



OFFICE OF THE SECRETARY

2020 FEB - 5 PM 3: 59

MURIEL BOWSER
MAYOR

FEB - 5 2020

The Honorable Phil Mendelson
Chairman, Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue N.W., Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is proposed legislation entitled, the "Quick-Hire Amendment Act of 2020." The proposed legislation would authorize the non-competitive hiring of qualified individuals to "quick-hire eligible positions" within the Career, Educational and Management Supervisory Services.


The proposed legislation defines "quick-hire eligible position" to include many of the positions already identified by the United States Office of Personnel Management for purposes of the federal government's "direct hire authority," and authorizes the Mayor to designate additional positions, with severe shortages of candidates, based on stringent criteria.

The above amendments will better position the District to compete for high-demand talent in the labor market and enhance its ability to provide critical services to city residents.

I respectfully request the Council's favorable consideration of the enclosed bill. If you have any questions on this matter, please contact Ventris Gibson, Director of the Department of Human Resources, at (202) 442-9700.

Sincerely,


Muriel Bowser
Mayor


Chairman Phil Mendelson
at the request of the Mayor

1
2

3 A BILL
4 _____

5 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
6 _____

7 To amend the District of Columbia Government Comprehensive Merit Personnel Act of
8 1978 to authorize the non-competitive appointments of individuals to certain
9 Career, Educational, and Management Supervisory positions under specific
10 circumstances.

11
12 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

13 That this act may be cited as the “Quick-Hire Amendment Act of 2020”.

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

17 (a) Section 301 (D.C. Official Code § 1-603.01) is amended by adding a new
18 paragraph (14B) to read as follows:

19 “(14B) The term “quick-hire eligible position” means, based on
20 occupational groups and families established by the U.S. Office of Personnel
21 Management or a successor system of occupational groups and families adopted by the
22 Mayor:

23 “(A) A cybersecurity-related position, including a position in the
24 Computer Engineering, Computer Sciences, and Electronic Engineering Series, at grade
25 11 or above;

26 “(B) A medical position, including a position in the Physician,
27 Nursing, and Pharmacy Series, at any grade level;

28 “(C) An Information Technology Management Series position at
29 grade 9 or above;

30 “(D) A scientific, technical, engineering, and mathematics
31 position, including a position in the Actuarial Science, Contracting, Economist,
32 Biological Science, Forensic Science, General Engineering, Civil Engineering, Physical
33 Science, Mathematics, Mathematical Statistics and Statistics Series, at grade 11 or above;
34 and

35 “(E) A position in the Career, Education, or Management
36 Supervisory service for which the Mayor has made a determination in writing that there is
37 a severe shortage of candidates, taking into consideration relevant factors such as local
38 and national labor market trends, nationwide or local skills shortages, District
39 government talent acquisition efforts, availability and quality of candidates, and
40 desirability of the duties or work environment associated with the position.”.

41 (b) Section 801 (D.C. Official Code § 1-608.01) is amended by adding a new
42 subsection (h) to read as follows:

43 “(h) Notwithstanding the provisions of this section, the Mayor may appoint an
44 individual without competition to a quick-hire eligible position within the Career
45 Service.”.

46 (c) Section 801a (D.C. Official Code § 1-608.01a) is amended by adding a new
47 subsection (g) to read as follows:

48 “(g) Notwithstanding the provisions of this section, the Mayor may appoint an
49 individual without competition to a quick-hire eligible position within the Educational
50 Service.”.

51 (d) Section 953 (D.C. Official Code § 1-609.53) is amended as follows:

52 (1) The existing text is designated as subsection (a).

53 (2) A new subsection (b) is added to read as follows:

54 “(b) Notwithstanding subsection (a) of this section, the Mayor may appoint an
55 individual without competition to a quick-hire eligible position within the Management
56 Supervisory Service.”

57 Sec 3. Section 103 of the Jobs for D.C. Residents Amendment Act of 2007,
58 effective May 23, 2019 (D.C. Law 22-315; D.C. Official Code § 1-515.03), is amended
59 by adding a new subsection (e) to read as follows:

60 “(e) The Mayor may waive the requirements of subsections (a) and (b) of this
61 section for an employee appointed to a quick-hire eligible position.”

62 Sec. 4. Fiscal impact statement.

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

66 Sec. 5. Effective date.

67 This act shall take effect following approval by the Mayor (or in the event of veto
68 by the Mayor, action by the Council to override the veto), a 30-day period of
69 congressional review as provided in section 602(c)(1) of the District of Columbia Home
70 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
71 206.02(c)(1)), and publication in the District of Columbia Register.


Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: February 4, 2020

SUBJECT: Fiscal Impact Statement – Quick-Hire Amendment Act of 2020

REFERENCE: Draft Bill sent to the Office of Revenue Analysis on January 28, 2020

Conclusion

Funds are sufficient in the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill.

Background

The bill allows¹ for the non-competitive appointment of individuals to certain D.C. government positions for which there is a severe shortage of candidates. Eligible positions, which will be deemed “quick-hire eligible,” include:

- Cybersecurity-related positions at Grades 11 or above;
- medical occupations at all grade levels;
- information technology management series positions at Grades 9 or above;
- scientific, technical, engineering, and mathematics positions at Grades 11 or above; and
- any additional positions in the Career, Education, or Management Supervisory Service for which the Mayor has determined there is a severe shortage of candidates based on labor market data and other criteria.

The bill further allows the Mayor to waive District residency requirements for the quick-hire eligible positions. Current law requires individuals appointed to a position in certain categories to become a District resident within 180 days after appointment and to remain so during the appointment².

¹ By amending the District of Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 et seq.).

² D. C. Official Code §1-515.03.

The Honorable Phil Mendelson

FIS: "Quick-Hire Amendment Act of 2020," Draft Bill sent to the Office of Revenue Analysis on January 28, 2020

Quick-hire employees may fall into the highly compensated category³ and therefore the residency requirement may be waived under the bill.

Financial Plan Impact

Funds are sufficient in the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill. The Department of Human Resources can identify positions subject to non-competitive appointment within existing resources.

³ Appointed positions with a starting salary of at least \$150,000. D.C. Official Code § 1-515.01(3).

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL

KARL A. RACINE
ATTORNEY GENERAL



LEGAL COUNSEL DIVISION

MEMORANDUM

TO: Ronan Gulstone
Director
Office of Legislative Support

FROM: Brian K. Flowers
Deputy Attorney General
Legal Counsel Division

DATE: January 29, 2020

SUBJECT: Legal Sufficiency Review of Draft Legislation, the "District of
Columbia Quick Hire Amendment Act of 2020"
(AL-19-573)

This is to Certify that this Office has reviewed the above-referenced legislation and has found it to be legally sufficient. If you have questions regarding this certification, please do not hesitate to contact me at 724-5565.



Brian K. Flowers