

A RESOLUTION

Proposed
Resolution
20-324

To declare the sense of the Council to call upon the United States government to ensure that all private employers employing workers in the District of Columbia to perform services or generate revenues for the federal government are employed under fair and lawful terms and conditions of employment.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sense of the Council on Fair and Lawful Federally Contracted Employment Resolution of 2013”.

Sense of the
Council on
Fair and
Lawful
Federally
Contracted
Employment
Resolution of
2013

Sec. 2. The Council finds that:

(1) Agencies and instrumentalities of the United States government, including the General Services Administration, the National Park Service, the Union Station Redevelopment Corporation, and the Smithsonian Institution, contract with private businesses to provide food, retail, and property services to their visitors and customers, to generate revenues for the upkeep of federal buildings, and to clean and maintain buildings leased by the government from private owners.

(2) The workers employed by these private businesses are employed under substandard and sometimes unlawful terms and conditions in that:

(A) Their wage rates are almost universally below the rate set by the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-188; D.C. Official Code §2-220.01 *et seq.*), currently set at \$12.50 per hour;

(B) Few of these workers receive employer-sponsored health insurance, retirement plans, or paid leave;

(C) These workers’ wages and benefits are significantly below those paid to workers performing identical duties on federal and District of Columbia contracts covered by the federal Service Contract Act of 1965 (41 U.S.C. § 351 *et seq.*);

(D) Many of these workers are not receiving the wages and benefits to which they are entitled under federal and District of Columbia law, including minimum wages, overtime pay, and paid sick leave; and

(E) Many of these workers are forced to rely on federal and District government benefits and services to support themselves and their families.

(3) The United States government is the largest purchaser and beneficiary of private sector work in the District of Columbia, yet the District of Columbia suffers from some of the highest levels of poverty and income inequality in the nation.

Sec. 3. It is the sense of the Council to:

(1) Call upon these employers and federal agencies, along with the United States Department of Labor and the President of the United States, to take all necessary actions to ensure that all employees of private employers working within the District of Columbia under a contract, lease, or other form of agreement to which a federal agency is directly or indirectly a party or a beneficiary receive sufficient pay and benefits from their employers to adequately support themselves and their families in dignity and without public assistance. Such actions should include:

(A) Ensuring that current federal laws setting minimum terms and conditions of employment are fully and speedily enforced; and

(B) Ensuring that current and prospective recipients of federal contracts, leases, and concession agreements and any private employers providing goods or services pursuant to these arrangements comply fully with both federal and District of Columbia employment and labor laws, including the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*) and the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01 *et seq.*); and

(2) Encourage the Department of Labor to:

(A) Investigate and determine which of these workers are entitled to the wages and benefits payable to workers with comparable duties under the Service Contract Act of 1965 and the Department of Labor's current rules implementing that act; and

(B) To the extent that they are not so entitled or that such entitlement would not result in their being paid at least the wage rate set under the Living Wage Act of 2006, to revise these rules to ensure their entitlement to such a wage rate.

Sec. 4. The Secretary to the Council shall transmit copies of this resolution, upon its adoption, to the President of the United States, the Secretaries of the United States Departments of Labor, Transportation, and the Interior, the Board of Trustees of the Smithsonian Institution, the Administrator of the General Services Agency, and the Mayor of the District of Columbia.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.