

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 5.
POLICE, FIREFIGHTERS, MEDICAL
EXAMINER, AND FORENSIC SCIENCES.

CHAPTER 5.
SALARIES.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 5. SALARIES.

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CHAPTER 5. SALARIES.

SUBCHAPTER I. GENERAL.

§ 5-501.01. INCREASE DENIED FOR UNSATISFACTORY SERVICE; REMOVAL FOR INEFFICIENCY; ADDITIONAL COMPENSATION FOR OUTSTANDING EFFICIENCY.

No annual increase in salary shall be paid to any person who, in the judgment of the Mayor of the District of Columbia, has not rendered satisfactory service, and any private who fails to receive such annual increase for 2 successive years shall be deemed inefficient and forthwith removed from the service by the Mayor; provided, that under such rules and regulations as the Council of the District of Columbia shall promulgate, the Chief of Police and the Fire Chief of the Fire Department shall select and report to the Mayor from time to time the names of privates and sergeants in each Department who by reason of demonstrated ability may be considered as possessed of outstanding efficiency, and the Mayor is authorized and directed to grant to not exceeding 10% of the authorized strength, respectively, of such privates and sergeants in each Department additional compensation at the rate of \$5 per month; provided further, that the Mayor may withdraw such compensation at any time and remove any name or names from among such selections.

(July 1, 1930, 46 Stat. 840, ch. 783, § 4.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-401.

1973 Ed., § 4-802.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(111) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Miscellaneous Notes

Office of Major and Superintendent of Metropolitan Police abolished: See Historical and Statutory Notes following § 5-105.01.

Office of Chief Engineer abolished: See Historical and Statutory Notes following § 5-402.

§ 5-501.02. COMPUTATION OF RATES OF COMPENSATION.

(a) For all pay computation purposes affecting employees covered by this act or the District of Columbia Police and Firemen's Salary Act of 1958, basic per annum rates of compensation established by this act or the District of Columbia Police and Firemen's Salary Act of 1958, shall be regarded as payment for employment during 52 basic administrative workweeks.

(b)(1) Whenever for any such purpose it is necessary to convert a basic annual rate established by this act or the District of Columbia Police and Firemen's Salary Act of 1958 to a basic biweekly, weekly, daily, half-daily, or hourly rate, the following rules shall govern:

- (A) The annual rate shall be divided by 52 or 26, as the case may be, to derive a weekly or biweekly rate;
- (B) A weekly or biweekly rate shall be divided by 5 or 10, as the case may be, to derive a daily rate;
- (C) A daily rate shall be divided by 2 to derive a one-half daily rate;
- (D) In the case of the Metropolitan Police force, except with respect to computation of holiday pay, a biweekly rate shall be divided by the number of hours constituting the biweekly tour of duty in order to derive an hourly rate;
- (E) In the case of the Firefighting Division of the Fire Department of the District of Columbia:
- (i) A biweekly rate shall be divided by 2 to derive a weekly rate;
 - (ii) The weekly rate shall be divided by the number of workdays in the average established workweek to arrive at a daily rate;
 - (iii) A daily rate shall be divided by 2 to derive a one-half daily rate; and
 - (iv) An hourly rate shall be determined by dividing the daily rate of pay by 12, except for the purpose of computation of holiday pay; and
- (F) In the case of officers and members of divisions of the Fire Department of the District of Columbia other than the Firefighting Division, except with respect to computation of holiday pay, a biweekly rate shall be divided by the number of hours constituting the biweekly tour of duty in order to derive an hourly rate.

(2) All rates shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

(c) For all officers and employees referred to in this act, or the District of Columbia Police and Firemen's Salary Act of 1958, each pay period shall cover 2 administrative workweeks except that with respect to employees of the Fire Department the 1st pay period shall be for the period July 1 to July 11, 1953, inclusive.

(June 20, 1953, 67 Stat. 76, ch. 146, title IV, § 405; July 20, 1953, 67 Stat. 182, ch. 231, § 1; June 25, 1956, 70 Stat. 338, ch. 446, § 1; July 18, 1958, 72 Stat. 378, Pub. L. 85-533, § 5; Aug. 1, 1958, 72 Stat. 485, Pub. L. 85-584, title V, § 502(b); Oct. 5, 1961, 75 Stat. 831, Pub. L. 87-399, § 5; Sept. 25, 1962, 76 Stat. 596, Pub. L. 87-697, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-405.

1973 Ed., § 4-821.

References in Text

"This act," referred to throughout this section, means the Act of June 20, 1953.

The District of Columbia Police and Firemen's Salary Act of 1958, referred to throughout this section, is codified in § 5-541.01 et seq.

SUBCHAPTER II. HOLIDAY COMPENSATION.

§ 5-521.01. COMPENSATION FOR WORKING ON HOLIDAYS.

Under regulations promulgated by the Council of the District of Columbia, each officer and member of the Metropolitan Police force and of the Fire Department of the District of Columbia, when he may be required to work on any holiday, shall be compensated for such duty, excluding periods when he is in a leave status, in lieu of his regular rate of basic compensation for such work, at the rate of twice such regular rate of basic compensation; provided, that for the purpose of this subchapter, each such officer or member who works 8 hours or less on any holiday shall be compensated for such duty in addition to his regular rate of basic compensation for such work, at the rate of one eighth of his daily rate of basic compensation for each hour so worked, computed to the nearest hour, counting 30 minutes or more as a full hour; provided further, that, when an officer or member is authorized or directed to work on a holiday and such officer or member is required to work longer than his regular tour of duty, he shall be compensated for such overtime in accordance with the provisions of subsection (e) of § 5-1304. Appropriations for personal services for the Metropolitan Police force, the Fire Department of the District of Columbia, and the United States Park Police Force shall be available for payment of the additional compensation authorized by this subchapter.

(Oct. 24, 1951, 65 Stat. 607, ch. 544, § 1; July 18, 1958, 72 Stat. 377, Pub. L. 85-533, § 4(a); Oct. 5, 1961, 75 Stat. 831, Pub. L. 87-399, § 4; Oct. 21, 1965, 79 Stat. 1015, Pub. L. 89-282, § 3; Nov. 15, 1977, 91 Stat.

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-402.

1973 Ed., § 4-807.

Effect of Amendments

Pub.L. 111-282, in the second sentence, deleted "the United States Secret Service Uniformed Division," following "Fire Department of the District of Columbia,".

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(112) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 5-521.02. "HOLIDAY" DEFINED.

As used in § 5-521.01, the word "holiday" means the following: The 1st day of January, the 3rd Monday in February, the 4th day of July, the last Monday in May, the 1st Monday in September, the 2nd Monday in October, the 4th Monday in October, Thanksgiving Day, the 25th day of December, and, with respect to officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, such other holidays as may be designated by the Council of the District of Columbia, and with respect to officers and members of the United States Park Police force, such other holidays as may be designated by executive order.

(Oct. 24, 1951, 65 Stat. 607, ch. 544, § 2; July 18, 1958, 72 Stat. 378, Pub. L. 85-533, § 4(b); Sept. 3, 1974, 88 Stat. 1038, Pub. L. 93-407, title I, § 102; Nov. 15, 1977, 91 Stat. 1371, Pub. L. 95-179; Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(1)(B).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-403.

1973 Ed., § 4-808.

Effect of Amendments

Pub. L. 111-282 substituted "and with respect to officers and members of the United States Park Police force" for "and with respect to officers and members of the United States Secret Service Uniformed Division and the United States Park Police force".

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(113) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 5-521.03. APPLICABILITY OF SUBCHAPTER TO UNITED STATES SECRET SERVICE UNIFORMED DIVISION AND UNITED STATES PARK POLICE

Salary class and title	Service Step						
	1	2	3	4	5	6	7
Class 1: Fire							
private,							
police							
private	\$12,296	\$12,667	\$13,282	\$13,897	\$14,877	\$15,863	\$16,478
Class 2: Fire							
inspector	14,019	14,877	15,741	16,600	17,458	18,322	19,181
Class 3:							

Detective,							
assistant							
pilot,							
assistant							
marine							
engineer	15,370	16,139	16,907	17,676	18,444	19,213	19,981

Class 4: Fire

sergeant,							
police							
sergeant,							
detective							
sergeant	16,700	17,532	18,370	19,207	20,045	20,877	.....

Class 5: Fire

lieutenant,							
police							
lieutenant	19,303	20,273	21,237	22,202	23,166	.....	.....

Class 6: Marine

engineer,							
pilot	21,089	22,138	23,193	24,242	.....	.....	.....

Class 7: Fire

captain,							
police							
captain	22,870	24,014	25,159	26,299	.....	.....	.....

Class 8:

Battalion							
fire chief,							
police							
inspector	26,511	27,836	29,166	30,496	.....	.....	.....

Class 9: Deputy

Fire Chief,							
Deputy Chief							
of Police	31,111	33,215	35,325	37,434	.....	.....	.....

Class 10:

Assistant							
Chief of							
Police,							
Assistant							
Fire Chief	36,888	39,347	41,806

Class 11:

Repealed							
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1...+...10....+...20....+...30....+...40....+...50....+...60....+...70....+....

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\$17,093 \$17,707

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80...+...90...+..

(a-1) The Chief of Police, effective January 2, 2007, and the Fire Chief, effective April 16, 2007, shall be paid in accordance with the DX Schedule for subordinate agency heads pursuant to § 1-610.52.

(b) Compensation may not be paid, by reason of any provision of this subchapter, at a rate in excess of the rate of basic pay for level V of the Executive Schedule contained in subchapter II of Chapter 53 of Title 5, United States Code.

(c) Notwithstanding any other law or regulation, the annual rates of basic compensation of officers appointed pursuant to § 1-610.72 shall be established by the salary schedule established in subsection (a) of this section as modified pursuant to section § 5-545.06a.

(Aug. 1, 1958, 72 Stat. 481, Pub. L. 85-584, title I, § 101; Oct. 24, 1962, 76 Stat. 1239, Pub. L. 87-882, § 1; Aug. 14, 1964, 78 Stat. 431, Pub. L. 88-426, title III, § 306(i)(6); Sept. 2, 1964, 78 Stat. 880, Pub. L. 88-575, title I, § 101; Nov. 13, 1966, 80 Stat. 1591, Pub. L. 89-810, title I, § 101; May 27, 1968, 82 Stat. 140, Pub. L. 90-320, § 1(a); May 27, 1968, 82 Stat. 141, Pub. L. 90-320, § 1(b); June 30, 1970, 84 Stat. 354, Pub. L. 91-297, title I, § 102; Dec. 7, 1970, 84 Stat. 1391, Pub. L. 91-530, § 3; Aug. 29, 1972, 86 Stat. 634, Pub. L. 92-410, title I, §§ 101, 102; Sept. 3, 1974, 88 Stat. 1036, Pub. L. 93-407, title I, § 101(a)(1); Jan. 3, 1975, 88 Stat. 2173, Pub. L. 93-635, § 1; June 19, 1976, D.C. Law 1-73, § 2(1), 23 DCR 2807; Oct. 4, 2000, D.C. Law § 13-160, § 103(a), 47 DCR 4619; Oct. 18, 2007, D.C. Law 17-25, § 3, 54 DCR 8014; May 13, 2008, D.C. Law 17-154, § 6(a), 55 DCR 3678.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-406.

1973 Ed., § 4-823.

Effect of Amendments

D.C. Law 13-160 added subsec. (c), relating to compensation for officers appointed pursuant to § 1-610.72.

D.C. Law 17-25 added subsec. (a-1).

D.C. Law 17-154, in subsec. (a), substituted "subsections (a-1) and (b)" for "subsection (b)" in the lead-in language, and repealed classification "Class 11: Fire Chief, Chief of Police." in the salary schedule; and added subsec. (a-1).

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(a) of Lateral Appointment of Law Enforcement Officers Temporary Amendment Act of 1999 (D.C. Law 13-61, October 12, 1999, law notification 47 DCR 1983).

For temporary (225 day) amendment of section, see § 3(a) of Lateral Appointment of Law Enforcement Officers Clarifying Temporary Amendment Act of 1999 (D.C. Law 13-102, January 10, 2000, law notification 47 DCR 4339).

Emergency Act Amendments

For temporary (90-day) amendment of section, see § 3(a) of the Lateral Appointment of Law Enforcement Officers Emergency Amendment Act of 1999 (D.C. Act 13-137, August 4, 1999, 46 DCR 6802).

For temporary (90-day) amendment of section, see § 3(a) of the Lateral Appointment of Law Enforcement Officers Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-175, November 2, 1999, 46 DCR 9236).

For temporary (90-day) amendment of section, see § 3(a) of the Lateral Appointment of Law Enforcement Officers Clarifying Emergency Amendment Act of 1999 (D.C. Act 13-231, January 11, 2000, 47 DCR 506).

For temporary (90-day) amendment of section, see § 3(a) of the Lateral Appointment of Law Enforcement Officers Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-305, April 7, 2000, 47 DCR 2701).

For temporary (90 day) amendment of section, see § 3 of District of Columbia Sentencing and Criminal Code Revision Commission Emergency Amendment Act of 2007 (D.C. Act 17-72, July 20, 2007, 54 DCR 7401).

For temporary (90 day) addition, see § 4 of District of Columbia Sentencing and Criminal Code Revision Commission Emergency Amendment Act of 2007 (D.C. Act 17- 72, July 20, 2007, 54 DCR 7401).

Legislative History of Laws

Law 1-73, the "District of Columbia Police and Fireman's Salary Act Amendments of 1975," was introduced in Council and assigned Bill No. 1-235, which was referred to the Committee on Public Services. The Bill was adopted on first and second readings on March 9, 1976, and March 23, 1976, respectively. Signed by the Mayor on April 30, 1976, it was assigned Act No. 1-109 and transmitted to both Houses of Congress for its review.

Law 13-160, the "Omnibus Police Reform Amendment Act of 2000," was introduced in Council and assigned Bill No. 13-118, which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on February 1, 2000, and April 3, 2000, respectively. Signed by the Mayor on April

24, 2000, it was assigned Act No. 13-334 and transmitted to both Houses of Congress for its review. D.C. Law 13-160 became effective on October 4, 2000.

Law 17-25, the "District of Columbia Sentencing and Criminal Code Revision Commission Amendment Act of 2007", was introduced in Council and assigned Bill No. 17-137 which was referred to the Committee on Public Safety and Judiciary. The Bill was adopted on first and second readings on June 21, 2007, and July 10, 2007, respectively. Signed by the Mayor on July 25, 2007, it was assigned Act No. 17-87 and transmitted to both Houses of Congress for its review. D.C. Law 17-25 became effective on October 18, 2007.

For Law 17-154, see notes following § 5-105.01.

References in Text

The reference in (b) to "subchapter II of Chapter 53 of Title 5, United States Code" is codified at 5 U.S.C. §§ 5311 to 5318.

Miscellaneous Notes

Adjustment of salary schedule by Mayor: See Act of June 19, 1976, D.C. Law 1-73, § 4; Act of May 18, 1978, D.C. Law 2-76, § 2.

Retroactive compensation: See Act of August 14, 1964, 78 Stat. 431, Pub. L. 88-426, § 502; Act of September 2, 1964, 78 Stat. 800, Pub. L. 88-575, § 106; Act of November 13, 1966, 80 Stat. 1591, Pub. L. 89-810, § 104; Act of May 27, 1968, 82 Stat. 140, Pub. L. 90-320, § 7; Act of June 30, 1970, 84 Stat. 354, Pub. L. 91-297, § 109; Act of August 29, 1972, 86 Stat. 634, Pub. L. 92-410, § 116(a), (b); Act of September 3, 1974, 88 Stat. 1036, Pub. L. 93-407, § 104; Act of June 19, 1976, D.C. Law 1-73, § 3; Act of May 18, 1978, D.C. Law 2-76, § 3.

Metropolitan Police Department pay and benefit performance: Pursuant to §§ 2 and 3 of D.C. Law 6-145, the "Metropolitan Police Department Pay and Benefit Conformance Act of 1986," effective September 13, 1986, the Council approved changes to the compensation system for career and executive service employees not covered by collective bargaining.

Group insurance: See Act of August 1, 1958, 72 Stat. 481, Pub. L. 85-584, § 508(b); Act of August 14, 1964, 78 Stat. 431, Pub. L. 88-426, § 501(d); Act of September 2, 1964, 78 Stat. 800, Pub. L. 88-575, § 107; Act of November 13, 1966, 80 Stat. 1591, Pub. L. 89-810, § 105; Act of May 27, 1968, 82 Stat. 140, Pub. L. 90-320, § 8; Act of June 30, 1970, 84 Stat. 354, Pub. L. 91-297, § 111; Act of August 29, 1972, 86 Stat. 634, Pub. L. 92-410, § 116(c); Act of September 3, 1974, 88 Stat. 1036, Pub. L. 93-407, § 104(c); Act of June 19, 1976, D.C. Law 1-73, § 3(c); Act of May 18, 1978, D.C. Law 2-76, § 3.

PART B. METHOD OF ASSIGNMENT OF EMPLOYEES TO SALARY SCHEDULES.

§ 5-542.01. ADJUSTMENTS.

The rates of basic compensation of officers and members in active service on the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 shall be adjusted as follows:

(1) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of subclass (a) or (b) of salary class 1 in the salary schedule in effect on the day next preceding such effective date shall be placed in and received basic compensation in salary class 1 in the salary schedule in effect on and after such date, and each such officer or member shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of subclass (a) or (b) of salary class 1 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 1 in the salary schedule in effect on and after such date, and each such officer or member shall be placed in a service step as follows:

From--	To--
Class 1, subclass (a) or (b):	Class 1:
Longevity step A	Service step 7.
Longevity step B	Service step 8.
Longevity step C	Service step 9.

(2) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of subclass (a) or (b) of salary class 2 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 2 in the salary schedule in effect on and after such date, and each shall be placed at the respective service step in which he was serving immediately prior to such date. Each

officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of subclass (a) or (b) of salary class 2 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 2 in the salary schedule in effect on and after such date, and each such officer or member shall be placed in a service step as follows:

[Note: The following TABLE/FORM is too wide to be displayed on one screen. You must print it for a meaningful review of its contents. The table has been divided into multiple pieces with each piece containing information to help you assemble a printout of the table. The information for each piece includes: (1) a three line message preceding the tabular data showing by line # and character # the position of the upper left-hand corner of the piece and the position of the piece within the entire table; and (2) a numeric scale following the tabular data displaying the character positions.]

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From--	To--
Class 2, subclass (a) or (b):	Class 2:
Longevity step A	Service step
Longevity step B	Service step
Longevity step C	Service step
1...+...10...+...20...+...30...+...40...+...50...+...60...+...70...+...	

***** This is piece 2. -- It begins at character 79 of table line 1. *****

5.
6.
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79.

(3) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of salary class 3, 5, 6, 7, 8, or 9 in the salary schedule in effect on the day next preceding such effective date shall receive a rate of basic compensation at the corresponding scheduled service step and salary class in the salary schedule in effect on and after such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of salary class 3, 5, 6, 7, 8, or 9 in the salary schedule in effect on the day next preceding such effective date shall receive basic compensation at the corresponding salary class in the salary schedule in effect on and after such date, and each shall be placed in a service step as follows:

From--	To--
Class 3:	Class 3:
Longevity step A	Service step 5.
Longevity step B	Service step 6.
Longevity step C	Service step 7.
From--	To--
Class 5:	Class 5:
Longevity steps A and B	Service step 5.
From--	To--
Class 6, 7, 8, or 9:	Class 6, 7, 8, or 9:
Longevity steps A and B	Service step 4.

(4) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of subclass (a), (b), or (c) of salary class 4 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 4 in the salary schedule in effect on or after such date, and each shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of subclass (a), (b), or (c) of salary class 4 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 4 in the salary schedule in effect on and after such date, and each shall be placed in a service step as follows:

From--	To--
Class 4, subclass (a), (b), or (c):	Class 4:
Longevity step A	Service step 5.
Longevity steps B and C	Service step 6.

(5) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of salary class 10 or 11 in the salary schedule in effect on the day next preceding such effective date shall receive a rate of basic compensation at the corresponding scheduled service step and salary class in the salary schedule in effect on and after such date, except that any such officer or member who immediately prior to such date was serving in service step 4 of salary class 10 or in service step 3 of salary class 11 shall be placed in and receive basic compensation in a service step as follows:

From--	To--
Class 10:	Class 10:
Service step 4	Service step 3.
From--	To--
Class 11:	Class 11:
Service step 3	Service step 2.

(Aug. 1, 1958, 72 Stat. 482, Pub. L. 85-584, title II, § 201; Aug. 29, 1972, 86 Stat. 634, Pub. L. 92-410, title I, § 103.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-407.

1973 Ed., § 4-824.

References in Text

The effective date of the Police and Firemen's Salary Act Amendments of 1972, referred to throughout this section, is prescribed by § 118 of the Act of August 29, 1972, 86 Stat. 634, Pub. L. 92-410.

§ 5-542.02. ADDITIONAL COMPENSATION FOR HELICOPTER PILOT, BOMB DISPOSAL, OR SCUBA DIVING DUTY.

Each officer or member of the Metropolitan Police Force, including, notwithstanding any other law or regulation, each officer or member appointed pursuant to § 1-610.72, and United States Park Police force assigned on or after the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972: (1) to perform the duty of a helicopter pilot; or (2) to render explosive devices ineffective or to otherwise dispose of such devices shall receive, in addition to his scheduled rate of basic compensation, \$2,270 per annum, except in the case of an officer or member of the United States Park Police, who shall receive a per annum amount equal to 7 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments, so long as he remains in such assignment. Further, each officer or member of the metropolitan police force assigned on or after August 29, 1972, to the Harbor Patrol division within the Metropolitan Police Department as scuba divers shall receive in addition to his or her scheduled rate of basic compensation, \$2,710 per annum so long as he or she remains in such assignment. The additional compensation authorized by this section shall be paid to an officer or member in the same manner as he is paid basic compensation to which he is entitled, except that when such an officer or member ceases to be in such an assignment, the loss of such additional compensation shall not constitute an adverse action for the purposes of § 7511 et seq. of Title 5 of the United States Code. No officer or member who receives the additional compensation authorized by this section may receive additional compensation under § 5-543.02.

(Aug. 1, 1958, 72 Stat. 483, Pub. L. 85-584, title II, § 202; Sept. 2, 1964, 78 Stat. 881, Pub. L. 88-575, title I, § 103; Aug. 29, 1972, 86 Stat. 636, Pub. L. 92-410, title I, § 104; Sept. 3, 1974, 88 Stat. 1036, Pub. L. 93-407, title I, § 101(a)(2), (3); Nov. 15, 1977, 91 Stat. 1371, Pub. L. 95-179; Apr. 20, 1999, D.C. Law 12-252, § 2, 46 DCR 1127; Oct. 4, 2000, D.C. Law 13-160, § 103(b), 47 DCR 4619; Dec. 21, 2000, 114 Stat. 2763, Pub. L. 106-554, § 1(a)(4), H.R. 5666 § 906(b); Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(2)(A).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-408.

1973 Ed., § 4-825.

Effect of Amendments

D.C. Law 13-160, after "Metropolitan Police Force", added "including, notwithstanding any other law or regulation, each officer or member appointed pursuant to § 1-611.72,".

Pub. L. 111-282 deleted "United States Secret Service Uniformed Division, " preceding "and United States Park Police force".

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(b) of Lateral Appointment of Law Enforcement Officers Temporary Amendment Act of 1999 (D.C. Law 13-61, October 12, 1999, law notification 47 DCR 1983).

For temporary (225 day) amendment of section, see § 3(b) of Lateral Appointment of Law Enforcement Officers Clarifying Temporary Amendment Act of 1999 (D.C. Law 13-102, January 10, 2000, law notification 47 DCR 4339).

Emergency Act Amendments

For temporary (90-day) amendment of section, see § 3(b) of the Lateral Appointment of Law Enforcement Officers Emergency Amendment Act of 1999 (D.C. Act 13-137, August 4, 1999, 46 DCR 6802).

For temporary (90-day) amendment of section, see § 3(b) of the Lateral Appointment of Law Enforcement Officers Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-175, November 2, 1999, 46 DCR 9236).

For temporary (90-day) amendment of section, see § 3(b) of the Lateral Appointment of Law Enforcement Officers Clarifying Emergency Amendment Act of 1999 (D.C. Act 13-231, January 11, 2000, 47 DCR 506).

For temporary (90-day) amendment of section, see § 3(b) of the Lateral Appointment of Law Enforcement Officers Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-305, April 7, 2000, 47 DCR 2701).

For temporary (90-day) amendment of section, see § 3(g) of the Lateral Appointment of Law Enforcement Officers Emergency Amendment Act of 1999 (D.C. Act 13-137, August 4, 1999, 46 DCR 6802).

For temporary (90-day) amendment of section, see § 3(g) of the Lateral Appointment of Law Enforcement Officers Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-175, November 2, 1999, 46 DCR 9236).

For temporary (90-day) amendment of section, see § 3(g) of the Lateral Appointment of Law Enforcement Officers Clarifying Emergency Amendment Act of 1999 (D.C. Act 13-231, January 11, 2000, 47 DCR 506).

For temporary (90-day) amendment of section, see § 3(g) of the Lateral Appointment of Law Enforcement Officers Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-305, April 7, 2000, 47 DCR 2701).

Legislative History of Laws

Law 12-252, the "Hazardous Duty Compensation for Metropolitan Police Department Scuba Divers Amendment Act of 1998," was introduced in Council and assigned Bill No. 12-142, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on December 1, 1998 and December 15, 1998, respectively. Signed by the Mayor on December 29, 1998, it was assigned Act No. 12-593 and transmitted to both Houses of Congress for its review. D.C. Law 12-252 became effective on April 20, 1999.

For Law 13-160, see § 5-541.01.

References in Text

The effective date of the Police and Firemen's Salary Act Amendments of 1972, referred to in the first sentence of this section, is prescribed by § 118 of the Act of August 29, 1972, 86 Stat. 634, Pub. L. 92-410.

§ 5-542.03. CLASSIFICATION OF AIDE TO FIRE MARSHAL.

The aide to the Fire Marshal shall be included as a fire inspector in salary class 2.

(Aug. 1, 1958, 72 Stat. 483, Pub. L. 85-584, title II, § 203; Oct. 24, 1962, 76 Stat. 1243, Pub. L. 87-882; § 3(a); Aug. 29, 1972, 86 Stat. 636, Pub. L. 92-410, title I, § 105(a).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-409.

1973 Ed., § 4-826.

PART C. METHOD OF APPOINTMENT, ADVANCEMENT, PROMOTION AND DEMOTION.

§ 5-543.01. MINIMUM RATE FOR ORIGINAL APPOINTMENTS; RATES FOR REAPPOINTMENTS.

(a) Except as provided in subsections (b) and (c) of this section, all original appointments of police and fire privates shall be made at the minimum rate set forth in the schedule in § 5-541.01, and the 1st year of service shall be probationary.

(b) Any officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, or the United States Park Police force who separates from that force, Department, or Division, and who is subsequently reappointed to such force, Department, or Division within 3 years after the date of such separation shall receive any scheduled rate of basic compensation provided in salary class 1 of the salary schedule in § 5-541.01(a) which does not exceed the scheduled rate of basic compensation being paid at the time of such reappointment for the class and service step he had attained at the time of his separation. For purposes of this subsection, no additional compensation authorized by this subchapter shall be used in determining service step placement.

(c) Notwithstanding any other law or regulation, employees appointed pursuant to § 1-610.72 shall be appointed at a step of Class 1 consistent with that officer's law enforcement experience, without regard to any time in grade or prior Departmental service or incumbency requirements. Such employees shall serve an 18-month probationary period.

(Aug. 1, 1958, 72 Stat. 483, Pub. L. 85-584, title III, § 301; Sept. 3, 1974, 88 Stat. 1036, Pub. L. 93-407, title I, § 101(a)(4); Nov. 15, 1977, 91 Stat. 1371, Pub. L. 95-179; Oct. 4, 2000, D.C. Law § 13-160, § 103(c), 47 DCR 4619; Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(2)(B).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-410.

1973 Ed., § 4-827.

Effect of Amendments

D.C. Law 13-160, in subsec. (a), substituted "Except as provided in subsections (b) and (c) of this section," for "Except as provided in subsection (b)", and added subsec. (c), relating to employees appointed pursuant to § 1-610.72.

Pub. L. 111-282, in subsec. (b), deleted "United States Secret Service Uniformed Division," preceding "or United States Park Police force".

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(c) of Lateral Appointment of Law Enforcement Officers Temporary Amendment Act of 1999 (D.C. Law 13-61, October 12, 1999, law notification 47 DCR 1983).

For temporary (225 day) amendment of section, see § 3(c) of Lateral Appointment of Law Enforcement Officers Clarifying Temporary Amendment Act of 1999 (D.C. Law 13-102, January 10, 2000, law notification 47 DCR 4339).

Emergency Act Amendments

For temporary (90-day) amendment of section, see § 3(c) of the Lateral Appointment of Law Enforcement Officers Emergency Amendment Act of 1999 (D.C. Act 13-137, August 4, 1999, 46 DCR 6802).

For temporary (90-day) amendment of section, see § 3(c) of the Lateral Appointment of Law Enforcement Officers Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-175, November 2, 1999, 46 DCR 9236).

For temporary (90-day) amendment of section, see § 3(c) of the Lateral Appointment of Law Enforcement Officers Clarifying Emergency Amendment Act of 1999 (D.C. Act 13-231, January 11, 2000, 47 DCR 506).

For temporary (90-day) amendment of section, see § 3(c) of the Lateral Appointment of Law Enforcement Officers Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-305, April 7, 2000, 47 DCR 2701).

Legislative History of Laws

For Law 13-160, see § 5-541.01.

§ 5-543.02. TECHNICIANS' POSITIONS.

(a) The Mayor of the District of Columbia, in the case of the Metropolitan Police force and the Fire Department of the District of Columbia, and the Secretary of the Interior, in the case of the United States Park Police force, are authorized to establish and determine, from time to time, the positions in salary classes 1, 2, and 4 to be included as technicians' positions.

(b) Each officer or member: (1) Who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972: (A) Was in a position assigned to subclass (b) of salary class 1 or 2 or subclass (c) of salary class 4; or (B) was in salary class 4 and was performing the duty of a dog handler; or (2) whose position is determined under subsection (a) of this section to be included in salary class 1, 2, or 4 on or after such date as a technician's position shall on or after such date receive, in addition to his scheduled rate of basic compensation, \$810 per annum, except in the case of an officer or member of the United States Park Police, who shall receive a per annum amount equal to 6 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments. An officer or member described in clause (1)(A) or (2) of this subsection shall receive the additional compensation authorized by this subsection until his position is determined under subsection (a) of this section not to be included in salary class 1, 2, or 4, as a technician's position or until he no longer occupies such position, whichever occurs first. An officer or member described in clause (1) (B) of this subsection shall receive such compensation until the position of dog handler is determined under subsection (a) of this section not to be included in salary class 4 as a technician's position or until he no longer performs the duty of dog handler, whichever first occurs. If the position of dog handler is included under subsection (a) of this section as a technician's position, an officer or member performing the duty of a dog handler may not receive both the additional compensation authorized for an officer or member occupying a technician's position and the additional compensation authorized for officers and members performing the duty of a dog handler.

(c) Each officer or member who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 was assigned as a detective sergeant in subclass (b) of salary class 4 shall, on or after such date, receive, in addition to his scheduled rate of basic compensation, \$595 per annum, except in the case of an officer or member of the United States Park Police, who shall receive a per annum amount equal to 6 percent, of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments so long as he remains in such assignment. Each officer or member who is promoted after such date to the rank of detective sergeant shall receive, in addition to his scheduled rate of basic compensation, \$595 per annum, except in the case of an officer or member of the United States Park Police, who shall receive a per annum amount equal to 6 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments, so long as he remains in such assignment.

(d) The additional compensation authorized by subsections (b) and (c) of this section shall be paid to an officer or member in the same manner as he is paid the basic compensation to which he is entitled.

(e) Whenever any officer or member (other than an officer or member of the United States Park Police) receiving additional compensation authorized by subsection (b) or (c) of this section is no longer entitled to receive such additional compensation, without a change in salary class, he shall receive, irrespective of any subsequent salary schedule or service step adjustment authorized by this subchapter, basic compensation equal to the sum of his existing scheduled rate of basic compensation and the amount of such additional compensation until his scheduled rate of basic compensation equals or exceeds such sum.

(f) The loss of the additional compensation authorized by subsection (b) or (c) of this section shall not constitute an adverse action for the purposes of § 7511 et seq. of Title 5 of the United States Code.

(g) Notwithstanding any other law or regulation, employees appointed pursuant to § 1-610.72 shall be eligible for the additional compensation in accordance with this section.

(Aug. 1, 1958, 72 Stat. 483, Pub. L. 85-584, title III, § 302; Aug. 29, 1972, 86 Stat. 636, Pub. L. 92-410, title I, § 106; Sept. 3, 1974, 88 Stat. 1037, Pub. L. 93-407, title I, § 101(a)(5)-(7); Jan. 3, 1975, 88 Stat. 2174, Pub.

L. 93-635, § 2; June 19, 1976, D.C. Law 1-73, § 2(3), 23 DCR 2807; Nov. 15, 1977, 91 Stat. 1371, Pub. L. 95-179; Oct. 4, 2000, D.C. Law 13-160, § 103(d), 47 DCR 4619; Dec. 21, 2000, 114 Stat. 2763, Pub. L. 106-554, § 1(a)(4), H.R. 5666 § 906(a); Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(2)(C).

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-411.

1973 Ed., § 4-828.

Effect of Amendments

D.C. Law 13-160 added subsec. (g), relating to employees appointed pursuant to § 1-610.72.

Pub. L. 111-282, in subsec. (a), deleted "the Secretary of the Treasury, in the case of the United States Secret Service Uniformed Division," following "Columbia"; and, in subssecs. (b) and (c), deleted "the United States Secret Service Uniformed Division or" following "member of".

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(d) of Lateral Appointment of Law Enforcement Officers Temporary Amendment Act of 1999 (D.C. Law 13-61, October 12, 1999, law notification 47 DCR 1983).

For temporary (225 day) amendment of section, see § 3(d) of Lateral Appointment of Law Enforcement Officers Clarifying Temporary Amendment Act of 1999 (D.C. Law 13-102, January 10, 2000, law notification 47 DCR 4339).

Emergency Act Amendments

For temporary (90-day) amendment of section, see § 3(d) of the Lateral Appointment of Law Enforcement Officers Emergency Amendment Act of 1999 (D.C. Act 13-137, August 4, 1999, 46 DCR 6802).

For temporary (90-day) amendment of section, see § 3(d) of the Lateral Appointment of Law Enforcement Officers Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-175, November 2, 1999, 46 DCR 9236).

For temporary (90-day) amendment of section, see § 3(d) of the Lateral Appointment of Law Enforcement Officers Clarifying Emergency Amendment Act of 1999 (D.C. Act 13-231, January 11, 2000, 47 DCR 506).

For temporary (90-day) amendment of section, see § 3(d) of the Lateral Appointment of Law Enforcement Officers Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-305, April 7, 2000, 47 DCR 2701).

Legislative History of Laws

For legislative history of D.C. Law 1-73, see Historical and Statutory Notes following § 5-541.01.

For Law 13-160, see § 5-541.01.

References in Text

The effective date of the Police and Firemen's Salary Act Amendments of 1972, referred to in subsections (b) and (c) of this section, is prescribed by § 118 of the Act of August 29, 1972, 86 Stat. 634, Pub. L. 92-410.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 5-543.03. SERVICE STEP ADJUSTMENTS.

(a) Except as provided in paragraph (5) of this section, each officer and member, if he has a current performance rating of "satisfactory" or better, shall have his service step adjusted in the following manner:

(1) Each officer and member in service step 1, 2, or 3 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period

immediately subsequent to the completion of 52 calendar weeks of active service in his service step;

(2) Each officer and member in service step 4 or 5 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 104 calendar weeks of active service in his service step;

(3) Each officer and member in service step 6, 7, or 8 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 156 calendar weeks of active service in his service step; and

(4) Each officer and member in salary classes 2 through 11 who has not attained the maximum service step rate of compensation for the rank or title in which he is placed shall be advanced in compensation successively to the next higher service step rate for such rank or title at the beginning of the 1st pay period immediately subsequent to the completion of 104 calendar weeks of active service in his service step, except that in the case of an officer or member in service step 4, 5, or 6 of salary class 2 or 3, service step 4 or 5 of salary class 4, and service step 4 of salary class 5, such officer or member shall be advanced successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 156 calendar weeks of active service in his service step.

(5) Each officer and member of the United States Park Police with a current performance rating of 'satisfactory' or better, shall have a service step adjustment in the following manner:

(A) Each officer and member in service step 1, 2, or 3 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 52 calendar weeks of active service in the officer's or member's service step.

(B) Each officer and member in service step 4, 5, 6, 7, 8, or 9 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 104 calendar weeks of active service in the officer's or member's service step.

(C) Each officer and member in service step 10 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 156 calendar weeks of active service in the officer's or member's service step.

(D) Each officer and member in service steps 11, 12, or 13 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 208 calendar weeks of active service in the officer's or member's service step.

(b) As used in this part, the term "calendar week of active service" includes all periods of leave with pay, and periods of nonpay status which do not cumulatively equal 1 basic workweek.

(c) Notwithstanding any other law or regulation, employees appointed pursuant to § 1-610.72 shall receive compensation as a result of promotion or transfer in accordance with this section.

(Aug. 1, 1958, 72 Stat. 483, Pub. L. 85-584, title III, § 303; Sept. 2, 1964, 78 Stat. 881, Pub. L. 88-575, title I, § 104; Nov. 13, 1966, 80 Stat. 1593, Pub. L. 89-810, title I, § 103; June 30, 1970, 84 Stat. 356, Pub. L. 91-297, title I, § 104; Aug. 29, 1972, 86 Stat. 637, Pub. L. 92-410, title I, § 107; Oct. 4, 2000, D.C. Law 13-160, § 103(e), 47 DCR 4619; Dec. 21, 2000, 114 Stat. 2763, Pub. L. 106-554, § 1(a)(4), H.R. 5666 § 904(a); Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(2)(D).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-412.

1973 Ed., § 4-829.

Effect of Amendments

Pub. L. 111-282, in subsec. (a)(5), deleted "the United States Secret Service Uniformed Division and" following "member of".

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(112) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by

the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 5-543.04. PROMOTION OR TRANSFER.

(a) Except as otherwise provided in subsection (b) or (c) of this section, any officer or member who is promoted or transferred to a higher salary class shall receive basic compensation at the lowest scheduled rate of such higher salary class which exceeds his existing scheduled rate of basic compensation by not less than 1 step increase of the next higher step of the salary class from which he is promoted or transferred.

(b) Any officer or member receiving additional compensation as provided in § 5-543.02 who is promoted or transferred to a higher salary class shall receive basic compensation at the lowest scheduled rate of such higher class which exceeds his existing scheduled rate of basic compensation by at least the sum of 1 step increase of the next higher step of the salary class from which he is promoted or transferred and the amount of such additional compensation.

(c) Notwithstanding any other law or regulation, employees appointed pursuant to § 1-610.72 shall receive compensation as a result of promotion or transfer in accordance with this section.

(d)(1) Each officer and member of the United States Park Police who is promoted or transferred to a higher salary shall receive basic compensation in accordance with the officer's or member's total creditable service.

(2) For purposes of this subsection, an officer's or member's creditable service is any police service in pay status with the United States Secret Service Uniformed Division, United States Park Police, or Metropolitan Police Department.

(Aug. 1, 1958, 72 Stat. 484, Pub. L. 85-584, title III, § 304; Oct. 24, 1962, 76 Stat. 1243, Pub. L. 87-882, § 3(c); June 30, 1970, 84 Stat. 356, Pub. L. 91-297, title I, § 105; Aug. 29, 1972, 86 Stat. 638, Pub. L. 92-410, title I, § 108; Oct. 4, 2000, D.C. Law 13-160, § 103(f), 47 DCR 4619; Dec. 21, 2000, 114 Stat. 2763, Pub. L. 106-554, § 1(a)(4), H.R. 5666 § 904(b); Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(2)(E).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-413.

1973 Ed., § 4-830.

Effect of Amendments

D.C. Law 13-160 added subsec. (c), relating to employees appointed pursuant to § 1-610.72.

Pub. L. 111-282, in subsec. (d)(1), deleted "the United States Secret Service Uniformed Division or" following "member of".

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(f) of Lateral Appointment of Law Enforcement Officers Temporary Amendment Act of 1999 (D.C. Law 13-61, October 12, 1999, law notification 47 DCR 1983).

For temporary (225 day) amendment of section, see § 3(f) of Lateral Appointment of Law Enforcement Officers Clarifying Temporary Amendment Act of 1999 (D.C. Law 13-102, January 10, 2000, law notification 47 DCR 4339).

Emergency Act Amendments

For temporary (90-day) amendment of section, see § 3(f) of the Lateral Appointment of Law Enforcement Officers Emergency Amendment Act of 1999 (D.C. Act 13-137, August 4, 1999, 46 DCR 6802).

For temporary (90-day) amendment of section, see § 3(f) of the Lateral Appointment of Law Enforcement Officers Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-175, November 2, 1999, 46 DCR 9236).

For temporary (90-day) amendment of section, see § 3(f) of the Lateral Appointment of Law Enforcement Officers Clarifying Emergency Amendment Act of 1999 (D.C. Act 13-231, January 11, 2000, 47 DCR 506).

For temporary (90-day) amendment of section, see § 3(f) of the Lateral Appointment of Law Enforcement Officers Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-305, April 7, 2000, 47 DCR 2701).

Legislative History of Laws

For Law 13-160, see § 4-406.

§ 5-543.05. DEMOTION.

Whenever any officer or member of the Metropolitan Police force, including, notwithstanding any other law or regulation, any employee appointed pursuant to § 1-610.72, the Fire Department of the District of Columbia, or the United States Park Police force is changed or demoted from any class to a lower class, the Mayor of the District of Columbia, or the Secretary of the Interior, as the case may be, may, in his discretion, in changing or demoting such officer or member, fix his rate of compensation at any rate provided for the class to which he is changed or demoted which does not exceed his existing rate of compensation, except that if his existing rate falls between 2 step rates provided in such lower class, he may receive the higher of such rates.

(Aug. 1, 1958, 72 Stat. 484, Pub. L. 85-584, title III, § 305; Aug. 29, 1972, 86 Stat. 638, Pub. L. 92-410, title I, § 109; Nov. 15, 1977, 91 Stat. 1371, Pub. L. 95-179; Oct. 4, 2000, D.C. Law § 13-160, § 103(g), 47 DCR 4619; Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(2)(F).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-414.

1973 Ed., § 4-831.

Effect of Amendments

D.C. Law 13-160, after "Whenever any officer or member of the Metropolitan Police force" added "including, notwithstanding any other law or regulation, any employee appointed pursuant to § 1-611.72".

Pub. L. 111-282 deleted "'the United States Secret Service Uniformed Division,' following 'the Fire Department of the District of Columbia,'" and deleted 'or the Secretary of the Treasury,' following "Mayor of the District of Columbia,".

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(f) of Lateral Appointment of Law Enforcement Officers Temporary Amendment Act of 1999 (D.C. Law 13-61, October 12, 1999, law notification 47 DCR 1983).

For temporary (225 day) amendment of section, see § 3(f) of Lateral Appointment of Law Enforcement Officers Clarifying Temporary Amendment Act of 1999 (D.C. Law 13-102, January 10, 2000, law notification 47 DCR 4339).

Legislative History of Laws

For Law 13-160, see § 4-541.01.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

PART D. LONGEVITY.

§ 5-544.01. SERVICE LONGEVITY.

(a)(1) In recognition of long and faithful continuous service, each officer and member in the active service on or after August 29, 1972, except for the Chief of Police and the Fire Chief, shall receive per annum, in addition to the rate of basic compensation prescribed in the salary schedule contained in § 5- 541.01, an amount computed in accordance with the following table:

If an officer or member has completed	He shall receive per annum an amount,
at least:	fixed to the nearest dollar, equal to:

Fifteen years of continuous service. Five per centum of the rate of basic compensation prescribed for service step 1 of the salary class of such salary schedule which he occupies.

Twenty years of continuous service. Ten per centum of such compensation.

Twenty-five years of continuous service. Fifteen per centum of such compensation.

Thirty years of continuous service. Twenty per centum of such compensation.

(1A) Repealed.

(2) For purposes of paragraph (1) of this subsection, continuous service as an officer or member includes only those periods of his service determined to have been satisfactory service and any period of his service in the Armed Forces of the United States other than any period of such service:

- (A) Determined not to have been satisfactory service;
- (B) Rendered before appointment as an officer or member; or
- (C) Rendered after resignation as an officer or member.

(3)(A) Subject to the availability of federal or local appropriations, each officer and member of the Metropolitan Police Department appointed on or before February 15, 1980, shall receive additional compensation in accordance with paragraph (1) of this subsection only as long as he remains in the active service. The additional compensation shall be paid in the same manner as the basic compensation to which such officer or member is entitled and shall be subject to the same deductions as basic compensation, but shall not be considered as salary for the purpose of computing insurance coverage under the provisions of Chapter 87 of Title V of the United States Code. The additional compensation shall be included for purposes of retirement annuity calculations only for those officers and members who complete 20 years of active service prior to retirement. The District of Columbia and the Secretary of the Treasury are authorized to estimate the additional compensation for longevity for purposes of retirement annuity calculations for annuitants who retired on or after August 29, 1972, and on or before December 31, 2001. The District of Columbia and the Secretary of the Treasury are authorized to make payments based upon the use of such estimates. For the purpose of computing credit for service longevity in calculating retirement annuities pursuant to this subparagraph, active service includes any service that is creditable under § 5-704.

(B) Subject to the availability of federal or local appropriations, each officer and member of the Metropolitan Police Department appointed after February 15, 1980, shall receive additional compensation in accordance with paragraph (1) of this subsection only as long as he remains in the active service. The additional compensation shall be paid in the same manner as the basic compensation to which the officer or member is entitled and shall be subject to the same deduction as basic compensation, but shall not be considered as salary for the purpose of computing insurance coverage under the provisions of Chapter 87 of Title V of the United States Code. Such additional compensation shall be included for purposes of retirement annuity calculations only for those officers and members who complete 25 years of active service prior to retirement. The District of Columbia and the Secretary of the Treasury are authorized to estimate the additional compensation for longevity for purposes of retirement annuity calculations for annuitants who retired on or after August 29, 1972, and on or before December 31, 2001. The District of Columbia and the Secretary of the Treasury are authorized to make payments based upon the use of such estimates. For the purpose of computing credit for service longevity in calculating retirement annuities pursuant to this subparagraph, active service includes any service that is creditable under § 5-704.

(B-1) Each member of the Fire Service shall receive additional compensation in accordance with paragraph (1) of this subsection only as long as the member remains in the active service. The additional compensation shall be paid in the same manner as the basic compensation to which the member is entitled and shall be subject to the same deductions as basic compensation. The service longevity payment shall be considered basic compensation for the purposes of retirement, calculation of survivor benefits and annuities under § 5-716, life insurance, and other forms of premium pay, for each member who retires on or after February 15, 1980. For the purpose of computing credit for service longevity in calculating retirement annuities pursuant to this subparagraph, active service includes any service that is creditable under § 5-704.

(B-2) For the purposes of retirement benefits based on the service longevity compensation

provided for in this paragraph, the District government shall be liable financially only for District contributions to and payments from the District of Columbia Police Officers and Fire Fighters' Retirement Fund, established by § 1-712, for those benefits accrued or earned on or after July 1, 1997.

(C) Subject to the availability of federal or local appropriations, § 5- 745(c) and (e) shall not apply to compensation for service longevity provided for in this paragraph.

(4) This subsection shall not apply to officers and members of the United States Secret Service Uniformed Division or the United States Park Police.

(b) Notwithstanding any other provision of this or any other law, individuals retired from active service prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972, and who are entitled to receive a pension relief allowance or retirement compensation under subchapter I of Chapter 7 of this title, shall not be entitled to receive an increase in their pension relief allowance or retirement compensation by reason of the enactment of this section.

(c) Notwithstanding any other provision of this or any other law, each Deputy Chief of the Metropolitan Police force and of the Fire Department of the District of Columbia shall, upon completion of 30 years of continuous service on the police force or Fire Department, as the case may be, be placed in, and receive basic compensation at, the highest service step in the salary class to which his position is assigned in the salary schedule contained in § 5- 541.01. For purposes of this subsection, in computing a Deputy Chief's continuous service on the police force or Fire Department, there shall be included only those periods of his service determined to have been satisfactory service and any period of his service in the Armed Forces of the United States other than any period of such service:

- (1) Determined not to have been satisfactory service;
- (2) Rendered before appointment as an officer or member; or
- (3) Rendered after resignation as an officer or member.

(d)(1) Notwithstanding any other law or regulation, employees appointed pursuant to § 1-610.72 shall be eligible for compensation in accordance with this section.

(2) Notwithstanding any other law or regulation, for employees appointed pursuant § 1-610.72, years of law enforcement experience shall constitute years of continuous service to the District of Columbia for purposes of this section.

(e) For employees transferred pursuant to § 5-409.01, any continuous prior service with the District of Columbia Fire and Emergency Medical Services Department shall constitute years of continuous service to the District of Columbia for the purposes of this section.

(Aug. 1, 1958, 72 Stat. 484, Pub. L. 85-584, title IV, § 401; Oct. 24, 1962, 76 Stat. 1243, Pub. L. 87-882, § 3(d); Sept. 2, 1964, 78 Stat. 882, Pub. L. 88-575, title I, § 105; May 27, 1968, 82 Stat. 144, Pub. L. 90-320, § 3; June 30, 1970, 84 Stat. 356, Pub. L. 91-297, title I, § 106; Aug. 29, 1972, 86 Stat. 638, Pub. L. 92-410, title I, § 110; 1973 Ed., § 4-832; Sept. 3, 1974, 88 Stat. 1037, Pub. L. 93-407, title I, § 101(a)(8), (9); May 9, 2000, D.C. Law 13-101, § 2, 47 DCR 1354; Oct. 4, 2000, D.C. Law 13-160, § 103(h), 47 DCR 4619; Dec. 21, 2000, 114 Stat. 2763, Pub. L. 106-554, § 1(a)(4), H.R. 5666 § 904(c); Oct. 3, 2001, D.C. Law 14-28, § 204, 48 DCR 6981; Oct. 19, 2002, D.C. Law 14-213, § 10, 49 DCR 8140; Mar. 13, 2004, D.C. Law 15-105, § 37(b), 38(a), 51 DCR 881; Mar. 30, 2004, D.C. Law 15-125, § 2, 51 DCR 1545; Mar. 6, 2007, D.C. Law 16-223, § 202, 53 DCR 10221; May 13, 2008, D.C. Law 17-154, § 6(b), 55 DCR 3678; Feb. 24, 2012, D.C. Law 19- 83, § 3, 58 DCR 11024.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-415.

1973 Ed., § 4-832.

Effect of Amendments

D.C. Law 13-101 rewrote par. (a)(3), which had read:

"Each officer and member shall receive additional compensation in accordance with paragraph (1) of this subsection only as long as he remains in the active service. Such compensation shall be paid in the same manner as the basic compensation to which such officer or member is entitled, except that it shall not be subject to deduction and withholding for retirement and insurance, and shall not be considered as salary for the purpose of computing annuities pursuant to §§ 4-607 to 4-630 and for the purpose of computing insurance coverage under the provisions of Chapter 87 of Title 5, United States Code."

D.C. Law 13-160 added subsec. (d), relating to employees appointed pursuant to § 1-610.72.

D.C. Law 14-28 added subsec. (e).

D.C. Law 14-213, in subsecs. (a)(3)(A) and (a)(3)(B), added the last sentence.

D.C. Law 15-105, in subsecs. (a)(3) and (e), validated a previously made technical correction.

D.C. Law 15-125, in subsec. (a)(3)(A) and (B), inserted "For the purpose of computing credit for service longevity in calculating retirement annuities pursuant to this subparagraph, active service includes any service that is creditable under § 5-704."

D.C. Law 16-223, in subsec. (a)(3)(A), substituted "February 15, 1980" for "January 1, 1980", and reduced the length of service needed for additional compensation from 25 years to 20 years; in subsec. (a)(3)(B), substituted "February 15, 1980" for "January 1, 1980"; and added subsecs. (a)(3)(B-1) and (B-2).

D.C. Law 17-154, in subsec. (a), substituted "continuous service, except as provided in paragraph (1A) of this subsection," for "service," in the lead-in language, and added par. (1A).

D.C. Law 19-83, in subsec. (a)(1), substituted "In recognition of long and faithful continuous service, each officer and member in the active service on or after the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972, except for the Chief of Police and the Fire Chief, shall receive per annum, in addition to the rate of basic compensation prescribed in the salary schedule contained in § 5-541.01, an amount computed in accordance with the following table:" for "In recognition of long and faithful continuous service, except as provided in paragraph (1A) of this subsection, each officer and member in the active service on or after the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 shall receive per annum, in addition to the rate of basic compensation prescribed in the salary schedule contained in § 5-541.01, an amount computed in accordance with the following table:"; and repealed subsec. (a)(1A), which formerly read:

"(1A) The Chief of Police, effective January 2, 2007, and the Fire Chief, effective April 16, 2007, shall receive per annum, in addition to their respective salaries set in accordance with the DX Schedule for subordinate agency heads pursuant to § 1-610.52, an amount computed by multiplying the salary by the applicable percentage for years of service prescribed by the table included within subsection (a) of this section."

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(h) of Lateral Appointment of Law Enforcement Officers Temporary Amendment Act of 1999 (D.C. Law 13-61, October 12, 1999, law notification 47 DCR 1983).

For temporary (225 day) amendment of section, see § 3(h) of Lateral Appointment of Law Enforcement Officers Clarifying Temporary Amendment Act of 1999 (D.C. Law 13-102, January 10, 2000, law notification 47 DCR 4339).

Emergency Act Amendments

For temporary (90-day) amendment of section, see § 3(h) of the Lateral Appointment of Law Enforcement Officers Emergency Amendment Act of 1999 (D.C. Act 13-137, August 4, 1999, 46 DCR 6802).

For temporary (90-day) amendment of section, see § 3(h) of the Lateral Appointment of Law Enforcement Officers Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-175, November 2, 1999, 46 DCR 9236).

For temporary (90-day) amendment of section, see § 3(h) of the Lateral Appointment of Law Enforcement Officers Clarifying Emergency Amendment Act of 1999 (D.C. Act 13-231, January 11, 2000, 47 DCR 506).

For temporary (90-day) amendment of section, see § 3(h) of the Lateral Appointment of Law Enforcement Officers Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-305, April 7, 2000, 47 DCR 2701).

For temporary (90 day) amendment of section, see § 204 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

Legislative History of Laws

Law 13-101, the "Police Recruiting and Retention Enhancement Amendment Act of 1999," was introduced in Council and assigned Bill No. 13-328, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on December 7, 1999, and December 21, 1999, respectively. Signed by the Mayor on January 10, 2000, it was assigned Act No. 13-247 and transmitted to both Houses of Congress for its review. D.C. Law 13-101 became effective on May 9, 2000.

For Law 13-160, see § 5-541.01.

For Law 14-28, see notes following § 5-409.01.

Law 14-213, the "Technical Amendments Act of 2002", was introduced in Council and assigned Bill No. 14-671, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 4, 2002, and July 2, 2002, respectively. Signed by the Mayor on July 26, 2002, it was assigned Act No. 14-459 and transmitted to both Houses of Congress for its review. D.C. Law 14-213 became effective on October 19, 2002.

For Law 15-105, see notes following § 5-409.01.

Law 15-125, the "Police and Firemen's Service Longevity Amendment Act of 2004", was introduced in

Council and assigned Bill No. 15-64, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on April 1, 2003, and January 6, 2004, respectively. Signed by the Mayor on January 28, 2004, it was assigned Act No. 15-312 and transmitted to both Houses of Congress for its review. D.C. Law 15-125 became effective on March 30, 2004.

For Law 16-223, see notes following § 5-105.09.

For Law 17-154, see notes following § 5-105.01.

Law 19-83, the "Executive Service Compensation Amendment Act of 2011", was introduced in Council and assigned Bill No. 19-44, which was referred to the Committee on Government Operations and the Environment. The Bill was adopted on first and second readings on November 1, 2011, and December 6, 2011, respectively. Signed by the Mayor on December 16, 2011, it was assigned Act No. 19-243 and transmitted to both Houses of Congress for its review. D.C. Law 19-83 became effective on February 24, 2012.

References in Text

The effective date of the Police and Firemen's Salary Act Amendments of 1972, referred to in subsections (a)(1) and (b) of this section, is prescribed by § 118 of the Act of August 29, 1972, 86 Stat. 634, Pub. L. 92-410.

"Chapter 87 of Title V of the United States Code", referred to in subsection (a)(3), is codified at 5 U.S.C. § 8701 et seq.

PART E. MISCELLANEOUS PROVISIONS.

§ 5-545.01. BASIC COMPENSATION OF OFFICERS AND MEMBERS OF UNITED STATES PARK POLICE AND UNITED STATES SECRET SERVICE UNIFORMED DIVISION.

(a) Except as provided in subsections (b) and (c) of this section, the rates of basic compensation of officers and members of the United States Park Police shall be the same as the rates of compensation, including longevity increases, provided in this subchapter, for officers and members of the Metropolitan Police force in corresponding or similar classes.

(b)(1) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under § 5305 of Title 5, United States Code, in the rates of pay under General Schedule, the annual rate of basic compensation of officers and members of the United States Park Police force shall be adjusted by the Secretary of the Interior, by an amount (rounded to the next highest multiple of \$5) equal to the percentage of such annual rate of pay which corresponds to the overall percentage (as set forth in the applicable report transmitted to the Congress under such § 5305) of the adjustment made in the rates of pay under the General Schedule.

(2) No adjustment in the annual rate of basic compensation of such officers and members may be made except in accordance with paragraph (1) of this subsection.

(3) Any reference in any law to the salary schedule in § 5-541.01 with respect to officers and members of the United States Park Police force shall be considered to be a reference to such schedule as adjusted in accordance with this subsection.

(4) This subsection shall not apply with respect to any pay period for which the salary schedule under subsection (c) applies to the United States Park Police.

(c)(1) The annual rates of basic compensation of officers and members of the United States Park Police, serving in classes corresponding or similar to those in the salary schedule in § 5-541.01 shall be fixed in accordance with the following schedule of rates:

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(2) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5303 of title 5, United States Code (or any subsequent similar provision of law), in the rates of pay under the General Schedule (or any pay system that may supersede such schedule), the annual rates of basic compensation of officers and members of the United States Park Police shall be adjusted by the Secretary of the Interior, by an amount equal to the percentage of such annual rate of pay which corresponds to the overall percentage of the adjustment made in the rates of pay under the General Schedule, except that in no case may the annual rate of basic compensation for any such officer or member exceed the rate of basic pay payable for level IV of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code.

(3) Locality-based comparability payments authorized under section 5304 of title 5, United States Code, shall be applicable to the basic pay under this section, except locality-based comparability

payments may not be paid at a rate which, when added to the rate of basic pay otherwise payable to the officer or member, would cause the total to exceed the rate of basic pay payable for level IV of the Executive Schedule.

(4) Repealed.

(5) Any reference in any law to the salary schedule in § 5-541.01 with respect to officers and members of the United States Park Police shall be considered to be a reference to the salary schedule in paragraph (1) of this subsection as adjusted in accordance with this subsection.

(6)(A) Except as otherwise permitted by or under law, no allowance, differential, bonus, award, or other similar cash payment under this part or under Title 5, United States Code, may be paid to an officer or member of the United States Park Police in a calendar year if, or to the extent that, when added to the total basic pay paid or payable to such officer or member for service performed in such calendar year as an officer or member, such payment would cause the total to exceed the annual rate of basic pay payable for level I of the Executive Schedule, as of the end of such calendar year.

(B) This paragraph shall not apply to any payment under the following provisions of Title 5, United States Code:

(i) Subchapter III or VII of chapter 55, or section 5596.

(ii) Chapter 57 (other than section 5753, 5754, or 5755).

(iii) Chapter 59 (other than section 5928).

(7)(A) Any amount which is not paid to an officer or member of the United States Park Police in a calendar year because of the limitation under paragraph (6) of this section shall be paid to such officer or member in a lump sum at the beginning of the following year.

(B) Any amount paid under this paragraph in a calendar year shall be taken into account for purposes of applying the limitations under paragraph (6) of this subsection with respect to such calendar year.

(8) The Office of Personnel Management shall prescribe regulations as may be necessary (consistent with section 5582 of title 5, United States Code) concerning how a lump-sum payment under paragraph (7) of this subsection shall be made with respect to any employee who dies before an amount payable to such employee under paragraph (7) of this subsection is made.

(Aug. 1, 1958, 72 Stat. 485, Pub. L. 85-584, title V, § 501; Aug. 29, 1972, 86 Stat. 639, Pub. L. 92-410, title I, § 111; Oct. 17, 1976, 90 Stat. 2493, Pub. L. 94-533, § 2; Oct. 7, 1980, 94 Stat. 1562, Pub. L. 96-396; Oct. 10, 1997, 111 Stat. 1285, Pub. L. 105-61, § 118(a); Nov. 19, 1997, 111 Stat. 2188, Pub. L. 105-100, § 159(a); Dec. 21, 2000, 114 Stat. 2763, Pub. L. 106-554, § 1(a)(4), H.R. 5666 §§ 902(a), (c), 903(a), (b); Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(2)(G).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-416.

1973 Ed., § 4-833.

Effect of Amendments

Pub. L. 111-282, in subsec. (a), deleted "the United States Secret Service Uniformed Division" following "Police and"; in subsec. (c)(1), deleted "the United States Secret Service Uniformed Division and" following "members of", and deleted "United States Secret Service Uniformed Division, preceding "United States Park Police"; in subsec. (c)(2), deleted "the annual rates of basic compensation of officers and members of the United States Secret Service Uniformed Division shall be adjusted by the Secretary of the Treasury," following "schedule"; in subsec. (c)(5), deleted "officers and members of the United States Secret Service Uniformed Division or" following "respect to"; and, in subsecs. (c)(6)(A) and (7)(A), deleted "the United States Secret Service Uniformed Division or" following "member of".

Effective Dates

Section 118(f) of Pub. L. 105-61, 111 Stat. 1285, provides that the provisions of § 118 shall become effective on the first day of the first pay period beginning after the Dates of enactment of the act. Public Law 105-61 was approved on October 10, 1997.

Section 159(b) of Pub. L. 105-100, 111 Stat. 2188, the District of Columbia Appropriations Act, 1988, provided that the amendment made § 159(a) is effective on the Dates of enactment of Pub. L. 105-61. Public Law 105-61 was approved on October 10, 1997.

References in Text

"Subchapter III or VII of chapter 55," referred to in (c)(6)(B)(i), are subchapters III and VII of chapter 55 of title 5, United States Code, codified at 5 U.S.C. § 5521 et seq., and 5 U.S.C. § 5561 et seq., respectively.

"Chapter 57," referred to in (c)(6)(B)(ii), is chapter 57 of title 5, United States Code, codified at 5 U.S.C. § 5701 et seq.

"Chapter 59," referred to in (c)(6)(B)(iii), is chapter 59 of title 5, United States Code, codified at 5 U.S.C. § 5901 et seq.

Miscellaneous Notes

Savings Provision: Section 118(d) of Pub. L. 106-61, 111 Stat. 1285, provided that on the effective date of § 118, any existing special salary rates authorized for members of the United States Secret Service Uniformed Division under § 5305 of title 5, United States Code (or any previous similar provision of law) and any special rates of pay or special pay adjustments under section 403, 404, or 405 of the Federal Law Enforcement Pay Reform Act of 1990 applicable to members of the United States Secret Service Uniformed Division shall be rendered inapplicable.

§ 5-545.02. [RESERVED]

§ 5-545.03. SUBCHAPTER NOT CONSTRUED TO DECREASE COMPENSATION; EXCEPTION AS TO VACANCY.

Nothing contained in §§ 5-541.01 to 5-545.06 shall be construed to decrease the existing rate of compensation of any present officer or member, but when his position becomes vacant any subsequent appointee to such position shall be compensated in accordance with the rate of pay applicable to such position.

(Aug. 1, 1958, 72 Stat. 485, Pub. L. 85-584, title V, § 503.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-417.

1973 Ed., § 4-834.

§ 5-545.04. COUNCIL AUTHORIZED TO PROMULGATE REGULATIONS.

The Council of the District of Columbia is hereby authorized to promulgate such regulations as it may deem necessary to carry out the intent and purposes of §§ 5-541.01 to 5-545.06.

(Aug. 1, 1958, 72 Stat. 485, Pub. L. 85-584, title V, § 504.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-418.

1973 Ed., § 4-835.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(114) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 5-545.05. RETROACTIVE SALARY.

(a) Retroactive salary shall be paid by reason of §§ 5-541.01 to 5-545.06 only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States) or the municipal government of the District of Columbia on August 1, 1958, except that retroactive salary shall be paid:

(1) To an officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, or the United States Secret Service Uniformed Division, who retired during the period beginning on the 1st day of the 1st pay period which began after January 1, 1958, and ending on August 1, 1958, for services rendered during such period; and

(2) In accordance with the provisions of §§ 5581 to 5583 of Title 5, United States Code, for services rendered during the period beginning on the 1st day of the 1st pay period which began after January 1, 1958, and ending on August 1, 1958, by an officer or member who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the federal government or the municipal government of the District of Columbia.

(Aug. 1, 1958, 72 Stat. 485, Pub. L. 85-584, title V, § 505; Nov. 15, 1977, 91 Stat. 1371, Pub. L. 95-179.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-419.

1973 Ed., § 4-836.

§ 5-545.06. DELEGATION OF POWERS AND FUNCTIONS.

The Mayor of the District of Columbia and the Secretary of the Interior are hereby authorized to delegate, from time to time, to their designated agent or agents, any power or function vested in them by §§ 5-541.01 to 5-545.06, except those powers and functions vested in them by §§ 5-543.05 and 5-545.04.

(Aug. 1, 1958, 72 Stat. 486, Pub. L. 85-584, title V, § 506; Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(2)(H).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-420.

1973 Ed., § 4-837.

Effect of Amendments

Pub. L. 111-282 deleted ", the Secretary of the Treasury," following "Columbia".

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 5-545.06A. COUNCIL AUTHORIZED TO CHANGE OR SUSPEND PROVISIONS.

(a) The Council of the District of Columbia is authorized to change or suspend by resolution the provisions of §§ 5-541.01, 5-542.01, 5-542.02, 5-542.03, 5-543.01, 5-543.02, 5-543.03, 5-543.04, 5-543.05, 5-544.01, 5-545.01, and 5-545.03 insofar as they relate to officers and members of the Metropolitan Police Department and the Fire and Emergency Medical Services Department.

(b) The Council's authority to act pursuant to subsection (a) of this section shall be effective beginning on January 1, 1980.

(Aug. 1, 1958, 72 Stat. 486, Pub. L. 85-584, title V, § 506a, as added June 10, 1998, D.C. Law 12-124, § 201, 45 DCR 2464.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-420.1.

Temporary Addition of Section

For temporary (225 day) addition, see § 3 of Comprehensive Merit Personnel Act Pay Limit Temporary Amendment Act of 1997 (D.C. Law 12-36, October 23, 1997, law notification 44 DCR 6554).

Emergency Act Amendments

For temporary addition of this section, see § 3 of the Comprehensive Merit Personnel Act Pay Limit Emergency Amendment Act of 1997 (D.C. Act 12-115, July 18, 1997, 44 DCR 4501), § 3 of the Comprehensive Merit Personnel Act Pay Limit Congressional Review Emergency Amendment Act of 1997 (D.C. Act 12-179, October 30, 1997, 44 DCR 6948), and § 3 of the Comprehensive Merit Personnel Act Pay Limit Emergency Amendment Act of 1998 (D.C. Act 12-378, June 5, 1998, 45 DCR 4466).

Legislative History of Laws

Law 12-124, the "Omnibus Personnel Reform Amendment Act of 1998," was introduced in Council and assigned Bill No. 12-44, which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on February 3, 1998 and March 17, 1998, respectively. Signed by the Mayor on April 1, 1998, it was assigned Act No. 12-326 and transmitted to both Houses of Congress for its review. D.C. Law 12-124 became effective on June 10, 1998.

Miscellaneous Notes

Construction of Law 12-124: Section 301 of D.C. Law 12-124 provides that nothing in the act shall be construed as superseding the provisions of the National Capital Revitalization and Self-Government Improvement Act of 1997, approved August 5, 1997 (Public Law 105-33; 111 Stat. 712), except that § 47-395.4(b)(3) is expressly superseded. Further, nothing in the act shall be construed as superseding the provisions of § 47-391.1 et seq. or of § 164 of the District of Columbia Appropriations Act, 1998, approved November 19, 1997 (Public Law 105-100; 111 Stat. 2160).

SUBCHAPTER IV. CONVERSION OF NEW SALARY SCHEDULE.

§ 5-561.01. CONVERSION TO NEW SALARY SCHEDULE, 1997.[REPEALED]

(Oct. 10, 1997, 111 Stat. 1285, Pub. L. 105-61, § 118(b); Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(3).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 4-416.1.

Effective Dates

Section 118(f) of Pub. L. 105-61, 111 Stat. 1285, provides that the provisions of § 118 shall become effective on the first day of the first pay period beginning after the Dates of enactment of the act. Public Law 105-61 was approved on October 10, 1997.

Miscellaneous Notes

Savings Provision: Section 118(d) of Pub. L. 106-61, 111 Stat. 1285, provided that on the effective date of § 118, any existing special salary rates authorized for members of the United States Secret Service Uniformed Division under § 5305 of title 5, United States Code (or any previous similar provision of law) and any special rates of pay or special pay adjustments under section 403, 404, or 405 of the Federal Law Enforcement Pay Reform Act of 1990 applicable to members of the United States Secret Service Uniformed Division shall be rendered inapplicable.

§ 5-561.02. CONVERSION TO NEW SALARY SCHEDULE, 2000.

(a)(1) Effective on the first day of the 1st pay period beginning 6 months after December 21, 2000, the Secretary of the Interior shall fix the rates of basic pay for officers and members of the United States Park Police, in accordance with this subsection.

(2)(A) Each officer and member shall be placed in and receive basic compensation at the corresponding scheduled service step of the salary schedule under § 5-545.01(c) in accordance with the member's total years of creditable service, receiving credit for all service step adjustments. If the

scheduled rate of pay for the step to which the officer or member would be assigned in accordance with this paragraph is lower than the officer's or member's salary immediately prior to the enactment of this paragraph, the officer or member will be placed in and receive compensation at the next higher service step.

(B) Each member whose position is to be converted to the salary schedule under § 5-545.01(b) and who, prior to the effective date of this section has earned, but has not been credited with, an increase in his or her rate of pay shall be afforded that increase before such member is placed in the corresponding service step in the salary schedule under § 5-545.01(b).

(C) For purposes of this paragraph, an officer's or member's creditable service is any police service in pay status with the United States Secret Service Uniformed Division, United States Park Police, or Metropolitan Police Department.

(b) Notwithstanding any other provision of law, if the total rate of compensation for an officer or employee for any pay period occurring after conversion to the salary schedule pursuant to subsection (a) of this section (determined by taking into account any locality-based comparability adjustments, longevity pay, and other adjustments paid in addition to the rate of basic compensation) is less than the officer's or employee's total rate of compensation (as so determined) on the date of enactment, the rate of compensation for the officer or employee for the pay period shall be equal to:

(1) The rate of compensation on December 21, 2000 (as so determined), increased by;

(2) A percentage equal to 50% of sum of the percentage adjustments made in the rate of basic compensation under § 5-545.01(c) for pay periods occurring after the date of enactment and prior to the pay period involved.

(c) The conversion of positions and individuals to appropriate classes of the salary schedule under § 5-545.01(c) and the initial adjustments of rates of basic pay of those positions and individuals in accordance with subsection (a) of this section shall not be considered to be transfers or promotions within the meaning of § 5-543.04.

(d) Each individual whose position is converted to the salary schedule under § 5-545.01(c) in accordance with subsection (a) of this section shall be granted credit for purposes of such individual's first service step adjustment under the salary schedule in § 5-545.01(c) for all satisfactory service performed by the individual since the individual's last increase in basic pay prior to the adjustment under § 5-545.01(c).

(e) The rates provided under the salary schedule under § 5-545.01(c) shall be increased by the percentage of any annual adjustment applicable to the General Schedule authorized under section 5303 of title 5, United States Code, which takes effect during the period which begins on December 21, 2000, and ends on the first day of the first pay period beginning 6 months after December 21, 2001.

(f) The conversion of positions and individuals to appropriate classes of the salary schedule under § 5-545.01(c) and the initial adjustments of rates of basic pay of those positions and individuals in accordance with subsection (a) of this section shall not be treated as an increase in salary for purposes of § 5-744 or § 5-745.

(Dec. 21, 2000, 114 Stat. 2763, Pub. L. 106-554, § 1(a)(4), H.R. 5666 § 905; Oct. 15, 2010, 124 Stat. 3033, Pub. L. 111-282, § 4(b)(4).)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

Pub. L. 111-282, in subsec. (a)(1), deleted "the Secretary of the Treasury shall fix the rates of basic pay for officers and members of the United States Secret Service Uniformed Division, and" following "2000,".

SUBCHAPTER V. FEDERAL LAW ENFORCEMENT PAY REFORM.

§ 5-563.01. TERMINATION OF EXISTING SPECIAL SALARY RATES AND ADJUSTMENTS.

Beginning on December 21, 2000:

(1) No existing special salary rates shall be authorized for members of the United States Park Police under section 5305 of title 5, United States Code (or any previous similar provision of law); and

(2) No special rates of pay or special pay adjustments shall be applicable to members of the United States Park Police pursuant to section 405 of the Federal Law Enforcement Pay Reform Act of 1990.

(Dec. 21, 2000, 114 Stat. 2763, Pub. L. 106-554, § 1(a)(4), H.R. 5666 § 905.)

§ 5-563.02. FREEZE OF CURRENT RATE FOR LOCALITY-BASED COMPARABILITY ADJUSTMENTS.

Notwithstanding any other provision of law, including the Law Enforcement Pay Equity Act of 2000 or any provision of law amended by the Law Enforcement Pay Equity Act of 2000, no officer or member of the United States Secret Service Uniformed Division or the United States Park Police may be paid locality pay under section 5304 or section 5304a of title 5, United States Code, at a percentage rate for the applicable locality in excess of the rate in effect for pay periods during calendar year 2000.

(Dec. 21, 2000, 114 Stat. 2763, Pub. L. 106-554, title IX, § 902(b).)

HISTORICAL AND STATUTORY NOTES

Miscellaneous Notes

This section was enacted as part of the Law Enforcement Pay Equity Act of 2000 (Dec. 21, 2000, 114 Stat. 2763, Pub. L. 106-554, title IX, § 902(b)).