

D. C. LAW

2-80

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 20, 1978

To amend the District of Columbia Teachers' Salary Act of 1955, 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 Teachers' Salary Act Amendment of 1977".

Sec. 2. (a)(1) The Mayor of the District of Columbia shall ascertain the average percentage to be used by the President of the United States in adjusting the rates of pay () be effective October 1, 1977) under section 5305(a)(2) of Title 5 of the United States Code, or whether the President of the United States intends to submit to the United States Congress an alternative plan with respect to pay adjustments under section 5305(c) of Title 5 and the contents of the alternative plan of the President of the United States.

(2) The Mayor of the District of Columbia shall then adjust the rates of pay in each class and service step on the salary schedule in section 1 of the "District of Columbia Teachers' Salary Act of 1955", approved August 5, 1955 (69 Stat. 521; D.C. Code, sec. 31-1501) on the first

(pay period after October 1, 1977, to reflect the average percentage increase given to General Schedule employees, or if the alternative plan becomes effective as provided in section 5305 of Title 5 of the United States Code, the Mayor of the District of Columbia shall adjust the rates of pay to reflect the average percentage increase given to General Schedule employees under the alternative plan of the President of the United States. If the alternative plan of the President of the United States is disapproved by the United States Congress, the Mayor of the District of Columbia shall adjust such rates of pay to reflect the average percentage of the Presidential adjustments of rates of pay under section 5305(m) of Title 5 of the United States Code.

(3) The adjustments in the rates of pay made by the Mayor of the District of Columbia under section (2)(1)(2) of this act shall be effective on and payable for the first day of the first pay period beginning on or after October 1, 1977, or the effective date of the alternative plan of the President of the United States, whichever is later.

(b) The rates of pay which become effective under this section shall be the rates of pay for each class and service

step concerned as if those rates had been set by statute and shall remain in effect through September 30, 1978.

(c) The rates of pay that take effect under this section shall be published in the District of Columbia Register.

Sec. 3. (a) Retroactive compensation or salary shall be paid by reason of the amendments made by this act only in the case of an individual in the service of the Board of Education of the District of Columbia or of the United States (including service in the Armed Forces of the United States) on the date of enactment of this act: EXCEPT, That such retroactive compensation or salary shall be paid:

(1) to any employee covered in this act who retired during the period beginning on the first day of the first pay period which began on or after October 1, 1977, and ending on the date of enactment of this act, for services rendered during such period; and

(2) in accordance with the provisions of subchapter VIII of chapter 55 of Title 5 of the United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on the first pay period which began on or after October 1, 1977, and ending on the date of enactment of this act, by any such employee who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service shall include the period provided by law for the mandatory restoration of such individual to a position in or under the government of the District of Columbia.

(c) For the purpose of determining the amount of insurance for which an individual is eligible under the provisions of chapter 57 of Title 5 of the United States Code (relating to government employees' group life insurance), all changes in rates of compensation of salary which result from the enactment of this act shall be held and considered to be effective as of the date of enactment of this act.

Sec. 4. Section 203 of title II of the "Teachers' Salary Act Amendments of 1974", approved September 3, 1974 (89 Stat. 1049; D.C. Code, sec. 31-1501a) is amended to read as follows:

"(a) On or before March 1 of each year, the District of Columbia Board of Education shall submit to the Mayor of the District of Columbia:

"(1) the percentage change in the Consumer Price Index for the Washington Metropolitan Area, as published by the Bureau of Labor Statistics, United States Department of Labor, since the effective date of the last adjustment in the salary schedule for educational personnel in the District of Columbia; and

"(2) the results of a study comparing the level of compensation paid to educational personnel in the District of Columbia with the level of compensation paid to persons having comparable duties and responsibilities (i) in other jurisdictions in the Washington Metropolitan Area; (ii) in other cities of comparable size; and (iii) as employees of the United States and District of Columbia governments.

"The study referred to in paragraph (2) of this subsection may include a comparison of other employment conditions not related to salaries, such as hours of work, health benefits, retirement benefits, sick leave, and annual leave.

"(b) On or before June 30 of each year, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the information submitted to

him by the Board of Education pursuant to subsection (a) of this section along with his recommendations concerning adjustments to the salary schedule for educational personnel in the District of Columbia."

Sec. 5. The process, authorized elsewhere in this act, whereby the salaries of District of Columbia teachers are adjusted in accordance with the rates of pay for federal General Schedule employees, shall be in effect only for the period commencing on October 1, 1977 and ending on September 30, 1978.

Sec. 6. If any section or provision of this act is held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the remaining sections or provisions of this act.

Sec. 7. This act shall take effect as provided in section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act.