



COUNCIL OF THE DISTRICT OF COLUMBIA

**RULES OF ORGANIZATION AND PROCEDURE FOR THE
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT**

COUNCIL PERIOD 23

Councilmember Elissa Silverman, Chairperson
January 16, 2019

CONTENTS

CONTENTS..... 2

ARTICLE I - DEFINITIONS 3

 Sec. 101. Definitions..... 3

ARTICLE II - COMMITTEE OVERSIGHT RESPONSIBILITIES 4

 Sec. 201. Matters under the Purview of the Committee..... 4

 Sec. 202. Agencies under the Purview of the Committee 4

ARTICLE III - ORGANIZATION OF THE COMMITTEE 5

 Sec. 301. Chairperson..... 5

 Sec. 302. Committee Staff..... 5

ARTICLE IV - COMMITTEE MEETINGS 6

 Sec. 401. Quorum..... 6

 Sec. 402. Regular Meetings..... 6

 Sec. 403. Special and Additional Meetings 7

 Sec. 404. Procedures for Meetings..... 8

 Sec. 405. Records of Meetings..... 9

ARTICLE V - REVIEW OF AND REPORTS ON PROPOSED LEGISLATION 10

 Sec. 501. Approval of Measures..... 10

 Sec. 502. Reports on Bills and Proposed Resolutions..... 10

 Sec. 503. Supplemental, Minority, and Additional Views..... 10

ARTICLE VI – HEARINGS AND INVESTIGATIONS 11

 Sec. 601. Hearing Procedures..... 11

 Sec. 602. Witnesses..... 12

 Sec. 603. Testimony under Oath..... 13

 Sec. 604. Questions for the Record..... 13

 Sec. 605. Investigations..... 13

ARTICLE VII - NOTICE PROVISION..... 14

 Sec. 701. Notice..... 14

ARTICLE VIII – OPEN MEETINGS 15

 Sec. 801. Policy..... 15

 Sec. 802. Open Meetings..... 15

ARTICLE IX - RULES 16

 Sec. 901. Rules of the Council..... 16

 Sec. 902. Amendment..... 16

 Sec. 903. Filing with the Council Secretary..... 16

 Sec. 904. Effective Period..... 16

ARTICLE I - DEFINITIONS

Sec. 101. Definitions

Except as otherwise provided by these rules, the definitions contained in section 101 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23, are incorporated by reference.

For purposes of these rules, the term:

- (1) “Chairperson” means the Chairperson of the Committee on Labor and Workforce Development.
- (2) “Committee” means the Committee on Labor and Workforce Development.
- (3) “Council Rules” means the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23.
- (4) “Meeting” means any gathering of a quorum of the members of the Committee, including hearings and roundtables, whether formal or informal, regular, special, or emergency, at which the members consider, conduct, or advise on Committee business, including gathering information, taking testimony, discussing, deliberating, recommending, and voting, regardless of whether held in person, by telephone, electronically, or by other means of communication. The term “meeting” shall not include a chance or social encounter.
- (5) “Member” means a Member of the Committee.
- (6) “Quorum” means 3 Members, except as provided in section 601(d).
- (7) “Rules” means the Rules of Organization and Procedure for the Committee on Labor and Workforce Development for Council Period 23.
- (8) “Testimony” means an oral or written statement submitted to the Committee with knowledge or intent that it will be added to the record.
- (9) “Witness” means a person who shall appear or is appearing before the Committee, whether voluntarily or by mandatory process.

ARTICLE II - COMMITTEE OVERSIGHT RESPONSIBILITIES

Sec. 201. Matters under the Purview of the Committee

The Committee on Labor and Workforce Development is responsible for labor relations; matters related to workforce development; and employment.

Sec. 202. Agencies under the Purview of the Committee

The following agencies come within the purview of the Committee on Labor and Workforce Development:

- Adult Career Pathways Taskforce
- Apprenticeship Council
- Department of Employment Services
- Department of Human Resources
- Employees' Compensation Fund
- Labor/Management Partnership Council
- Occupational Safety and Health Board
- Office of Employee Appeals
- Office of Labor Relations and Collective Bargaining
- Public Employees Relations Board
- Unemployment Compensation Fund
- Workforce Investment Council
- Youth Apprenticeship Advisory Committee

ARTICLE III - ORGANIZATION OF THE COMMITTEE

Sec. 301. Chairperson.

The Chairperson shall be the presiding officer of the Committee. The Chairperson may designate a Member to act as temporary Chairperson when he or she is absent or recuses himself or herself from certain items before the Committee.

Sec. 302. Committee Staff.

(a) Committee Director. The Chairperson shall appoint a Committee Director with the approval of the Committee, pursuant to section 406(b)(3)(B) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Official Code § 1-604.06(b)(3)(B)). The Committee Director shall be the secretary and chief administrative officer of the Committee; shall keep any minutes and all records of meetings and Committee business; and shall perform other administrative, legislative, and policy functions assigned by these rules or the Chairperson.

(b) Additional Staff. The Chairperson shall appoint additional staff with the approval of the Committee, pursuant to section 406(b)(3)(B) 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 § 1-604.06(b)(3)(B)). The additional staff shall perform administrative, legislative, and policy duties that as assigned by the Chairperson or the Committee Director.

(c) Staff Assignments, Removals, and Remuneration. Committee staff assignments, removals, and remuneration shall be determined by the Chairperson.

ARTICLE IV - COMMITTEE MEETINGS

Sec. 401. Quorum.

(a) Quorum. A majority of the Members constitutes a quorum for the lawful convening of a Committee meeting and for the transaction of business, except that a lesser number may hold hearings as provided in Section 601.

(b) Chairman as Ex Officio. The Chairman of the Council shall be an ex officio, voting Member of the Committee and may be counted for the purposes of a quorum, but shall not increase the quorum requirement for the Committee.

Sec. 402. Regular Meetings.

(a) Time. Regular meetings of the Committee shall be held at 1:00pm on the third Wednesday of each month except during periods of recess of the Council and legal holidays.

(b) Place. Regular meetings of the Committee shall be held in Room 123 in the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C., 20004, unless another place is designated by the Chairperson.

(c) Notice. The Chairperson shall circulate a notice, in writing or by electronic mail, of the date, hour, and place of all Committee meetings to all Members of the Council at least 24 hours prior to the scheduled meeting, along with a copy of the agenda of the meeting. The Chairperson shall circulate to all Members of the Council a draft of any measures to be considered at the scheduled meeting and, if required pursuant to Council Rule 803(e)(6), a comparative print, at least 24 hours prior to the scheduled meeting. The Committee may consider matters that are not included on the agenda, if at least 4 members of the Committee agree in writing to a shorter notice.

(d) Recess and Rescheduling. The Chairperson may recess any regular meeting then in progress to another time, day, and place. The Chairperson may reschedule any future regular meeting, provided that each Member is notified in writing or by electronic mail at least 24 hours in advance of the scheduled meeting.

(e) Cancellation. The Chairperson may cancel a future regularly scheduled meeting. To cancel a regularly scheduled meeting, the Chairperson shall provide at least 24 hours notice of the cancellation, in writing or by electronic mail, to each Councilmember and the Secretary to the Council unless the circumstances necessitating the cancellation preclude the provision of such notice. If the circumstances preclude the provision of the notice 24 hours prior to the regularly scheduled meeting, the Chairperson shall provide notice of the cancellation in writing or by electronic mail to each Councilmember and the Secretary to the Council at the earliest possible time prior to the regularly scheduled meeting.

(f) Agenda

(1) The agenda and written material relating to the agenda items shall be available to the Members 24 hours prior to the meeting of the Committee.

(2) The Committee staff shall prepare the agenda at the direction of the Chairperson. The agenda for all meetings, except special meetings called by a majority of the Members, shall be set by the Chairperson.

(3) The Chairperson may prepare a consent agenda for each Committee meeting, which includes bills and proposed resolutions that the Chairperson believes will be adopted by unanimous vote. The consent agenda shall require approval at the beginning of the Committee meeting. Any Member may strike a bill or proposed resolution from the consent agenda.

(g) Posting draft materials

(1) Drafts of any measures to be considered at regular meetings, including draft agendas, draft committee prints, and draft committee reports, shall be posted on a publically-available website by 6pm the day before the regular meeting.

Sec. 403. Special and Additional Meetings

(a) Special Meetings

(1) Special meetings may be called by filing a written request with the Committee Director for a special meeting signed by no fewer than 3 Members. The Committee Director shall notify the Chairperson and the other Members of the filing of the request.

(2) The Chairperson shall call the special meeting within 72 hours of the written request and shall specify the date, hour, place, and agenda for the meeting.

(3) If the Chairperson does not call the requested meeting, a majority of the Members may file a written notice with the Committee Director that a special meeting will be held, specifying the date, hour, place, and agenda for the meeting.

(4) Whenever a special meeting is called, the Committee staff shall notify each Councilmember in writing or by electronic mail at least 24 hours before the special meeting, except if the special meeting is called pursuant to paragraph (7). The notice shall state the date, hour, and place of the meeting. A copy of the agenda of the meeting and draft of any measures to be considered shall be circulated.

(5) No matters shall be considered at any special meeting except those stated in the written or electronic-mail request and notification.

(6) Any written material relating to the agenda items shall be made available to the Members by the close of business of the working day prior to the meeting, except if the special meeting is called pursuant to paragraph (7).

(7) Special meetings to consider emergency matters may be called upon shorter notice, if the shorter notice is agreed to by 3 Members.

(8) The Chairperson may cancel a special meeting, provided that each Councilmember is notified in writing or by electronic mail at least 24 hours prior to the scheduled meeting, unless the circumstances necessitating the cancellation preclude the provision of such notice. If the circumstances preclude the provision of the notice 24 hours prior to the scheduled meeting, the Chairperson shall provide written notice of the cancellation to each Councilmember and the Secretary to the Council at the earliest possible time prior to the scheduled meeting.

(b) Additional Meetings.

(1) The Chairperson may call additional meetings.

(2) Whenever an additional meeting is called, the Committee Director or staff shall notify each Councilmember in writing or by electronic mail, at least 24 hours prior to the additional meeting, unless at least 3 Members agree to a shorter notice. The notice shall state the date, hour, and place of the meeting, and include a copy of the agenda of the meeting. The Chairperson shall circulate, in writing or by electronic mail, a draft of any measures to be considered and, if required pursuant to Council Rule 803(e)(6), a comparative print, at least 24 hours prior to the additional meeting, unless at least 4 Members agree to a shorter notice.

(3) The Chairperson may cancel an additional meeting, provided that each Member of the Council is notified in writing or by electronic mail at least 24 hours prior to the scheduled meeting, unless the circumstances necessitating the cancellation preclude the provision of such notice. If the circumstances preclude the provision of the notice 24 hours prior to the scheduled meeting, the Chairperson shall provide written notice of the cancellation to each Councilmember and the Secretary to the Council at the earliest possible time prior to the scheduled meeting.

(c) Posting draft materials

(1) Drafts of any measures to be considered at either special or additional meetings, including draft agendas, draft committee prints, and draft committee reports, shall be posted on a publically-available website by 6pm the day before the regular meeting.

Sec. 404. Procedures for Meetings.

(a) Order of Business for Meetings. Subject to subsection (b), the Committee shall conduct business for meetings of the Committee in the following order:

(1) Call to order;

(2) Determination by the Chairperson of the presence of a quorum;

(3) Reading and approval of minutes, if applicable;

(4) Consideration of proposed reports on and markup of pending measures assigned to the Committee under section 405 of the Council Rules;

(5) Other business, if applicable; and

(6) Adjournment.

(b) Proceeding Out of Order. The Chairperson or presiding Member may, without objection or upon the vote of a majority of the Members present and voting, take up any item of business out of order.

(c) Recognition of Non-Committee Members. The Chairperson or presiding Member may recognize an individual when the participation of the individual would, in the judgment of the Chairperson or presiding Member, enhance the understanding of the matter under consideration by the Committee.

Sec. 405. Records of Meetings.

(a) Records. An audio or audiovisual recording of Committee meetings, hearings, and roundtables shall be made. Committee reports will serve as minutes of Committee hearings, but the Chairperson may also direct that minutes of meetings or hearings be taken. The minutes may consist of a description of all Committee action and a description of each amendment, motion, order, or other proposition on which a roll-call vote was taken; the name of each Member voting for and against the amendment, motion, order, or proposition; and the names of those Members present but not voting. If minutes are taken, the minutes shall be filed with the Secretary to the Council upon approval by the Committee.

(b) Public Inspection. All records of official Committee action shall be made available to the public during normal business hours through the Committee or the Office of the Secretary to the Council.

ARTICLE V - REVIEW OF AND REPORTS ON PROPOSED LEGISLATION

Sec. 501. Approval of Measures.

(a) Approval Process. The Committee shall not report out a measure or recommendation on a matter assigned to the Committee unless a quorum is present at the time of approval and the measure or recommendation is approved by a majority of the Members present and voting.

(b) Amendments. Amendments shall be in written form, with at least 10 copies provided to the Committee staff at the time of the meeting. If an oral amendment is moved during a Committee meeting, it shall, upon request by a member, be reduced to writing and read by the Committee Director or other staff of the Committee, and copies or images of the amendment shall be made available for public inspection as soon as practicable.

Sec. 502. Reports on Bills and Proposed Resolutions.

(a) Draft Reports. Each reported bill or proposed resolution shall be accompanied by a report written, prepared, and adopted in accordance with section 803 of the Council Rules; provided, that the Committee staff shall have leave to make technical and conforming amendments to a report adopted by the Committee.

(b) Contents of Reports. Each adopted report on a bill or proposed resolution assigned to the Committee shall be signed by the Chairperson, accompanied by the final bill or proposed resolution, and include all requirements in section 803(d) of the Council Rules.

(c) Date of Report. The date of the Committee markup shall be the date of the report.

Sec. 503. Supplemental, Minority, and Additional Views.

If, at the time of approval of any measure by the Committee, any Member of the Committee gives notice of intent to file supplemental, minority, or additional views, that Member shall have 5 days (excluding Saturdays, Sundays, and legal holidays) in which to file his or her views in writing. Such views shall be filed with the Committee Director and shall be added as an addendum to the report and filed with the Office of the Secretary.

ARTICLE VI – HEARINGS AND INVESTIGATIONS

Sec. 601. Hearing Procedures.

(a) Calling.

(1) The Committee shall hold a hearing before passage of any permanent bill. A hearing is not required if a hearing on the same or a similar bill was held in the previous Council Period.

(2) The Committee may hold a hearing or roundtable before passage of a proposed resolution if called by the Chairperson.

(3) The Committee may hold a hearing or a roundtable on any matter relating to the affairs of the District that is properly within the Committee's jurisdiction as provided in the Council Rules.

(b) Notice. Notice of Committee hearings shall be given in the manner provided for in section 701.

(c) Open Hearing. Except as provided in Section 803 of the Committee Rules, each hearing or roundtable shall be open to the public.

(d) Quorum. One Member constitutes a quorum for the taking of testimony and receiving of evidence at a hearing.

(e) Questioning of Witnesses.

(1) Each Member and participating non-Committee Member shall have a maximum of 10 minutes to question each witness, until after each Member or participating non-Committee Member has had an opportunity to question the witness. Questioning shall proceed in the order that Members arrived, followed by non-Committee Members. The Committee Chair shall have the discretion to allow for an additional round, or rounds, of questioning and shall determine the length of each round.

(2) A witness may be questioned, with the consent of the Chairperson or presiding Member, by Committee or authorized Council staff or by counsel advising the Committee.

(f) Hearing Decorum.

(1) A witness shall confine his or her remarks to the question under discussion and shall avoid making negative personal comments.

(2) The Chairperson or presiding Member shall maintain order during the meeting and if, in his or her opinion, the removal of any member of the public is necessary to

maintain order, the Chairperson or presiding Member may order the removal of any disorderly person after warning the person.

(g) Recess. A hearing may be recessed at any time by the Chairperson or presiding Member.

Sec. 602. Witnesses.

(a) Right to Counsel. Any witness who appears before the Committee has the right to be represented by counsel.

(b) Written Statements. Any witness who provides oral testimony at a hearing or roundtable of the Committee may submit a written statement, which shall be placed in the record of the hearing.

(c) Right to Make Opening Statement.

(1) Each person who complied with the committee's requirements in the notice of a hearing or roundtable setting a deadline before which a person must contact the committee to be permitted to be a witness at the public hearing or roundtable, shall be given an opportunity to testify, subject to time limitations imposed by the Chairperson or presiding Member and pursuant to subsection (d).

(2) Pursuant to Council Rule 522, each witness testifying on behalf of the Executive Branch, including an agency, entity, board, commission, or independent agency of the Executive Branch, must submit written testimony to the Chairperson at least 48 business hours before the commencement of a hearing. Executive Branch witnesses who do not submit written testimony at least 48 business hours before commencement of a hearing forfeit the opportunity to read testimony as an opening statement. The Chairperson may waive this rule at her discretion for good cause and demonstration of effort.

(d) Time afforded for testimony.

(1) A witness appearing on his or her own behalf shall be afforded at least 3 minutes to make an opening statement.

(2) A witness appearing on behalf of a bona fide organization shall be afforded at least 5 minutes to make an opening statement.

(3) A witness representing the Executive Branch of the District of Columbia government shall be afforded up to 15 minutes to make an opening statement.

(4) The Chairperson or presiding Member may afford more or less time to a witness in the interest of efficiency, fairness, or sound administration of the hearing.

Sec. 603. Testimony under Oath.

The Chairperson or presiding Member may require a witness to provide his or her testimony under oath or affirmation.

Sec. 604. Questions for the Record.

The Chairperson may request documents from a witness to further develop the record after a hearing or roundtable.

Sec. 605. Investigations.

(a) The Committee may investigate any matter relating to the affairs of the District of Columbia that comes under the jurisdiction of the Committee. The Committee may also direct another person to investigate a matter within the Committee's jurisdiction.

(b) The Committee shall use, report, issue, serve, and enforce subpoenas in accordance with Article VI of the Council Rules.

(c) The rights of witnesses contained in Article VI of the Council Rules are incorporated by reference.

ARTICLE VII - NOTICE PROVISION

Sec. 701. Notice.

When not otherwise required by the Council Rules or these Committee rules, notice may be given by one or more of the following methods:

(1) Posting in prominent places in the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., or other public buildings or public posting places;

(2) Publication in the *District of Columbia Register*;

(3) Mailing notice to an established mailing list of organizations and individuals maintained by the Secretary to the Council;

(4) Use of other news media;

(5) Posting on the Council of the District of Columbia website;

(6) Electronic mail; or

(7) Any other manner the Committee considers appropriate.

ARTICLE VIII – OPEN MEETINGS

Sec. 801. Policy.

The public policy of the Committee on Labor and Workforce Development is that all persons are entitled to full and complete information regarding the affairs of the Committee and the actions of Committee Members.

Sec. 802. Open Meetings.

(a) Except as provided in Section 375 of the Council Rules, a Committee meeting shall be open to the public. A meeting shall be deemed open to the public if the public is permitted to be physically present; the news media, as defined by D.C. Official Code § 16-4701, is permitted to be physically present; or the meeting is televised.

(b) Before a meeting or portion of a meeting may be closed, the Committee shall meet in public session at which a majority of the Members present vote in favor of closure.

(c) A Committee meeting in closed session may not discuss or consider any matter other than those matters listed under Section 375 of the Council Rules.

(d) No resolution, rule, act, regulation, or other official action shall be effective unless taken, made, or enacted at a meeting in compliance with this section.

(1)

ARTICLE IX - RULES

Sec. 901. Rules of the Council.

The following Rules of the Council are and shall be considered rules of the Committee and except where the context dictates to the contrary, the term “Council” means “Committee,” the term “Member” or “Member of the Council” means “Member of the Committee,” the term “Chairman” means “Chairperson of the Committee,” and the term “Secretary” means “Committee Director or other Committee staff”: 101 (Definitions); 202 (Code of Official Conduct); 304 (Quorum); 305 (Hearing the Mayor); 321 (Decorum of Members); 322 (Decorum of Members of the Public); 331 (Obtaining the Floor); 332 (Time Limits for Debate); 333 (Personal Privilege); 334 (Points of Order); 335 (Appeal); 337 (Recognition of Non-Members); 341 (Motions Recognized During Debate); 342 (Withdrawal or Modification of Motions); 343 (Adjourn); 345 ([Motions to] Reconsider); 351 (Amend); 353 (Amendments to be Written); 361 (Form of Vote); 362 (Voice Votes); 363 (Demand for Roll Call Vote); 365 (Records of Votes); 367 (Proxy Voting Prohibited); 372 (Meetings Deemed Open); 375 (Exceptions to Open Meetings); 418 (Effect of End of Council Period); 423 (Methods of Notice); 601 (Resolution Authorizing the Use of Subpoenas in an Investigation); 604 (Testimony Under Oath); 605 (Issuing the Oath); 606 (Depositions); 611 (Issuance of Subpoenas); 612 (Report to Secretary Regarding Use of Subpoena); 613 (Service of Subpoenas); 614 (Enforcement of Subpoenas); 621 (Right to Assert Privileges); 622 (Notification of Rights); 623 (Right to Transcript); 624 (Rights of Persons Who are Subjects of Investigations); 803 (Reports on Legislation); 808 (Records of Legislative Meetings); 1001 (Parliamentary Authority); 1002 (Gender Rule of Construction); and 1003 (Suspension of Rules). Whenever there is inconsistency between these rules and the Council Period 22 Rules, the Council Rules shall govern.

Sec. 902. Amendment.

These rules may be amended by a majority of the Committee at any Committee meeting. Notice of the proposed amendment shall be in writing, signed by the proposing Member, and circulated to each Member at least 10 days prior to the meeting at which the proposed amendment is to be considered, unless the notice is waived by each Member to whom it is not given.

Sec. 903. Filing with the Council Secretary.

Upon the adoption of these rules or any future amendments, the Committee staff shall file a copy of the final rules or amendments with the Secretary to the Council.

Sec. 904. Effective Period.

These rules will be effective until superseded by Rules of Organization and Procedure for the Committee on Labor and Workforce Development adopted in a succeeding Council Period, unless modified by a majority of the Committee Members during Council Period 23.