

AN ACT
D.C. ACT 21-682

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 17, 2017

To establish a paid-leave system for individuals employed in the District of Columbia; and to amend the Office of Administrative Hearings Establishment Act of 2001, the D. C. Family and Medical Leave Act of 1990, and the Universal Paid Leave Implementation Fund Act of 2016 to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Universal Paid Leave Amendment Act of 2016”.

Title I. Establishment of Paid-Leave Program

Sec. 101. Definitions.

For the purposes of this title, the term:

(1) “Average weekly wage” means the total wages subject to contribution under section 103 earned by an eligible individual during the 4 out of the 5 quarters immediately preceding the qualifying event during which the eligible individual’s wages were highest, divided by 52.

(2) “Bonding” means the formation of a close emotional and psychological relationship between a parent or primary caregiver and an infant or child.

(3) “Covered employee” means an employee of a covered employer:

(A) Who spends more than 50% of his or her work time for that employer working in the District of Columbia; or

(B) Whose employment for the covered employer is based in the District of Columbia and who regularly spends a substantial amount of his or her work time for that covered employer in the District of Columbia and not more than 50% of his or her work time for that covered employer in another jurisdiction.

(4) “Covered employer” means:

(A) Any individual, partnership, general contractor, subcontractor, association, corporation, business trust, or any group of persons who directly or indirectly or through an agent or any other person, including through the services of a temporary services or staffing agency or similar entity, employs or exercises control over the wages, hours, or working conditions of an employee and is required to pay unemployment insurance on behalf of its