

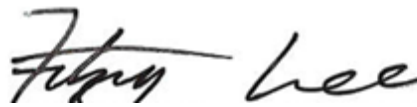
Government of the District of Columbia
Office of the Chief Financial Officer



Fitzroy Lee
Acting Chief Financial Officer

MEMORANDUM

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

FROM: Fitzroy Lee
Acting Chief Financial Officer 

DATE: May 17, 2022

SUBJECT: Fiscal Impact Statement – Sexual Harassment Data Collection and Reporting Act of 2021

REFERENCE: Bill 24-215, Committee Print as provided to the Office of Revenue Analysis on March 3, 2022

Conclusion

Funds are sufficient in the fiscal year 2022 budget and proposed fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

Background

District agencies are required under a 2017 Mayor’s Order¹ to designate a Sexual Harassment Officer (“SRO”) responsible for accepting sexual harassment complaints and reviewing and investigating claims. Smaller agencies may, under agreement, share SROs with larger agencies, provided employees are notified of their responsible SRO. The Order also requires the Office of Human Rights to maintain an up-to-date list of the SROs and deliver (jointly with the Department of Human Resources) ongoing sexual harassment trainings for District employees. Victims of sexual harassment, or persons acting on the victim’s behalf, may also report sexual harassment claims directly to OHR. Lastly, the Order requires all allegations of sexual harassment to be reported to the agency’s General Counsel, who must report the allegation to the Mayor’s Office of Legal Counsel (MOLC).

The bill requires that all agency SROs (or other designee identified to OHR) report summary information of sexual harassment complaints each fiscal year to OHR. The report must include whether and how each complaint has been resolved or settled and the amount of any financial

¹ Mayors Order 2017-313, December 18, 2017, “Sexual Harassment Policy, Guidance and Procedures.”

The Honorable Phil Mendelson

FIS: Bill 24-215, "Sexual Harassment Data Collection and Reporting Act of 2021," Draft Committee Print as provided to the Office of Revenue Analysis on March 3, 2022

settlements. OHR must submit a report to Council and the Office of Attorney General (OAG) that includes the data submitted by agencies. The bill permits OHR to aggregate some data for up to five agencies with fewer than 50 employees, provided the Director of OHR consults with the Director of the Department of Human Resources and determines it is necessary to protect confidentiality.

Financial Plan Impact

Funds are sufficient in the fiscal year 2022 budget and proposed fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill. While year to year total sexual harassment complaints vary, MOLC currently receives notification of approximately 30 to 100 complaints from agencies each year. Agencies can send the bill's required summary reporting to OHR annually, and OHR can summarize the results in an annual report to Council and OAG within current resources.