

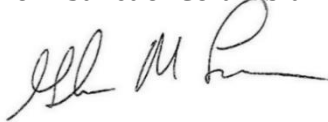
Government of the District of Columbia  
Office of the Chief Financial Officer



**Glen Lee**  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Glen Lee  
Chief Financial Officer 

**DATE:** September 18, 2023

**SUBJECT:** Fiscal Impact Statement – Industrial Safety Act Clarification  
Amendment Act of 2023

**REFERENCE:** Bill 25-290, Draft Bill as provided to the Office of Revenue Analysis on  
August 30, 2023

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**Conclusion**

Funds are sufficient in the fiscal year 2024 through fiscal year 2027 budget and financial plan to implement the bill.

**Background**

District law requires employers to provide their employees with a safe place of employment and to install safeguards, run operations, and use practices and processes that facilitate those ends.<sup>1</sup> When incidents involving injury or death occur, employers must report those to the Minimum Wage and Industrial Safety Board for review. The law defines employers<sup>2</sup> as any entity, except the District of Columbia, the United States, or any instrumentality of either government entity, that has control or custody of an employee's place of employment.

The bill expands the exclusions in the definition of employer to include any agency or employee of the District of Columbia government.

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<sup>1</sup> An Act To protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for the other purposes, approved October 14, 1941 (55 Stat. 738; D.C. Official Code § 32-801 et seq.).

<sup>2</sup> D.C. Official Code § 32-802(1).

The Honorable Phil Mendelson

FIS: Bill 25-290 "Industrial Safety Clarification Amendment Act of 2023," Draft bill as provided to the Office of Revenue Analysis on August 30, 2023

### **Financial Plan Impact**

Funds are sufficient in the fiscal year 2024 through fiscal year 2027 budget and financial plan to implement the bill. The bill expands the exemption from workplace safety requirements imposed on an employer, to include District government agencies and employees. This will limit the personal liability for District government employees related to injury or death and other safety incidents that occur on work sites where the employee is monitoring or supervising a project or contractor on behalf of the District. Amending the definition of employer has no impact on the District's budget or financial plan.