



2014 SEP 30 PM 3:28
OFFICE OF THE
SECRETARY

SEP 30 2014

VINCENT C. GRAY
MAYOR

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 is the "Metropolitan Police Department Captain and Lieutenant Shift Differential Approval Resolution of 2014." The accompanying Notice of Proposed Rulemaking is also enclosed.

This resolution is for the purpose of providing shift differential for Metropolitan Police Department Captains and Lieutenants. The establishment of such compensation is authorized by § 1104 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (CMPA), effective March 3, 1979 (D.C. Official Code § 1-611.04). The proposed compensation is being submitted for Council review pursuant to §§ 1104 and 1106 of the CMPA (D.C. Official Code §§ 1-611.04 and 1-611.06). Under the current labor agreement, Metropolitan Police Department officers, detectives, and sergeants receive shift differential for working evenings and night shifts. Establishing a shift differential for Metropolitan Police Department Captains and Lieutenants will ensure that these management officials maintain pay equalization with those union members whom they supervise on these shifts.

I urge the Council to take favorable action on this resolution.

Sincerely,


Vincent C. Gray


Chairman Phil Mendelson
at the request of the Mayor

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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution which was referred to the Committee on _____.

To approve the establishment of a shift differential for Metropolitan Police Department Captains and Lieutenants.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Metropolitan Police Department Captain and Lieutenant Shift Differential Approval Resolution of 2014”.

Sec. 2. Pursuant to Section 1106 of the District of Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.06), the Council of the District of Columbia approves the proposed compensation system change recommended by the Mayor for a shift differential for Metropolitan Police Department Captains and Lieutenants, and the notice of proposed rulemaking to implement the compensation change, which were transmitted by the Mayor to the Council on _____, 2014.

Sec. 3. Fiscal Impact Statement.

1 The Council adopts the fiscal impact statement in the Committee report as the fiscal
2 impact statement required by section 602 (c)(3) of the District of Columbia Home Rule Act,
3 approved December 24, 1973 (87 Stat.813; D.C. Official Code § 1-206.02 (c)(3)).

4 Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its
5 adoption, to the Mayor and the Chief of Police, Metropolitan Police Department.

6 Sec. 5. This resolution shall take effect immediately.

METROPOLITAN POLICE DEPARTMENT

NOTICE OF PROPOSED RULEMAKING

The Chief of Police, pursuant to Mayor's Order 2012-28, dated February 21, 2012, and in accordance with § 1106 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (CMPA), effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.06 (2001)) hereby gives notice of the intent to adopt, the following proposed rules to provide evening and night differential to Metropolitan Police Department Captains and Lieutenants in accordance with § 1104 (d) of the CMPA (D.C. Official Code § 1-611.04 (d) (2001)). Upon adoption, these rules will add a new Section 105 to Title 6A DCMR (Police Personnel), Chapter 1 (Organization of the Metropolitan Police Department). The rules will become effective in not less than sixty days of the date of the publication of this notice in the D.C. Register, or the enactment of an approval resolution for this compensation change, whichever occurs later.

Title 6A DCMR (Police Personnel), Chapter 1 (Organization of the Metropolitan Police Department) is amended to add a new section 105 to read as follows:

105 SHIFT DIFFERENTIAL

105.1 Captains and Lieutenants may receive pay at their scheduled rate plus a differential of 3% for regularly scheduled non-overtime work when the majority of their work hours occur between 3 p.m. and midnight; 4% of their scheduled rate if the majority of their work hours occur between 11 p.m. and 8 a.m.

Comments on these proposed amendments should be submitted, in writing, to Terrence D. Ryan, General Counsel, Metropolitan Police Department, Room 4125, 300 Indiana Avenue NW, Washington, D.C. 20001, within sixty (60) days of the date of the publication of this notice in the D.C. Register. Additional copies of these proposed amendments are available from the above address.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



Legal Counsel Division



MEMORANDUM

TO: Lolita S. Alston
Director
Office of Legislative Support

FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division

DATE: September 16, 2014

SUBJECT: Legal Sufficiency Review of Draft Proposed Resolution, the "Metropolitan Police Department Captain and Lieutenant Shift Differential Approval Resolution of 2014"
(AE-14-372)

This is to Certify that this Office has reviewed the above-referenced draft legislation found it be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

Janet M. Robins