

ENROLLED ORIGINAL

A RESOLUTION

23-411

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 5, 2020

To declare the existence of an emergency with respect to the need to approve the negotiated collective bargaining agreement submitted by the Mayor for employees of the University of the District of Columbia and the University of the District of Columbia Faculty Association who are represented by the National Education Association.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Collective Bargaining Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association/National Educational Association Emergency Declaration Resolution of 2020”.

Sec.2. (a) There exists an immediate need to approve the collective bargaining agreement submitted by the Mayor for the University of the District of Columbia (“University”) and the University of the District of Columbia Faculty Association, who are represented by the National Educational Association (“NEA”).

(b) The District of Columbia negotiated a collective bargaining agreement (“CBA”) between the University and the University of the District of Columbia Faculty Association. The CBA includes a Fiscal Year 2020 lump sum payment for 2016-2019 equivalent to 2% each year (not compounded) to be paid in 2020, with base salary increases adjusted to reflect the lump sum in 2020. The terms of the agreement provide for all faculty to be moved to a new salary structure in 2020. The CBA also requires the University to seek funding for an additional 3% cost of living adjustment (“COLA”) in Fiscal Year 2021 and Fiscal Year 2022, and a second lump sum payment for eligible faculty in Fiscal Year 2021 equivalent to half of the 2020 lump sum. The COLA funding and second lump sum payment will only be triggered if funds specifically designated for those purposes are appropriated to the University.

(c) The COVID-19 Response Supplemental Emergency Amendment Act of 2020, effective April 10, 2020 (D.C. Act 23-286; 67 DCR 4178), tolls collective bargaining agreements for the duration of the COVID-19 public health emergency. Because contracts cannot be passively approved by the Council for the duration of the emergency, the CBA must be actively approved by the Council or it will not be approved until the termination of the COVID-19 public

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health emergency and the completion of a passive review period. The duration of the COVID-19 public health emergency cannot be determined at present.

(d) Failure to immediately effectuate the terms of the CBA will result in an indefinite delay in the receipt of the retroactive base pay increases and other compensation provisions negotiated by the University and NEA, impair the confidence of union members in the District government and its leadership, and jeopardize the ability of faculty members to support themselves and their families during the COVID-19 public health emergency.

Sec.3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Collective Bargaining Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association/National Educational Association Emergency Approval Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.