

COUNCIL OF THE DISTRICT OF COLUMBIA

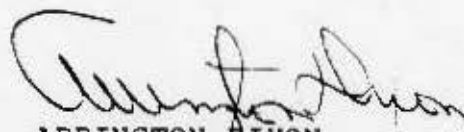
NOTICE

D.C. Law 3-130

"District of Columbia Government Comprehensive Merit Personnel Act Pay Provisions Amendments of 1980".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 3-377 on first and second readings, November 25, 1980 and December 9, 1980, respectively. Following the signature of the Mayor on January 7, 1981, this legislation was assigned Act No. 3-339, published in the January 16, 1981 edition of the D.C. Register, (Vol. 28 page 277) and transmitted to Congress on January 13, 1981 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 3-130, effective March 4, 1981.


ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January	13,14,15,16,19,20,21,22,23,26,27,28,29,30
February	2,3,4,5,6,17,18,19,20,23,24,25,26,27,
March	2,3

D.C. LAW 3-130

EFFECTIVE DATE MAR 04 1981

Original

AN ACT

D.C. ACT 3-339

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JAN 07 1981

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to modify the standards for compensation setting, to authorize the Mayor to make changes to the compensation system or adjustments in the rates of pay based on a consideration of economic conditions and budgetary constraints, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "District of Columbia Government Comprehensive Merit Personnel Act Pay Provisions Amendments of 1980".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-331.1 et seq.) is amended as follows:

(a) Section 1101(c) (D.C. Code, sec. 1-341.1(c)) is amended by striking the period in the second sentence and inserting the following proviso: "PROVIDED, That the classification system

CODIFICATION
D.C. Code,
sec. 1-341.1

or systems in effect on December 31, 1979, shall remain in effect until the adoption of a classification system or systems pursuant to section 1102 or 1111 of this title." in lieu thereof.

(b) Section 1103(a)(1) (D.C. Code, sec. 1-341.3(a)(1)) is amended to read as follows:

D.C. Code,
sec. 1-341.3

"(1) Compensation shall be competitive with that provided to other public sector employees having comparable duties, responsibilities, qualifications, and working conditions by occupational groups. For the purpose of this paragraph, compensation shall be deemed to be competitive if it falls reasonably within the range of compensation prevailing in the Washington, D.C. Standard Metropolitan Statistical Area (SMSA): PROVIDED, That compensation levels may be examined for public and/or private employees outside the area and/or for federal government employees when necessary to establish a reasonably representative statistical basis for compensation comparisons, or when conditions in the local labor market require a larger sampling of prevailing compensation levels."

(c) Section 1104 (D.C. Code, sec. 1-341.4) is amended to read as follows:

D.C. Code,
sec. 1-341.4

"Sec. 1104. Establishment of a Basic Compensation System for Career and Excepted Services Employees.

"(a) The Mayor shall develop, in consultation with the Board of Education and the Board of Trustees of the University of the District of Columbia, a new compensation system for all employees in the Career and Excepted Services. Any comments that either the Board of Education or the Board of Trustees of the University of the District of Columbia wish to make on the proposed system shall be presented along with the proposed pay system submitted by the Mayor.

"(b) This new system shall include, but need not be limited to, provisions for basic pay, pay increases based on quality and length of service, premium pay, allowances, and severance pay.

"(c) The Mayor shall provide for appropriate consultations with employee

organizations in the development of the new compensation system for Career Service employees.

"(d) The Mayor shall submit any proposed new compensation system to the Council for approval under the provisions of section 1106 of this act.

"(e) Until such time as a new compensation system is approved, the compensation system, including the salary and pay schedules, in effect on December 31, 1979, shall continue in effect: PROVIDED, That pay adjustments shall be made in accordance with the policy stated in section 1103 of this title.

"(f) For the purpose of subsections (a) through (d) of this section, the term compensation system shall not include salary or pay schedules."

(d) Section 1105 (D.C. Code, sec. 1-341.5) is amended:

D.C. Code,
sec. 1-341.5

(1) by amending subsection (d) to read as follows:

"(d) The Mayor, in consultation with the personnel authorities named in subsection (a) of this section, shall consider, on an annual

basis, changes in the compensation system or systems and in the salary and pay schedules under such system or systems, and shall submit adjustments, if any, to the Council pursuant to section 1106 of this title on September 30, 1980, and on the first day in September that the Council is in session, of each year thereafter.;"

(2) by amending subsection (e) to read as follows:

"(e) If, because of economic conditions, the pendency of collective bargaining, or budgetary constraints due to limited appropriations or revenues, the Mayor should, in any year, consider it inappropriate to submit a proposed change, or to make the adjustment in the salary or pay schedules pursuant to subsection (d) of this section, an alternative plan may be submitted with respect to such changes or adjustments as the Mayor considers appropriate with a statement of the reasons therefor.;" and

(3) by striking subsection (f).

(e) Section 1106 (D.C. Code, sec. 1-341.6) is amended:

D.C. Code,
sec. 1-341.6

(1) by amending subsection (a) to read as follows:

"(a) If the Council by resolution approves, without revision, the new compensation system or systems, or any later changes in such system or systems or in the salary or pay schedules under the system or systems proposed in accordance with section 1104 or section 1105 of this title, the schedules shall become effective on the first day of the pay period beginning on or after October 1 in the year in which the Mayor submits his or her pay changes as provided in subsection (c) of section 1105 of this title. If the Council takes no action on the Mayor's proposed change within sixty (60) calendar days of the submission thereof, such change shall be deemed to have been approved by the Council on the day next following the expiration of this sixty (60)-day period.";

(2) in subsection (c) by deleting the word "insists" and inserting the phrase "adopts a resolution insisting" in lieu thereof; and

(3) by adding at the end thereof the following new subsections:

"(d) Retroactive pay is payable by reason of an increase in the salary or pay schedules under this section only where:

"(1) the individual is in the service of the District of Columbia government on the date of final action by the Council on the increase; or

"(2) the individual retired or died during the period beginning on the effective date of the increase and ending on the date of final action by the Council on the increase, and only for the services performed during that period.

"(e) If the final action of the Council pursuant to this section occurs after the first day of the pay period commencing on or after October 1, 1980, such action shall take effect retroactively and the schedules shall be adjusted in accordance with subsection (a) of this section."

(f) Section 1113 (D.C. Code, sec. 1-341.13) is redesignated as section 1717.

D.C. Code,
sec. 1-347.17

(g) Title XI (D.C. Code, sec. 1-341.1 et seq.) is amended by adding the following new sections at the end thereof:

"Sec. 1115. Pay Limitations for Fiscal

Year 1981.

D.C.Code,
sec. 1-341.15

"(a) For the period beginning October 1, 1980, and ending on the last day of the pay period that contains September 30, 1981, the basic pay for an employee in the Career or Excepted Service shall not exceed \$50,112.50 per annum.

"(b) For the period beginning October 1, 1980, and ending on the last day of the pay period that contains September 30, 1981, or until an Executive Pay Plan is established by the Council pursuant to section 1107 of this title, the basic pay for an employee in the Executive Service shall not exceed \$50,112.50 per annum.

"(c) For the period beginning October 1, 1980, and ending September 30, 1981, the basic pay for an employee of the Board of Education shall not exceed \$50,112.50 per annum: EXCEPT, That of the Superintendent of Schools, which shall not exceed \$55,400.00 per annum.

"(d) For the period beginning October 1, 1980, and ending September 30, 1981, the basic pay for educational employees under the

Board of Trustees of the University of the District of Columbia whose basic pay as of September 30, 1980, is \$50,112.50 per annum or above shall not be increased, nor shall the basic rate of pay of an employees whose basic pay is less than \$50,112.50 per annum be paid at a rate in excess of that amount.

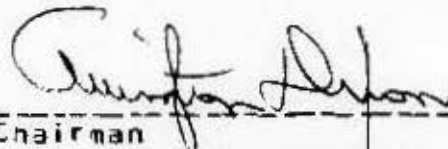
"Sec. 1116. Waiver of Compensation. An individual officer or employee of the District of Columbia government entitled to compensation under this act may decline to accept all or any part of such compensation by a waiver signed and filed with the Director of Personnel. The waiver may be revoked in writing at any time. Payment of the compensation waived may not be made for the period during which the waiver was in effect."

D.C. Code,
sec. 1-341.16

(h) The table of contents is amended (1) by adding immediately following the section heading "Sec. 1114. Pay setting for firefighters, police officers, and teachers for the fiscal year ending September 30, 1979, and September 30, 1980" the section headings: "Sec. 1115. Pay Limitations for Fiscal Year 1981" and "Sec. 1116. Waiver of Compensation and (2) by redesignating "Sec. 1113"

as "Sec. 1717" and placing it in the appropriate location in the Table of Contents.

Sec. 3. This act shall take effect after a thirty (30) day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-147(c)(1)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: January 7, 1981

COUNCIL OF THE DISTRICT OF COLUMBIA

RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: B 3-377

ACTION: Adopted First Reading, Consent Calendar 11-25-80

VOICE VOTE: Unanimous

Absent: All present

ROLL CALL VOTE:

COUNCIL MEMBER	DATE	YAY	NO	ALL	COUNCIL MEMBER	DATE	YAY	NO	ALL	COUNCIL MEMBER	DATE	YAY	NO	ALL
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
LABETS					ROLANDY									

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: Adopted Final Reading, Consent Calendar 12-9-80

VOICE VOTE: Unanimous

Absent: Clarke

ROLL CALL VOTE:

COUNCIL MEMBER	DATE	YAY	NO	ALL	COUNCIL MEMBER	DATE	YAY	NO	ALL	COUNCIL MEMBER	DATE	YAY	NO	ALL
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
LABETS					ROLANDY									

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	DATE	YAY	NO	ALL	COUNCIL MEMBER	DATE	YAY	NO	ALL	COUNCIL MEMBER	DATE	YAY	NO	ALL
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
LABETS					ROLANDY									

CERTIFICATION OF RECORD

Secretary to the Council