

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to require that hearing examiners employed by the Office of Employee Appeals be licensed to practice law in the District and to classify hearing examiners within the Office of Employee Appeals as attorneys within the Legal Service.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Office of Employee Appeals Hearing Examiner Classification Amendment Act of 2018”.

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 601 (D.C. Official Code § 1-606.01) is amended by adding a new subsection (m) to read as follows:

“(m) Hearing examiners employed by the Office of Employee Appeals shall be licensed to practice law in the District of Columbia.”.

(b) Section 851(2) (D.C. Official Code § 1-608.51(2)), is amended to read as follows:

“(2) “Attorney” means:

“(A) Any position which is classified as part of Series 905, except for any position that is occupied by a person whose duties, in whole or in substantial part, consist of hearing cases as an administrative law judge or as an administrative hearing officer; and

“(B) Notwithstanding subparagraph (A) of this paragraph, a hearing examiner employed by the Office of Employee Appeals.”.

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

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(c)(1) The Budget Director shall cause the notice of certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia