

December 5, 2007

Vincent C. Gray, Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Re: Organized Labor's Alternative to Bill 17-450, "Public Education Personnel Reform Amendment Act of 2007"

Dear Chairman Gray:

The Metropolitan Washington Council, AFL-CIO, and the coalition of labor organizations representing employees within the District of Columbia Public Schools ("DCPS"), submit this proposed alternative, to Bill 17-450, already under consideration by the Council.

An examination of the Union alternative bill shows that we have made every effort to retain those changes which, according to her testimony, Chancellor Rhee states she needs in order to reform D.C. Public Schools. Our bill retains those provisions intended to amend the Education Service Personnel classification in order to reflect the changes mandated by the Public Education Reform Amendment Act of 2007.

More importantly, however, our alternative bill, in deference to the demands made the Mayor and Chancellor Rhee in their bill, creates at-will employment positions within the Educational Service classification, allows the conversion of existing Educational Service employees to that

amended classification, authorizes the non-competitive conversion of existing Educational Service employees outside of collective bargaining units to the amended Educational Service upon enactment, and allows immediate non-disciplinary separation of designated employees. To be clear, however, the major difference between our bill and the Mayor's bill is that our bill limits the at-will positions within the Educational Service to only those employees who meet the definition of "management employee" under the terms of § 1-614.11 (5). In our view, this change gives the Mayor and the Chancellor complete, and unfettered, authority over the continued employment of true managers within DCPS and retains those fundamental rights, such as due process, RIF rights, discharge for cause, promotional opportunities, and the right to organize, for all employees who are not true managers under the definition already contained within the Comprehensive Merit Personnel Act.

Another major distinction between our alternative bill and the Fenty/Rhee bill is that our bill provides for training, retraining, and retreat rights for those management employees of the DCPS Central Office who are subjected to non-disciplinary separation under the terms of the bill. In our view, discipline, termination, and even non-disciplinary separation should be corrective in nature and not punitive. Therefore, even those Central Office employees who meet the definition of "management employee" under this bill should not, after long careers in service to

DCPS, be summarily and completely ejected from the system if they can be retrained and/or retreat into jobs in which their service will be valued.

We urge you on behalf of the employees of the DCPS to act favorably on this proposed alternative.

In addition, should you have any questions with regard to this matter, please do not hesitate to contact me.

Very truly yours,

Joslyn N. Williams