

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 7-228

"D.C. Government Comprehensive Merit Personnel Act  
of 1978 Amendment Act of 1988".

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. 7-536 on first and second readings, November 29, 1988, and December 13, 1988, respectively. This legislation was deemed approved without the signature of the Mayor on January 11, 1989, pursuant to Section 404(e) of the Act", and was assigned Act No. 7-303, published in the January 27, 1989, edition of the D.C. Register, (Vol. 35 page 754) and transmitted to Congress on January 23, 1989 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 7-228 effective March 16, 1989.

DAVID A. CLARKE  
Chairman to the Council

Dates Counted During the 30-day Congressional Review Period:

January 24, 25, 26, 27, 30, 31  
February 1, 2, 3, 6, 7, 8, 9, 21, 22, 23, 24, 27, 28  
March 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15

EFFECTIVE DATE MAR 16 1988

Codification,  
District of Columbia Code  
(1989 Supp.)

AN ACT

D.C. ACT 7 303

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JAN 11 1988

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to grant to the D.C. General Hospital Commission authority to hire personnel and to establish a personnel system.

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 of 1978 Amendment Act of 1988".

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. 1-601.1 et seq.), is amended as follows:

(a) Section 201(a) (D.C. Code, sec. 1-602.1(a)) is amended by adding the following sentence at the end: "With the exception of Titles V and XVII, and subsection 801(e), employees of the D.C. General Hospital and the D.C. General Hospital Commission shall be exempt from the provisions of this act."

Section  
1-602.1

(b) Section 406(b)(9) (D.C. Code, sec. 1-604.6(b)(9)) is repealed.

Section  
1-604.6

Sec. 3. The D.C. General Hospital Commission Act, effective May 13, 1977 (D.C. Law 1-134; D.C. Code, sec. 32-201 et seq.), is amended as follows:

(a) Subsection 210(20) (D.C. Code, sec. 32-220(20)) is amended to read as follows:

Section  
32-220

"(20) Enter into negotiations and contracts with labor unions on all issues including compensation."

(b) Section 304 (D.C. Code, sec. 32-234) is amended to read as follows:

Section  
32-234

"(a) Not later than 24 months after the effective date of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988, the D.C. General Hospital Commission ("Commission") shall develop and

establish a unified personnel system for all employees of the Commission and the D.C. General Hospital, including any employee transferred to the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988 in accordance with the provisions of subsection (b) of this section or any employee hired after the effective date of the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988. The personnel system established under the provisions of this section shall set forth the minimum standards for all employees including, but not limited to, pay, contract terms, vacations, appointments, promotions, discipline, separations, unemployment compensation, tenure, leave, retirement, health and life insurance, employee disability, and death benefits. The personnel system may provide for continued participation, in whole or in part, in the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.).

"(b) All employees of the Commission and of the D.C. General Hospital shall be automatically transferred, on the effective date of the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988, to the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988. Every employee transferred shall be entitled to:

(1) The same or an equivalent position as the employee held immediately prior to the effective date of the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988; and

(2) Benefits including, but not limited to, pay, tenure, leave, retirement, health and life insurance, and employee disability and death benefits, at least equal to the benefits the employee was receiving immediately prior to the effective date of the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988.

"(c) Until the Commission establishes, in whole or in part, a new personnel system that supersedes existing personnel law, employees of the Commission and the Hospital shall be covered by the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.).

"(d) With the exception of Titles V and XVII, and section 801(e), the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.) shall not apply to any person transferred to the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988 in accordance with the provisions of subsection (b) of this section, nor to any person hired after the effective date of the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988.

"(e) The D.C. General Hospital shall recognize the certified labor organizations and bargaining units of the D.C. General Hospital and honor all existing collective bargaining agreements with the labor organizations that are effective, legal, and binding. All existing terms and conditions of employment shall remain in effect until modified in accordance with the provisions of this act or as a result of collective bargaining.

"(f) The Commission shall create a task force to provide assistance and guidance in the creation of the new personnel system and to allow all affected personnel and employee groups an opportunity for input in the creation of the new personnel system. In selecting members of the task force, the Commission shall ensure that each certified labor organization, bargaining unit, and employee group is represented on the task force. All members of the task force shall be appointed no later than April 1, 1989. All meetings of the task force shall be open to all members of the task force, who shall receive adequate notice of the meetings. All members of the task force shall have access to all information and reports that are made available to the task force by the Commission. Meetings of the task force shall be held on a regular basis, with at least 1 meeting per month. The task force and its members shall have the opportunity to review the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988 prior to its implementation. The Commission shall report to the Council and the Mayor on October 1, 1989, on the status of the creation of the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988.

"(g) Once created, the personnel system established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 Amendment Act of 1988, and the rules that pertain to it shall be submitted to

the Mayor for review and to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules and personnel system, in whole or in part, by resolution within the 45-day review period, the proposed rules and personnel system shall be deemed approved."

(c) Section 211 (D.C. Code, sec. 32-221) is amended to read as follows:

Section 32-221

"Sec. 211. Staff members may be hired to assist the Commission in carrying out its responsibilities. Staff shall be hired in accordance with the provisions of section 304."

(d) Subsection 301(b)(9) (D.C. Code, sec. 32-231(b)(9)) is amended by striking the phrase "D.C. personnel laws and regulations" and inserting the phrase "the provisions of sections 303 and 304" in its place.

Section 32-231

(e) Section 303 (D.C. Code, sec. 32-233) is amended by striking the phrase "applicable D.C. personnel laws and regulations and shall be considered regular D.C. government employees" and inserting the phrase "the provisions of section 304" in its place.

Section 32-233

Sec. 4. This act shall take effect after a 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. 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

Chairman  
Council of the District of Columbia

DEEMED APPROVED WITHOUT  
SIGNATURE UPON EXPIRATION  
OF 10-DAY MAYORAL REVIEW PERIOD.  
NOT SIGNED

Mayor  
District of Columbia

January 11, 1989



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
Council Period Seven

**RECORD OF OFFICIAL COUNCIL VOTE**

DOCKET NO: B7-536

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 11-29-88

VOICE VOTE: Approved, Chairman Clarke voted no

Recorded vote on request

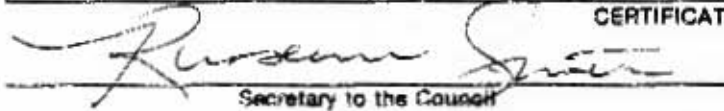
Absent: Rolark

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					NATHANSON					THOMAS SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

**CERTIFICATION RECORD**

  
Secretary to the Council

12-22-88  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-13-88

VOICE VOTE: Approved

Recorded vote on request

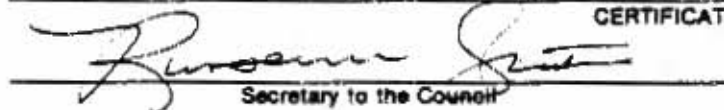
Absent: Wilson and Smith

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					NATHANSON					THOMAS, SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

**CERTIFICATION RECORD**

  
Secretary to the Council

12-22-88  
Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					NATHANSON					THOMAS, SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

**CERTIFICATION RECORD**