worked for that covered employer and was laid-off since December 1, 2019. As hotel positions become available, a covered hotel employer would be required to offer the position to a previously laid-off employee, in writing, and allow at least 10-days for the employee to accept or decline the position. If there is more than one employee that is eligible for the position, employees must be hired back based on seniority.

There is also a right to conveyance in the Bill; the re-hiring mandate would apply to any new ownership interest that was conveyed or sold after February 29, 2020. The mandates of this bill would sunset on December 31, 2024.

We understand that some members already had plans to rehire their employees that were laid-off. However, if you have questions or concerns regarding this legislative mandate, please let us know. HAWDC will continue to provide our concerns regarding the Bill to the Council and will update members as the Bill works its way through the legislative process.

Regards,
Lisa