

**D.C. OFFICE OF PERSONNEL****NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Director, D.C. Office of Personnel, with the concurrence of the City Administrator, pursuant to Mayor's Order 2000-83, dated May 30, 2000, and in accordance with Title XIX of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-619.01 *et seq.*) (2001), hereby gives notice of the adoption of the following emergency rules. These rules amend Chapter 19, Incentive Awards, of Title 6 of the District of Columbia Municipal Regulations, to delete all references to "Quality Step Increases." The reason for the deletion is that the new compensation system that was approved by Council Resolution No. 15-1045 (deemed approved on December 5, 2004) does not include Quality Step Increases. The Notice of Final Rulemaking for Chapter 11, Classification and Compensation, of Title 6 of the District of Columbia Municipal Regulations, which incorporated this change in the compensation system excluding Quality Step Increases, was published at 52 DCR 934 (February 4, 2005). Specifically, the following changes were made to the chapter: 1) section 1902.1 (c)(4) of the chapter was deleted, and section 1902.1 (c)(5) of the chapter was renumbered as 1902.1 (c)(4); 2) section 1906.6 of the chapter was amended to delete the words "except a Quality Step Increase;" 3) section 1906.10 of the chapter was deleted; 4) section 1910.2 (a) of the chapter was amended to delete the words "and Quality Step Increases for their subordinate employees;" and 5) section 1999 of the chapter, Definitions, was amended to delete the definition of the term "Quality Step Increase." Additionally, a new section 1901.6 was added specifying that the provisions of a collective bargaining shall take precedence over the provisions of the chapter for those employees covered by the agreement, to the extent that there is a difference. The utilization of emergency rulemaking is the only available means to immediately notify District government agencies and employees covered under this chapter, that Quality Step Increases are not part of the new compensation system. Therefore, to ensure the welfare of the public, action was taken on February 11, 2005 to adopt the following rules on an emergency basis. These emergency rules will remain in effect for up to one hundred twenty (120) days from February 11, 2005, unless superseded earlier by another rulemaking notice.

The Director, D.C. Office of Personnel, with the concurrence of the City Administrator, pursuant to Mayor's Order 2000-83, dated May 30, 2000, and in accordance with Title XIX of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-619.01 *et seq.*) (2001), hereby gives notice of the intent to adopt the following proposed rules in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*. The purpose of these rules is to amend Chapter 19, Incentive Awards, of Title 6 of the District of Columbia Municipal Regulations, to delete all references to Quality Step Increases. Upon adoption, these rules will amend Chapter 19, Incentive Awards, of Title 6 of the District of Columbia Municipal Regulations, published at published at 29 DCR 1517 (April 9, 1982) and amended at 31 DCR 993 (March 2, 1984), 47 DCR 8102 (October 6, 2000), and 50 DCR 2244 (March 14, 2003).

## CHAPTER 19

### INCENTIVE AWARDS

*A new section 1901.6 is added to read as follows:*

1901.6 The provisions of a collective bargaining agreement shall take precedence over the provisions of this chapter for those employees covered by the agreement, to the extent that there is a difference.

*Section 1902.1 is amended to read as follows:*

#### 1902 CLASSES OF INCENTIVE AWARDS

1902.1 A personnel authority may make any of the following types of incentive awards:

- (a) Tangible item awards;
- (b) Time off awards;
- (c) The following types of monetary awards:
  - (1) Suggestion or invention awards;
  - (2) Special act or service awards;
  - (3) Sustained superior performance awards;
  - (4) Safe driving awards;
- (d) Honorary awards; and
- (e) Group Awards.

*Section 1906.6 is amended to read as follows:*

1906.6 Monetary awards are in the form of a lump sum payment and do not constitute an increase to the recipient employee's rate of pay.

*Section 1906.10 is deleted.*

Section 1910.2 (a) is amended to read as follows:

1910.2 (a) The Mayor, the City Administrator, or an agency head may approve monetary awards not exceeding two thousand dollars (\$2,000).

*Section 1999 is amended to delete the definition of the term "Quality Step Increase."*

Comments on these proposed regulations should be submitted, in writing, to Ms. Lisa R. Marin, SPHR, Director of Personnel, 441 4<sup>th</sup> Street, N.W., Suite 300 South, Washington, D.C. 20001, within thirty (30) days of the date of the publication of this notice in the *D.C. Register*. Additional copies of these proposed rules are available from the above address.