AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 978
OFFERED BY M__.

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.
This Act may be cited as the “Chai Suthammanont Remembrance Act of 2021”.

SEC. 2. WORKSITE SAFETY FOR FEDERAL EMPLOYEES AND CONTRACTORS.
(a) ISSUANCE OF POLICIES AND PROCEDURES BY FEDERAL AGENCIES.—Not later than 60 days after the date of the enactment of this Act, the head of each agency, in consultation with the Chief Human Capital Officer of the agency and the Assistant Director of Administration of the agency (or any individual holding an equivalent position) shall—

(1) establish, and publish on the website of that agency, a safety plan containing procedures and policies for—

(A) covered worksites; and

(B) being present at a covered worksite; and
(2) communicate such plan to each employee of
the agency and contractor of the agency (and any
subcontractor thereof at any tier) in such a manner
as to ensure that each such employee and contractor
acknowledges receipt and understanding of the plan.

(b) PLAN.—The safety plan required under sub-
section (a) shall, at a minimum, include the following:

(1) A description of the efforts of the agency
with respect to mitigating the spread of COVID–19
at covered worksites, including the following:

(A) A description of any personal protec-
tive equipment that is being or will be provided
by the agency to any employee of the agency
and contractor of the agency (and any subcon-
tractor thereof at any tier) physically present at
a covered worksite.

(B) A description of any procedures estab-
lished by the agency for—

(i) testing employees of the agency
and contractors of the agency (and any
subcontractor thereof at any tier) required
to be present at a covered worksite;

(ii) contact-tracing at covered work-
sites, including procedures by which such
employees and contractors (and any sub-
contractor thereof at any tier) will be notified of a potential exposure to an individual who is diagnosed with COVID–19; and

(iii) administering the COVID–19 vaccine to employees of the agency.

(2) Guidance on—

(A) any cleaning protocols to be implemented at covered worksites;

(B) occupancy limits for covered worksites;

and

(C) the use of appropriate face coverings by employees of the agency and contractors of the agency (and any subcontractor thereof at any tier) while physically present at a covered worksite.

(3) A description of the actions the agency is or will be taking to protect from exposure to COVID–19 employees of the agency who conduct activities in an official capacity while not physically present at a covered worksite, including employees of the agency—

(A) who are required to travel in an official capacity; or

(B) perform audits or inspections.
(4) A description of any requirements that members of the public are required to meet in order to enter a facility in which covered worksites are located.

(5) A description of any alternative option to being physically present at a covered worksite that are available for employees who—

(A) have a high risk of contracting COVID–19 (as determined by the Director of the Centers for Disease Control and Prevention); or

(B) live in a household with individuals that have a high risk of contracting COVID–19 (as determined by the Director of the Centers for Disease Control and Prevention).

(6) A description of any rule or protocol regarding whether employees of the agency required to be physically present at covered worksites are—

(A) required to be fully vaccinated before being present at covered worksites; or

(B) allowed to take leave—

(i) to get each dose of the vaccine; or

(ii) upon experiencing severe side-effects as a result of receiving any dose of such vaccine.
(7) Protocols that ensure the continuity of operations, including a plan to reverse any requirement for an employee or contractor (or subcontractor thereof at any tier) to be present at a facility in which covered worksites are located if there is a surge in COVID–19 cases in the geographic area of such facility.

(8) The hotline website and hotline telephone number of the Inspector General of the agency for employees of the agency and contractors of the agency (and any subcontractor thereof at any tier) to report to the Inspector General any instance in which the agency is not implementing the plan required by this section.

(c) Delayed Applicability for Certain Worksites.—For any worksite that the head of the agency has temporarily closed due to COVID–19, the requirements of subsection (a) shall be carried out not later than 30 days before any employee of the agency or contractor of any agency (or any subcontractor thereof at any tier) is required to be physically present at such worksite.

(d) Inspectors General Reports.—Not later than 6 months after the date of the enactment of this Act, the Inspector General of each agency shall submit to the Committee on Oversight and Reform of the House of Rep-
resentatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on whether that agency—

(1) has published and communicated the public safety plan required by subsection (a), in accordance with such subsection; and

(2) implemented such plan.

(e) APPLICATION.—Nothing in this Act shall be construed to alter or otherwise limit the rights and obligations afforded under chapter 71 of title 5, United States Code.

(f) DEFINITIONS.—In this section:

(1) AGENCY.—The term “agency” has the meaning given that term in section 551 of title 5, United States Code.

(2) COVERED PERIOD.—The term “covered period” means the period beginning on the date of the enactment of this Act and ending on the date on which the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247) as a result of the COVID–19, or any renewal thereof, terminates.

(3) COVERED WORKSITE.—The term “covered worksite” means a worksite at which an employee of the agency or a contractor of the agency (or subcon-
tractor thereof at any tier) is required to be present
during the covered period.

(4) WORKSITE.—The term “worksite” means—

(A) in the case of an employee of the agen-

   cy, the location of the employee’s position of
record where the employee regularly performs
his or her duties, but does not include any loca-
tion where the employee teleworks (as that term
is defined in section 6501 of title 5, United
States Code); and

(B) in the case of a contractor of the agen-
cy (or subcontractor thereof at any tier), the lo-
cation in a facility of the agency where the con-
tractor or subcontractor performs his or her du-
ties under a contract with the agency, or a sub-
contract thereof at any tier, as applicable.