

Suspend the Rules and Pass the Bill, H.R. 978, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

117TH CONGRESS
1ST SESSION

H. R. 978

To require the head of each agency to establish a safety plan relating to COVID–19 for any worksite at which employees or contractors are required to be physically present during the COVID–19 pandemic, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2021

Mr. CONNOLLY (for himself, Mrs. CAROLYN B. MALONEY of New York, Ms. SPEIER, Mr. SARBANES, Mr. RASKIN, Ms. NORTON, and Mr. LYNCH) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To require the head of each agency to establish a safety plan relating to COVID–19 for any worksite at which employees or contractors are required to be physically present during the COVID–19 pandemic, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Chai Suthammanont
3 Remembrance Act of 2021”.

4 **SEC. 2. WORKSITE SAFETY FOR FEDERAL EMPLOYEES AND**
5 **CONTRACTORS.**

6 (a) **ISSUANCE OF POLICIES AND PROCEDURES BY**
7 **AGENCIES.**—Not later than 60 days after the date of the
8 enactment of this Act, the head of each agency, in con-
9 sultation with the Chief Human Capital Officer of the
10 agency and the Assistant Director of Administration of
11 the agency (or any individual holding an equivalent posi-
12 tion) shall—

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

16 (A) covered worksites; and

17 (B) being present at a covered worksite;

18 and

19 (2) communicate such plan to each employee of
20 the agency and contractor of the agency (and any
21 subcontractor thereof at any tier) in such a manner
22 as to ensure that each such employee and contractor
23 acknowledges receipt and understanding of the plan.

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

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

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

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

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

16 (ii) contact-tracing at covered work-
17 sites, including procedures by which such
18 employees and contractors (and any sub-
19 contractor thereof at any tier) will be noti-
20 fied of a potential exposure to an indi-
21 vidual who is diagnosed with COVID–19;
22 and

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

25 (2) Guidance on—

1 (A) any cleaning protocols to be imple-
2 mented at covered worksites;

3 (B) occupancy limits for covered worksites;
4 and

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

10 (3) A description of the actions the agency is or
11 will be taking to protect from exposure to COVID-
12 19 employees of the agency who conduct activities in
13 an official capacity while not physically present at a
14 covered worksite, including employees of the agen-
15 cy—

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

18 (B) perform audits or inspections.

19 (4) A description of any requirements that
20 members of the public are required to meet in order
21 to enter a facility in which covered worksites are lo-
22 cated.

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

1 (A) have a high risk of contracting
2 COVID-19 (as determined by the Director of
3 the Centers for Disease Control and Preven-
4 tion); or

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

9 (6) A description of any rule or protocol regard-
10 ing whether employees of the agency required to be
11 physically present at covered worksites are—

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

14 (B) allowed to take leave—

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

16 (ii) upon experiencing severe side-ef-
17 fects as a result of receiving any dose of
18 such vaccine.

19 (7) Protocols that ensure the continuity of oper-
20 ations, including a plan to reverse any requirement
21 for an employee or contractor (or subcontractor
22 thereof at any tier) to be present at a facility in
23 which covered worksites are located if there is a
24 surge in COVID-19 cases in the geographic area of
25 such facility.

1 (8) The hotline website and hotline telephone
2 number of the Inspector General of the agency for
3 employees of the agency and contractors of the agen-
4 cy (and any subcontractor thereof at any tier) to re-
5 port to the Inspector General any instance in which
6 the agency is not implementing the plan required by
7 this section.

8 (c) DELAYED APPLICABILITY FOR CERTAIN WORK-
9 SITES.—For any worksite that the head of the agency has
10 temporarily closed due to COVID–19, the requirements of
11 subsection (a) shall be carried out not later than 30 days
12 before any employee of the agency or contractor of any
13 agency (or any subcontractor thereof at any tier) is re-
14 quired to be physically present at such worksite.

15 (d) INSPECTORS GENERAL REPORTS.—Not later
16 than 6 months after the date of the enactment of this Act,
17 the Inspector General of each agency shall submit to the
18 Committee on Oversight and Reform of the House of Rep-
19 resentatives and the Committee on Homeland Security
20 and Governmental Affairs of the Senate a report on
21 whether that agency—

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

25 (2) implemented such plan.

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

4 (f) DEFINITIONS.—In this section:

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

8 (2) COVERED PERIOD.—The term “covered pe-
9 riod” means the period beginning on the date of the
10 enactment of this Act and ending on the date on
11 which the public health emergency declared by the
12 Secretary of Health and Human Services under sec-
13 tion 319 of the Public Health Service Act (42
14 U.S.C. 247) as a result of the COVID–19, or any
15 renewal thereof, terminates.

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

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

22 (A) in the case of an employee of the agen-
23 cy, the location of the employee’s position of
24 record where the employee regularly performs
25 his or her duties, but does not include any loca-

1 tion where the employee teleworks (as that term
2 is defined in section 6501 of title 5, United
3 States Code); and

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

10 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

11 The budgetary effects of this Act, for the purpose of
12 complying with the Statutory Pay-As-You-Go Act of 2010,
13 shall be determined by reference to the latest statement
14 titled “Budgetary Effects of PAYGO Legislation” for this
15 Act, submitted for printing in the Congressional Record
16 by the Chairman of the House Budget Committee, pro-
17 vided that such statement has been submitted prior to the
18 vote on passage.