

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT
ELISSA SILVERMAN, CHAIRPERSON
1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: Chairman Phil Mendelson
FROM: Councilmember Elissa Silverman
DATE: July 6, 2017
SUBJECT: Request to Agendize Measures for the July 11, 2017 Additional Legislative Meeting

I am writing to respectfully request that you agendize the following measures for the July 11, 2017 Additional Legislative Meeting:

- “Public Employee Relations Board Confirmation Emergency Amendment Act of 2017”
- “Public Employee Relations Board Confirmation Emergency Declaration Resolution of 2017”

This emergency would amend section 501(h) of the District of Columbia Merit Personnel Act of 1978 to allow Mr. Charles J. Murphy and Ms. Ann Hoffman to serve another term on the Public Employee Relations Board.

At the request of the Mayor, I request that the following emergency measures be agendized for the July 11, 2017 Additional Legislative Meeting:

- “Public Employee Relations Board Ann Hoffman Confirmation Emergency Resolution of 2017”
- “Public Employee Relations Board Ann Hoffman Confirmation Emergency Declaration Resolution of 2017”
- “Public Employee Relations Board Charles J. Murphy Confirmation Emergency Resolution of 2017”
- “Public Employee Relations Board Charles J. Murphy Confirmation Emergency Declaration Resolution of 2017”

This emergency legislation confirms Charles J. Murphy and Ann Hoffman to the Public Employee Relations Board.

Charles J. Murphy recently served as the Chair of the Public Employee Relations Board (“PERB”). Mr. Murphy was most recently confirmed for a term lasting a little under two years beginning February 2014, and expiring in December of 2016. Prior to that, he served a two-and-a-half year term in which he was confirmed in July 2011 with an expiration of December 2013. He is an expert in labor relations, and has three decades of experience as an academic and consultant

in the labor field, which meets the statutory requirements of the position. Currently, Mr. Murphy teaches related coursework at Howard University's School of Business.

Ann Hoffman has served a little over two years in her most recent appointment as a public member of the PERB, which was approved by the Council in early December 2014 and expired in mid-December 2016. Prior to her current term, Ms. Hoffman served a little more than a year-and-a-half on the PERB, in a term confirmed by the Council in May 2012 with an expiration of December 2013. Ms. Hoffman has 45 years of experience in labor law, including teaching, consulting, and working for various labor organizations, meeting the requirements of the position.

On June 15, 2017, Mayor Bowser submitted PR22-0362 and PR22-0363 to reappoint Ms. Hoffman and Mr. Murphy to serve another term on the PERB. On June 22, 2017, the Committee on Labor and Workforce Development held a public roundtable on the nominations. Although section 501(h) of the District of Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01(c)) ("Act"), provides that "[n]o person [appointed to the Public Employee Relations Board] shall serve for more than 2 consecutive terms" neither Mr. Murphy nor Ms. Hoffman have served two consecutive, full three-year terms for a total of six years.

Specifically, Ms. Hoffman joined the PERB in May 2012, 18 months after the actual term began. Similarly, Mr. Murphy began his stint at the PERB in July of 2011, 7 months after his first term began.

These resolutions paired with the "Public Employee Relations Board Confirmation Emergency Amendment Act of 2017" would allow for Mr. Murphy and Ms. Hoffman to continue to serve on the PERB and are necessary so that both members are able to serve another full, complete three-year term.

Draft copies of the emergency measures are attached and will be filed by the Executive. If you have any questions regarding this measure, please contact Michele Blackwell, at 727-1135 or mblackwell@dccouncil.us.

cc: Members, Council of the District of Columbia
Office of the Secretary
Office of the General Counsel
Office of the Budget Director
Mayor's Office of Policy and Legislative Affairs