

# ENROLLMENT(S)

(5)





AN ACT

D.C. ACT 11-34

**Codification**

**District of Columbia Code**

**(1995 Supplement)**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 24, 1995

To require, on a temporary basis, that the Mayor renegotiate collective bargaining agreements to achieve the \$30 million in savings mandated by the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994 by March 7, 1995, and if the savings are not accomplished by negotiation that the compensation schedule for employees covered by collective bargaining agreements, except such employees in the Board of Education, shall be reduced by 12% (to yield 6% annualized) and the compensation schedule for the Mayor, Career, Excepted, Educational and Executive Service employees not covered by collective bargaining agreements shall be reduced by 4% (to yield 2% annualized) for the period beginning April 2, 1995 through September 30, 1995, to authorize the Board of Education to reduce the rates of compensation and benefits authorized by the collective bargaining agreements in effect for covered employees by 12% (to yield 6% annualized) for the period beginning April 2, 1995, through September 30, 1995, to authorize the Board of Education to reduce the rates of compensation and benefits in effect for non-union employees by 4% (to yield 2% annualized) for the period April 2, 1995 through September 30, 1995, and to reduce the compensation schedule for employees covered by collective bargaining agreements, except such employees in the Board of Education by 6% for fiscal year 1996; to require that the Mayor reduce the District workforce by an additional 1200 funded positions prior to September 30, 1995, through early retirement, a voluntary severance incentive program, and a reduction in force; to prohibit the Mayor from entering into any new contracts for goods or services at a cost exceeding the cost of an existing contract for the same goods or service; and to repeal title IV of the Multiyear Budget Spending Reduction and Support Emergency Act of 1994 and the Multiyear Budget Spending Reduction and Support Temporary Act of 1995 to eliminate furloughs.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Budget Implementation Temporary Act of 1995".

Sec. 2. (a) The Mayor shall renegotiate the collective bargaining agreements with all compensation units to reduce employee compensation in order to realize the \$30 million in savings required by the Pay Renegotiation provision of the Fiscal Year 1995 Supplemental

Note,  
Section  
1-612.14



Budget and Rescissions of Authority Request Act of 1994, enacted January 19, 1995 (D.C. Act 10-400; 42 DCR 529). All collective bargaining units must participate in the negotiations and contribute to the realization of the \$30 million in savings.

(b)(1) If the Mayor does not meet the requirement contained in subsection (a) of this section by March 7, 1995, notwithstanding any other law, the compensation schedule for employees in the collective bargaining units, except such employees of the Board of Education, shall be reduced by 12% (to yield 6% annualized) for the period beginning April 2, 1995, through September 30, 1995. In addition, for the period beginning April 2, 1995, and ending on the last day of the pay period that contains September 30, 1995, the District Service salary schedule or any equivalent pay schedule for employees in the Career, Excepted, Executive, and Educational Service not covered by collective bargaining shall be reduced by 4% (to yield 2% annualized).

(2) For fiscal year 1996, the compensation schedule for employees in the collective bargaining units, except such employees of the Board of Education, shall be reduced by 5% of the schedule in effect immediately prior to the enactment of this act.

(c)(1) If the requirements of subsection (a) of this section are not met, notwithstanding any other law, as to the employees of the Board of Education in the Educational Service covered by collective bargaining agreements, the Board of Education is authorized to reduce the Fiscal Year 1995 rates of compensation and benefits authorized by those collective bargaining agreements in effect that are listed in paragraph (2) of this subsection, so that for the period beginning April 2, 1995, through September 30, 1995, the rates of compensation contained in the applicable service basic pay schedule under those agreements shall be reduced by 12% (to yield 6% annualized) for the period beginning April 2, 1995, through September 30, 1995.

(2) The collective bargaining agreements in effect subject to the reduction contained in paragraph (1) of this subsection, shall include Compensation Units 5, 6, 7, 8, 9, 16, 17, 18, 26, and 28.

(3) If the requirements of subsection (a) of this section are not met, notwithstanding any other law, as to the employees of the Board of Education not covered by collective bargaining agreements, the Board of Education is authorized to reduce by 4% (to yield 2% annualized) the rates of compensation and benefits in effect for the period beginning April 2, 1995, through September 30, 1995.

### Sec. 3. Workforce reduction.

(a) At least 1200 specific funded positions throughout the District government shall be eliminated prior to September 30, 1995. The 1200 positions to be eliminated shall be in addition to the 2000 positions eliminated as part of the action by the Council to approve a revised FY 1995 budget in the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994, enacted January 19, 1995 (D.C. Act 10-400; 42 DCR 529), and the Congressional mandate contained in the District of Columbia Appropriations Act, 1995, approved September 30, 1994 (Pub. L. No. 103-334, §141). The Mayor shall prepare a list of positions to be eliminated in independent agencies of the District of Columbia as well as agencies under the control of the Mayor.

(b) The heads of each independent agency of District government, as those agencies are

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1-625.1

defined in section 301 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-603.1), shall submit to the Mayor by March 3, 1995, a list of specific funded positions to be eliminated prior to September 30, 1995, and these identified positions shall be in addition to any positions eliminated as a result of the Council's passage of the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994, enacted January 19, 1995 (D.C. Act 10-400; 42 DCR 529).

(c) By March 7, 1995, the Mayor shall submit to the Council for its review the list of 1200 specific funded positions scheduled to be eliminated prior to September 30, 1995.

(d) The Board of Education is authorized to eliminate no less than 15 positions in the District of Columbia Public Schools. The positions identified to be eliminated in other independent agencies shall represent a reduction of no less than 10% of each agency's workforce.

(e) In the event that the Mayor fails to submit the list required pursuant to subsection (c) of this section, the Council shall identify 1200 funded positions to be eliminated throughout the District government prior to September 30, 1995.

(f) The Council shall eliminate the 1200 positions in the Fiscal Year 1996 Budget Request Act and simultaneously with the Council's passage of the Fiscal Year 1996 Budget Request Act, the Council shall enact emergency legislation to eliminate the 1200 positions from the District workforce.

(g) The Mayor shall publish in the first District of Columbia Register scheduled to appear subsequent to the effective date of the legislation passed by the Council to eliminate 1200 positions, a list of the 1200 positions throughout the District of Columbia government and its independent agencies which have been approved by the Council as positions to be eliminated prior to September 30, 1995.

(h) In addition to the existing early-out and easy-out options, beginning April 1, 1995, and extending through June 30, 1995, a voluntary severance incentive program shall be available to all employees of the District of Columbia and its independent agencies. The program shall be based on the following:

(1) The voluntary severance option created by this act shall extend to any full-time employee covered by the District of Columbia Government Comprehensive Merit Personnel Act of 1979, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-601.1 *et seq.*), who has been continuously employed with the District of Columbia government without a break in service since December 11, 1992.

(2) Each personnel authority may exclude or limit positions from this program based on the needs of the government and must publish such exclusions or limitations through their personnel issuance system.

(3) The severance incentive will be a lump-sum payment, and will be paid on or before August 1, 1995, according to the following schedule:

Length of Service	Benefit
2 years up to 5 years	Greater of \$5000 or 5 weeks pay
5 years up to 7 years	Greater of \$7000 or 6 weeks pay
7 years up to 10 years	Greater of \$8,500 or 8 weeks pay
Over 10 years	\$10,000



(4) In no case will the voluntary severance incentive payment exceed \$10,000.

(5) An employee's length of service is to be determined by reviewing the employee's work history in the Official Personnel Folder and using the Service Computation Date shown on the employee's most recent Personnel Action Form 1.

(i) Any employee availing himself or herself to the early-out and easy-out options, beginning April 1, 1995, and extending through June 30, 1995 and the voluntary severance incentive program pursuant to subsection (h) of this section shall not be reemployed by the District until the passage of 5 years.

(j) On July 1, 1995, the Mayor and the heads of independent agencies shall cause a 30-day termination notice to be served on any incumbent employee remaining in any one of the 1200 positions identified for elimination pursuant to this act.

Sec. 4. The Mayor shall not enter into any new contract for goods or services the cost of which exceeds the cost of an existing contract for the same goods or services when the current contractor is willing to continue to provide the goods or services at the price of the existing contract, as long as the contractor is providing satisfactory service; nor shall the Mayor extend any existing contract for any amount over the price agreed to in the existing contract. Nothing contained in this section shall prohibit the Mayor from putting a contract out for bid at a lower price.

Note,  
Section  
1-1181.5

Sec. 5. Repealers.

(a) Title IV of the Multiyear Budget Spending Reduction and Support Emergency Act of 1994, effective December 29, 1994 (D.C. Act 10-389; 42 DCR 197), is repealed.

(b) Title IV of the Multiyear Budget Spending Reduction and Support Temporary Act of 1995, enacted January 27, 1995 (D.C. Act 10-401; 42 DCR 721), is repealed.

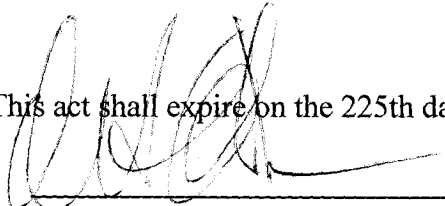
(c) This section shall not apply if the requirements of section 2(a) of this act are met.

Sec. 6. (a) 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 § 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.





(b) This act shall expire on the 225th day of its having taken effect.

  
\_\_\_\_\_  
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

March 24, 1995





# COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

## RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B11-124

☐ ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

Adopted First Reading, 02-21-95

☒ VOICE VOTE  
RECORDED VOTE ON REQUEST

Approved

ABSENT

Light foot

☐ ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

☒ ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

Adopted Final Reading, 03-07-95

☒ VOICE VOTE  
RECORDED VOTE ON REQUEST

Approved

all present

ABSENT

☐ ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

☐ ITEM ON CONSENT CALENDAR

☐ ACTION & DATE

☐ VOICE VOTE  
RECORDED VOTE ON REQUEST

ABSENT

☐ ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date



Codification

AN ACT

District of Columbia Code  
(1995 Supplement)

D.C. ACT 11-29

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 15, 1995

To require, on an emergency basis, that the Mayor renegotiate collective bargaining agreements to achieve the \$30 million in savings mandated by the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994 by March 7, 1995, and if the savings are not accomplished by negotiation that the compensation schedule for employees covered by collective bargaining agreements, except such employees in the Board of Education, shall be reduced by 12% (to yield 6% annualized) and the compensation schedule for the Mayor, Career, Excepted, Educational and Executive Service employees not covered by collective bargaining agreements shall be reduced by 4% (to yield 2% annualized) for the period beginning April 2, 1995 through September 30, 1995, to authorize the Board of Education to reduce the rates of compensation and benefits authorized by the collective bargaining agreements in effect for covered employees by 12% (to yield 6% annualized) for the period beginning April 2, 1995, through September 30, 1995, to authorize the Board of Education to reduce the rates of compensation and benefits in effect for non-union employees by 4% (to yield 2% annualized) for the period April 2, 1995 through September 30, 1995, and to reduce the compensation schedule for employees covered by collective bargaining agreements, except such employees in the Board of Education by 6% for fiscal year 1996; to require that the Mayor reduce the District workforce by an additional 1200 funded positions prior to September 30, 1995, through early retirement, a voluntary severance incentive program, and a reduction in force; to prohibit the Mayor from entering into any new contracts for goods or services at a cost exceeding the cost of an existing contract for the same goods or service; and to repeal title IV of the Multiyear Budget Spending Reduction and Support Emergency Act of 1994 and the Multiyear Budget Spending Reduction and Support Temporary Act of 1995 to eliminate furloughs.



BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Budget Implementation Emergency Act of 1995".

Sec. 2. (a) The Mayor shall renegotiate the collective bargaining agreements with all compensation units to reduce employee compensation in order to realize the \$30 million in savings required by the Pay Renegotiation provision of the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994, enacted January 19, 1995 (D.C. Act 10-400; 42 DCR 529). All collective bargaining units must participate in the negotiations that realize the \$30 million in savings.

Note,  
Section  
1-612.14

(b)(1) If the Mayor does not meet the requirement contained in subsection (a) of this section by March 7, 1995, notwithstanding any other law, the compensation schedule for employees in the collective bargaining units, except such employees of the Board of Education, shall be reduced by 12% (to yield 6% annualized) for the period beginning April 2, 1995, through September 30, 1995. In addition, for the period beginning April 2, 1995, and ending on the last day of the pay period that contains September 30, 1995, the District Service salary schedule or any equivalent pay schedule for employees in the Career, Excepted, Executive, and Educational Service not covered by collective bargaining shall be reduced by 4% (to yield 2% annualized).

(2) For fiscal year 1996, the compensation schedule for employees in the collective bargaining units, except such employees of the Board of Education, shall be reduced by 5% of the schedule in effect immediately prior to the enactment of this act.

(c)(1) If the requirements of subsection (a) of this section are not met, notwithstanding any other law, as to the employees of the Board of Education covered by collective bargaining agreements, the Board of Education is authorized to reduce the Fiscal Year 1995 rates of compensation and benefits authorized by those collective bargaining agreements in effect that are listed in paragraph (2) of this subsection, so that for the period beginning April 2, 1995, through September 30, 1995, the rates of compensation contained in the applicable service basic pay schedule under those agreements shall be reduced by 12% (to yield 6% annualized) for the period beginning April 2, 1995, through September 30, 1995.

(2) The collective bargaining agreements in effect subject to the reduction contained in paragraph (1) of this subsection, shall include Compensation Units 5, 6, 7, 8, 9, 16, 17, 18, 26, and 28.

(3) If the requirements of subsection (a) of this section are not met, notwithstanding any other law, as to the employees of the Board of Education not covered by collective bargaining agreements, the Board of Education is authorized to reduce by 4% (to yield 2% annualized) the rates of compensation and benefits in effect for the period beginning April 2, 1995, through September 30, 1995.

### Sec. 3. Workforce reduction.

(a) At least 1200 specific funded positions throughout the District government shall be eliminated prior to September 30, 1995. The 1200 positions to be eliminated shall be in addition to the 2000 positions eliminated as part of the action by the Council to approve a revised FY 1995 budget in the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994, enacted January 19, 1995 (D.C. Act 10-400; 42 DCR 529), and the Congressional

Note,  
Section  
1-625.1





mandate contained in the District of Columbia Appropriations Act, 1995, approved September 30, 1994 (Pub. L. No. 103-334, §141). The Mayor shall prepare a list of positions to be eliminated in independent agencies of the District of Columbia as well as agencies under the control of the Mayor.

(b) The heads of each independent agency of District government, as those agencies are defined in section 301 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-603.1), shall submit to the Mayor by March 3, 1995, a list of specific funded positions to be eliminated prior to September 30, 1995, and these identified positions shall be in addition to any positions eliminated as a result of the Council's passage of the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994, enacted January 19, 1995 (D.C. Act 10-400; 42 DCR 529).

(c) By March 7, 1995, the Mayor shall submit to the Council for its review the list of 1200 specific funded positions scheduled to be eliminated prior to September 30, 1995.

(d) The Board of Education is authorized to eliminate no less than 155 positions in the District of Columbia Public Schools. The positions identified to be eliminated in other independent agencies shall represent a reduction of no less than 10% of each agency's workforce.

(e) In the event that the Mayor fails to submit the list required pursuant to subsection (c) of this section, the Council shall identify 1200 funded positions to be eliminated throughout the District government prior to September 30, 1995.

(f) The Council shall eliminate the 1200 positions in the Fiscal Year 1996 Budget Request Act and simultaneously with the Council's passage of the Fiscal Year 1996 Budget Request Act, the Council shall enact emergency legislation to eliminate the 1200 positions from the District workforce.

(g) The Mayor shall publish in the first District of Columbia Register scheduled to appear subsequent to the effective date of the legislation passed by the Council to eliminate 1200 positions, a list of the 1200 positions throughout the District of Columbia government and its independent agencies which have been approved by the Council as positions to be eliminated prior to September 30, 1995.

(h) In addition to the existing early-out and easy-out options, beginning April 1, 1995, and extending through June 30, 1995, a voluntary severance incentive program shall be available to all employees of the District of Columbia and its independent agencies. The program shall be based on the following:

(1) The voluntary severance option created by this act shall extend to any full-time employee covered by the District of Columbia Government Comprehensive Merit Personnel Act of 1979, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-601.1 *et seq.*), who has been continuously employed with the District of Columbia government without a break in service since December 11, 1992.

(2) Each personnel authority may exclude or limit positions from this program based on the needs of the government and must publish such exclusions or limitations through their personnel issuance system.

(3) The severance incentive will be a lump-sum payment, and will be paid on or before August 1, 1995, according to the following schedule:

Length of Service	Benefit
2 years up to 5 years	Greater of \$5000 or 5 weeks pay
5 years up to 7 years	Greater of \$7000 or 6 weeks pay
7 years up to 10 years	Greater of \$8,500 or 8 weeks pay
Over 10 years	\$10,000

(4) In no case will the voluntary severance incentive payment exceed \$10,000.

(5) An employee's length of service is to be determined by reviewing the employee's work history in the Official Personnel Folder and using the Service Computation Date shown on the employee's most recent Personnel Action Form 1.

(i) Any employee availing himself or herself to the early-out and easy-out options, beginning April 1, 1995, and extending through June 30, 1995 and the voluntary severance incentive program pursuant to subsection (h) of this section shall not be reemployed by the District until the passage of 5 years.

(j) On July 1, 1995, the Mayor and the heads of independent agencies shall cause a 30-day termination notice to be served on any incumbent employee remaining in any one of the 1200 positions identified for elimination pursuant to this act.

Sec. 4. The Mayor shall not enter into any new contract for goods or services the cost of which exceeds the cost of an existing contract for the same goods or services when the current contractor is willing to continue to provide the goods or services at the price of the existing contract, as long as the contractor is providing satisfactory service; nor shall the Mayor extend any existing contract for any amount over the price agreed to in the existing contract. Nothing contained in this section shall prohibit the Mayor from putting a contract out for bid at a lower price.

Note,  
Section  
1-1181.5

#### Sec. 5. Repealers.

(a) Title IV of the Multiyear Budget Spending Reduction and Support Emergency Act of 1994, effective December 29, 1994 (D.C. Act 10-389; 42 DCR 197), is repealed.

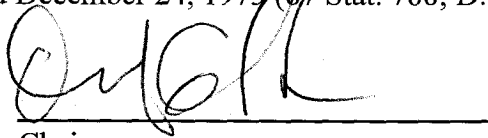
(b) Title IV of the Multiyear Budget Spending Reduction and Support Temporary Act of 1995, enacted January 27, 1995 (D.C. Act 10-401; 42 DCR 721), is repealed.

(c) This section shall not apply if the requirements of section 2(a) of this act are met.

Sec. 6. This act shall take effect upon its enactment (approval by the Mayor, or in the event of veto by the Mayor, override of the veto by the Council) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

**ENROLLED ORIGINAL**

section 412(a) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 788; D.C. Code § 1-229(a)).

A handwritten signature in black ink, appearing to be "M. G. H.", written over a horizontal line.

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

March 15, 1995



# COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

## RECORD OF OFFICIAL COUNCIL VOTE

B11-123

Docket No. \_\_\_\_\_

( ) ITEM ON CONSENT CALENDAR

(X) ACTION & DATE

Adopted Final Reading, 2-21-95

(X) VOICE VOTE

Approved

RECORDED VOTE ON REQUEST

Light foot

ABSENT

( ) ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

( ) ITEM ON CONSENT CALENDAR

( ) ACTION & DATE

( ) VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

( ) ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

( ) ITEM ON CONSENT CALENDAR

( ) ACTION & DATE

( ) VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

( ) ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date



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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To require, on an emergency basis, that the Mayor renegotiate collective bargaining agreements to achieve the \$30 million in savings mandated by the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994 by March 7, 1995, and if the savings are not accomplished by negotiation that the compensation schedule for employees covered by collective bargaining agreements, except such employees in the Board of Education, shall be reduced by 12% (to yield 6% annualized) and the compensation schedule for the Mayor, Career, Excepted, Educational and Executive Service employees not covered by collective bargaining agreements shall be reduced by 4% (to yield 2% annualized) for the period beginning April 2, 1995 through September 30, 1995, to authorize the Board of Education to reduce the rates of compensation and benefits authorized by the collective bargaining agreements in effect for covered employees by 12% (to yield 6% annualized) for the period beginning April 2, 1995, through September 30, 1995, to authorize the Board of Education to reduce the rates of compensation and benefits in effect for non-union employees by 4% (to yield 2% annualized) for the period April 2, 1995 through September 30, 1995, and to reduce the compensation schedule for employees covered by collective bargaining agreements, except such employees in the Board of Education by 6% for fiscal year 1996; to require that the Mayor reduce the District workforce by an additional 1200 funded positions prior to September 30, 1995, through early retirement, a voluntary severance incentive program, and a reduction in force; to prohibit the Mayor from entering into any new contracts for goods or services at a cost exceeding the cost of an existing contract for the same goods or service; and to repeal title IV of the Multiyear Budget Spending Reduction and Support Emergency Act of 1994 and the Multiyear Budget Spending Reduction and Support Temporary Act of 1995 to eliminate furloughs.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Budget Implementation Emergency Act of 1995".

Sec. 2. (a) The Mayor shall renegotiate the collective bargaining agreements with all compensation units to reduce employee compensation in order to realize the \$30 million in savings required by the Pay Renegotiation provision of the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994, enacted January 19, 1995 (D.C. Act 10-400; 42 DCR 529). All collective bargaining units must participate in the negotiations that realize the \$30 million in savings.

Note,  
Section  
1-612.14

(b)(1) If the Mayor does not meet the requirement contained in subsection (a) of this section by March 7, 1995, notwithstanding any other law, the compensation schedule for employees in the collective bargaining units, except such employees of the Board of Education, shall be reduced by 12% (to yield 6% annualized) for the period beginning April 2, 1995, through September 30, 1995. In addition, for the period beginning April 2, 1995, and ending on the last day of the pay period that contains September 30, 1995, the District Service salary schedule or any equivalent pay schedule for employees in the Career, Excepted, Executive, and Educational Service not covered by collective bargaining shall be reduced by 4% (to yield 2% annualized).

(2) For fiscal year 1996, the compensation schedule for employees in the collective bargaining units, except such employees of the Board of Education, shall be reduced by 5% of the schedule in effect immediately prior to the enactment of this act.

(c)(1) If the requirements of subsection (a) of this section are not met, notwithstanding any other law, as to the employees of the Board of Education covered by collective bargaining agreements, the Board of Education is authorized to reduce the Fiscal Year 1995 rates of compensation and benefits authorized by those collective bargaining agreements in effect that are listed in paragraph (2) of this subsection, so that for the period beginning April 2, 1995, through September 30, 1995, the rates of compensation contained in the applicable service basic pay schedule under those agreements shall be reduced by 12% (to yield 6% annualized) for the period beginning April 2, 1995, through September 30, 1995.

(2) The collective bargaining agreements in effect subject to the reduction contained in paragraph (1) of this subsection, shall include Compensation Units 5, 6, 7, 8, 9, 16, 17, 18, 26, and 28.

(3) If the requirements of subsection (a) of this section are not met, notwithstanding any other law, as to the employees of the Board of Education not covered by collective bargaining agreements, the Board of Education is authorized to reduce by 4% (to yield 2% annualized) the rates of compensation and benefits in effect for the period beginning April 2, 1995, through September 30, 1995.

### Sec. 3. Workforce reduction.

(a) At least 1200 specific funded positions throughout the District government shall be eliminated prior to September 30, 1995. The 1200 positions to be eliminated shall be in addition to the 2000 positions eliminated as part of the action by the Council to approve a revised FY 1995 budget in the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994, enacted January 19, 1995 (D.C. Act 10-400; 42 DCR 529), and the Congressional

Note,  
Section  
1-625.1



mandate contained in the District of Columbia Appropriations Act, 1995, approved September 30, 1994 (Pub. L. No. 103-334, §141). The Mayor shall prepare a list of positions to be eliminated in independent agencies of the District of Columbia as well as agencies under the control of the Mayor.

(b) The heads of each independent agency of District government, as those agencies are defined in section 301 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-603.1), shall submit to the Mayor by March 3, 1995, a list of specific funded positions to be eliminated prior to September 30, 1995, and these identified positions shall be in addition to any positions eliminated as a result of the Council's passage of the Fiscal Year 1995 Supplemental Budget and Rescissions of Authority Request Act of 1994, enacted January 19, 1995 (D.C. Act 10-400; 42 DCR 529).

(c) By March 7, 1995, the Mayor shall submit to the Council for its review the list of 1200 specific funded positions scheduled to be eliminated prior to September 30, 1995.

(d) The Board of Education is authorized to eliminate no less than 155 positions in the District of Columbia Public Schools. The positions identified to be eliminated in other independent agencies shall represent a reduction of no less than 10% of each agency's workforce.

(e) In the event that the Mayor fails to submit the list required pursuant to subsection (c) of this section, the Council shall identify 1200 funded positions to be eliminated throughout the District government prior to September 30, 1995.

(f) The Council shall eliminate the 1200 positions in the Fiscal Year 1996 Budget Request Act and simultaneously with the Council's passage of the Fiscal Year 1996 Budget Request Act, the Council shall enact emergency legislation to eliminate the 1200 positions from the District workforce.

(g) The Mayor shall publish in the first District of Columbia Register scheduled to appear subsequent to the effective date of the legislation passed by the Council to eliminate 1200 positions, a list of the 1200 positions throughout the District of Columbia government and its independent agencies which have been approved by the Council as positions to be eliminated prior to September 30, 1995.

(h) In addition to the existing early-out and easy-out options, beginning April 1, 1995, and extending through June 30, 1995, a voluntary severance incentive program shall be available to all employees of the District of Columbia and its independent agencies. The program shall be based on the following:

(1) The voluntary severance option created by this act shall extend to any full-time employee covered by the District of Columbia Government Comprehensive Merit Personnel Act of 1979, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-601.1 *et seq.*), who has been continuously employed with the District of Columbia government without a break in service since December 11, 1992.

(2) Each personnel authority may exclude or limit positions from this program based on the needs of the government and must publish such exclusions or limitations through their personnel issuance system.

(3) The severance incentive will be a lump-sum payment, and will be paid on or before August 1, 1995, according to the following schedule:

Length of Service	Benefit
2 years up to 5 years	Greater of \$5000 or 5 weeks pay
5 years up to 7 years	Greater of \$7000 or 6 weeks pay
7 years up to 10 years	Greater of \$8,500 or 8 weeks pay
Over 10 years	\$10,000

(4) In no case will the voluntary severance incentive payment exceed \$10,000.

(5) An employee's length of service is to be determined by reviewing the employee's work history in the Official Personnel Folder and using the Service Computation Date shown on the employee's most recent Personnel Action Form 1.

(i) Any employee availing himself or herself to the early-out and easy-out options, beginning April 1, 1995, and extending through June 30, 1995 and the voluntary severance incentive program pursuant to subsection (h) of this section shall not be reemployed by the District until the passage of 5 years.

(j) On July 1, 1995, the Mayor and the heads of independent agencies shall cause a 30-day termination notice to be served on any incumbent employee remaining in any one of the 1200 positions identified for elimination pursuant to this act.

Sec. 4. The Mayor shall not enter into any new contract for goods or services the cost of which exceeds the cost of an existing contract for the same goods or services when the current contractor is willing to continue to provide the goods or services at the price of the existing contract, as long as the contractor is providing satisfactory service; nor shall the Mayor extend any existing contract for any amount over the price agreed to in the existing contract. Nothing contained in this section shall prohibit the Mayor from putting a contract out for bid at a lower price.

Note,  
Section  
1-1181.5

#### Sec. 5. Repealers.

(a) Title IV of the Multiyear Budget Spending Reduction and Support Emergency Act of 1994, effective December 29, 1994 (D.C. Act 10-389; 42 DCR 197), is repealed.

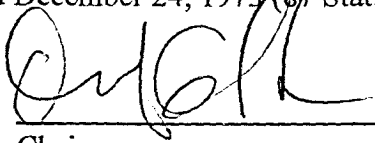
(b) Title IV of the Multiyear Budget Spending Reduction and Support Temporary Act of 1995, enacted January 27, 1995 (D.C. Act 10-401; 42 DCR 721), is repealed.

(c) This section shall not apply if the requirements of section 2(a) of this act are met.

Sec. 6. This act shall take effect upon its enactment (approval by the Mayor, or in the event of veto by the Mayor, override of the veto by the Council) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 788; D.C. Code § 1-229(a)).



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

March 15, 1995



# COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

B11-123

Docket No. \_\_\_\_\_

1 1 ITEM ON CONSENT CALENDAR

1 1 ACTION & DATE

Adopted Final Reading, 2-21-95

1 1 VOICE VOTE  
RECORDED VOTE ON REQUEST

Approved

ABSENT

Light foot

1 1 ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOVS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*February 22, 1995*  
Date

1 1 ITEM ON CONSENT CALENDAR

1 1 ACTION & DATE

1 1 VOICE VOTE  
RECORDED VOTE ON REQUEST

ABSENT

1 1 ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOVS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

1 1 ITEM ON CONSENT CALENDAR

1 1 ACTION & DATE

1 1 VOICE VOTE  
RECORDED VOTE ON REQUEST

ABSENT

1 1 ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOVS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Date