

WASHINGTON D.C.

District Extends Protections for Workers Displaced by COVID-19

Through [an emergency measure](#), the District of Columbia has extended the protections created by its [Displaced Workers Right to Reinstatement and Retention Emergency Amendment Act](#) (the Act). The Act directs affected employers to give preference to retrain or reinstate employees who have been terminated or laid off because of COVID-19. With this extension, the Act is retroactive to April 11, 2021, and is set to expire by Aug. 1, 2021.

Key Provisions of the Act

The Act requires employers to reinstate eligible employees to their previous position or a similar one. If multiple employees are eligible for one position, employers can reinstate employees based on seniority.

Reinstatement offers must be sent in writing to eligible employees using their last known address. Offers can be sent by mail, email, text or any other method documented and retained by the employer.

Employees must be given at least three days from the date the offer is received to accept or decline. Employees who accept a reinstatement offer must report to work within seven days of when the offer is received, unless their employer requests a later start date.

Employer Coverage and Employee Eligibility

The Act covers certain employers in the hospitality, services and retail industries. Employers should review [the Act](#) to become familiar with applicable size and industry requirements.

In general, employees are eligible for the Act's protections if they worked for a covered employer and were displaced because of COVID-19. Exceptions apply to certain exempt employees, employees who resigned voluntarily or were terminated for cause and employees who received severance.

Important Dates

Jan. 13, 2021

The Act became effective

May 3, 2021

The Act was extended with a retroactive date of April 11, 2021

Aug. 1, 2021

Expected date for expiration of the Act (the extension stipulates that the Act will apply for an additional 90 days after the extension is approved)

When they reopen, covered employers in the District must reinstate eligible employees to their previous position.

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