

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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District of
Columbia
Official Code*

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To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify that the Mayor shall request income information from all public sector workers' compensation claimants, and to correct an erroneous 2010 amendment that limited the wage earning capacity process to claimants hired before January 1, 1980.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public Sector Workers' Compensation Return to Work Clarifying Temporary Amendment Act of 2011".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 2306(b) (D.C. Official Code § 1-623.06(b)) is repealed.

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(b) A new section 2306b is added to read as follows:

"Sec. 2306b. Earnings affidavit.

"(a) The Mayor shall require each employee receiving benefits under this title to report his or her earnings from employment or self-employment, by affidavit or otherwise, including by providing copies of tax documents or authorization for the Mayor to obtain copies of tax documents, in the manner and at the times the Mayor specifies. The employee shall include in the affidavit or report the value of housing, board, lodging, and other advantages which are part of his or her earnings in employment or self-employment and which can be estimated in money.

"(b) An employee forfeits his or her right to compensation with respect to any period for which the affidavit or report was required if the employee:

"(1) Fails to file a complete affidavit or report when required; or

"(2) Knowingly omits or understates any part of his or her earnings.

"(c) Compensation forfeited under this section, if already paid, shall be recovered by a deduction from the compensation payable to the employee or otherwise recovered under section 2329 unless recovery is waived under that section."

(c) Section 2313(b) (D.C. Official Code § 1-623.13(b)) is amended by striking the phrase "If an employee whose date of hire was before January 1, 1980," and inserting the

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phrase “If an individual” in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia