

PART I
D.C. PERSONNEL REGULATIONS
CHAPTER 2
RETENTION OF PERSONNEL RIGHTS AND BENEFITS
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CHAPTER 2**RETENTION OF PERSONNEL RIGHTS AND BENEFITS****200 APPLICABILITY**

- 200.1 These regulations apply to all employees of the District of Columbia Government who were employed before January 1, 1980, except employees of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals.
- 200.2 Former employees who are reemployed after January 1, 1980 are not covered by these regulations.
- 200.3 Former employees exercising restoration following military service are covered, provided they were employed by the D.C. Government prior to January 1, 1980.
- 200.4 This chapter does not apply to employees appointed on or after January 1, 1980.

201 IMPLEMENTATION OF SECTION 204 OF D.C. LAW 2-139

In accordance with Section 204, on January 1, 1980 all persons employed by the District shall be transferred into the appropriate personnel system, as outlined below. The status, rights, and benefits inherent in the position held prior to transfer are retained by such employees.

- 201.1 Except as provided below, all D.C. Government employees serving in excepted or competitive service positions are transferred into the Career Service, established in Title VIII of the Law.
- 201.2 The rights of employees serving in positions included in the Executive Service, as provided in Title X of D.C. Law 2-139, are described in Chapter 10 of these regulations.
- 201.3 All educational employees of the District of Columbia Board of Education and of the Board of Trustees of the University of the District of Columbia, as defined in D.C. Law 2-139, are transferred into the Educational Service, established in Title VIIIA of the Law.
- 201.4 Employees currently serving in positions under a special employment program shall transfer into the Excepted Service, established in Section 904 of the Law. These positions include:
- (a) Positions created under public employment programs established by law;
 - (b) Positions established under special employment programs of a transitional nature designed to provide training or job opportunities for rehabilitation purposes;

- (c) Positions filled by the appointment of Federal employees under the mobility provisions of the Intergovernmental Personnel Act (IPA) of 1970;
- (d) Positions, excluding those under the Board of Education and the Board of Trustees of the University of the District of Columbia, established under federal grant funded programs having a limited or indefinite duration, provided State Merit requirement are not applicable;
- (e) Positions established to employ professional, scientific or technical experts or consultants; and
- (f) Positions established under a cooperative educational and study program.

201.5 Employees currently serving as attorneys employed by the Mayor, an agency under the personnel authority of the Mayor or any independent agency shall transfer into the excepted service established in Section 909 of D.C. Law 2-139 and shall meet such qualification and classification standards and enjoy such employment rights as were in effect on December 31, 1979 for persons appointed as attorneys by the Mayor, an agency under the personnel authority of the Mayor, or an independent agency without regard to Titles VI or XVI.

201.6 The classification of and compensation for the position assumed upon transfer, and the rights and benefits inhering in that position, shall be at least equal to the classification, compensation, rights and benefits associated with the position from which the employee is transferred.

201.7 An employee's pay, tenure, employment status, rights and benefits cannot be reduced when transferred or subsequent to the transfer, except by application of reduction-in-force procedures, by application of adverse action procedures, or by a signed statement from the employee agreeing to such a change.

202 RESIDENCY

202.1 Employees covered by this chapter are not subject to the residency requirement of D.C. Law 2-139, unless they terminate employment with the District Government and, following a break in service of one or more work days, are reemployed by the District Government.

203 LABOR MANAGEMENT AGREEMENTS

203.1 All provisions of contracts existing before January 1, 1980, between the District Government and labor organizations, shall remain in effect until their expiration.

204 GRIEVANCES

204.1 The appropriate personnel authority is responsible for enforcing these regulations and investigating employee grievances involving a violation of the rights and benefits

guaranteed to employees by law and regulations. An employee whose grievance is not resolved to his or her satisfaction through normal grievance processes may submit the grievance to the Office of Employee Appeals.