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3 Councilmember Anita Bonds

Councilmember Elissa Silverman

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8 Councilmember Brianne K. Nadeau

Councilmember Robert C. White, Jr.

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14 A BILL

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18 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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21 To amend the First Source Employment Agreement Act of 1984 to require the Department of
22 Employment Services (“DOES”) to permit organizations to provide the Department with
23 qualified candidates for inclusion in the First Source Register, to require DOES to
24 proactively identify individuals who are “hard to serve,” to repeal the requirement for
25 beneficiaries to submit their monthly direct and indirect labor costs, to permit those
26 beneficiaries subject to the 51% new hires requirement to receive credit for advancing
27 existing District-resident employees into higher-skilled positions, to require DOES’s
28 Office of Talent & Client Services to develop standard operating procedures for its role in
29 First Source, and to require that the workforce intermediary program be used exclusively
30 for First Source projects or contracts.

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32 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
33 act may be cited as the “First Source Resident Employment Amendment Act of 2019.”

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35 Sec. 2. The First Source Employment Agreement Act of 1984, effective June 29, 1984
36 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*), is amended as follows:

37 (a) Section 3 (D.C. Official Code § 2-219.02) is amended by adding new subsections (c)
38 and (d) to read as follows:

39 “(c) The entities listed in subsection (b) of this section shall be permitted to identify, vet,
40 and refer candidates to the Department of Employment Services (“DOES” or “the Department”)
41 for inclusion in the First Source Register.

42 “(d) Upon an individual’s addition to the First Source Register, DOES shall certify
43 whether the individual is hard to employ and indicate the individual’s hard to employ status so it
44 is viewable to all beneficiaries.”

45 (b) Section 4 (D.C. Official Code § 2-219.03) is amended as follows:

46 (1) Subsection (e) is amended as follows:

47 (A) Paragraph (1) is amended as follows:

48 (i) Subparagraph (C)(vi) is repealed;

49 (ii) A new subparagraph (E) is added to read as follows:

50 “(E) For the purpose of calculating the total number of new District
51 residents hired pursuant to subparagraph (A) of this paragraph, beneficiaries covered by this
52 paragraph may count existing District-resident employees of the beneficiary’s company who are
53 advanced to a higher-skilled position created by the project or contract as new hires.”.

54 (B) Paragraph (1A) is amended as follows:

55 (i) Subparagraph (D) is amended by striking the phrase “, as well
56 as a report of the total monthly direct and indirect labor costs associated with the project or
57 contract”;

58 (ii) Subparagraph (H) is amended to read as follows:

59 “(H) For the purpose of calculating hours worked by District residents, the
60 Department of Employment Services shall count for beneficiaries covered by this paragraph any

61 hours worked by District residents on other completed projects or contracts subject to and in
62 excess of the Workforce Act's hiring requirements that are certified by the Mayor.”.

63 (C) A new paragraph (1D) is added to read as follows:

64 “(1D) Within 120 days after the applicability date of the First Source
65 Resident Employment Amendment Act of 2019, introduced on December 3, 2019 (Bill ____), the
66 Department of Employment Services shall develop and transmit to the Council standard
67 operating procedures for the Department's Office of Talent & Client Services regarding how the
68 Office will assist beneficiaries in finding qualified District-resident employees.”.

69 (c) Section 5b(a)(2) (D.C. Official Code § 2-219.04b(a)(2)) is amended by striking the
70 word “employers” both times it appears and inserting the word “beneficiaries” in its place.

71 Sec. 3. Fiscal impact statement.

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

75 Sec. 4. Effective date.

76 This act shall take effect following approval by the Mayor (or in the event of a veto by
77 the Mayor, action by Council to override the veto), a 30-day period of congressional review as
78 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
79 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
80 Columbia Register.