
Councilmember Kwame R. Brown

Councilmember Marion Barry

Councilmember Phil Mendelson

Councilmember Tommy Wells

Councilmember Jim Graham

Councilmember Harry Thomas

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmembers Brown, Barry, Mendelson, Wells, Graham and Thomas introduced the following bill, which was referred to the Committee on _____.

To enhance the standards for security officers in the District of Columbia by establishing minimum compensation requirements commensurate to their services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the “Enhanced Professional Security Amendment Act of 2007”.

Sec. 101. Title 1 of the Enhanced Professional Security Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-187; D.C. Official Code §5-129.21), is amended by adding a new section to read as follows:

“Sec. 102 . Short title.

(a) Findings and declaration of policy.

The Council of the District of Columbia finds that security officers provide an invaluable service by keeping the District safe for all who live, work and visit here. The security of office buildings in the District enables commercial establishments to operate effectively and safely, which promotes the economic well-being of the District. Security officers should be paid wages that are commensurate with these responsibilities and that provide them with adequate maintenance and protect their health. The Council further finds that insufficient wages causes a high turnover rate in the industry which creates a security risk to the District. Low wages also constitute unfair competition

against other employers, which reduces the purchasing power of their employees and can create new public assistance costs for the government. To maintain the social and economic well-being of the District, the Council declares that the wages of security officers should be established at an equitable level.

(b) Definitions.

For purposes of this section, the term:

- (1) "Employ" includes to suffer or permit to work.
- (2) "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to a security officer, but shall not include the United States or the District of Columbia.
- (3) "Security officer" shall have the same meaning as provided in section 2100 of Title 17 of the District of Columbia Municipal Regulations.
- (4) "Wage" means compensation due to a security officer by reason of his or her employment, payable in cash or checks on banks convertible into cash on demand at full face value.

(c) Requirements.

(1) An employer shall pay a security officer who performs work in an office building, institution, or similar establishment in the District of Columbia no less than the combined amount of the minimum wage and fringe benefit rates for the guard 1 classification established by the United States Secretary of Labor pursuant to the Service Contract Act of 1965, approved October 22, 1965 (P.L. 89-276; 42 U.S.C. § 351), including any upward rate adjustment by the Secretary.

(2) No employer shall employ any security officer for a workweek that is longer than 40 hours, unless the security officer receives compensation for employment in excess of 40 hours at a rate not less than 1 1/2 times the regular rate at which such officer is employed.

(d) Collective bargaining agreement.

Nothing in this title shall be deemed to interfere with, impede, or in any way diminish the right of security officers to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work in excess of the standards applicable under the provisions of this title."

Sec. 103. Fiscal impact statement.

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

Sec. 104. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action to override the veto), a 30-day period of Congressional review as provided in section 602 (c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(1)), and within 60 days of publication in the District of Columbia Register.