

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 020629)

RESOLUTION

Amending Resolution No. 1, which was adopted as the temporary rules of the Council on January 3, 2000, to reinsert the amendment passed in the last Council session, which extended to Council employees the same leave entitlements that other non-represented city employees enjoy under the Family Medical Leave Act of 1993 and other city leave policies.

WHEREAS, On January 3, 2000 the City Council of Philadelphia adopted Resolution 1, as its temporary rules of governance until a public hearing and meeting could be held to adopt permanent rules of government for the current Council term; and

WHEREAS, The provision which extended Family Medical Leave Act (FMLA) benefits to all City Council employees was unanimously passed last Council session on February 26, 1998 (Resolution 980126), after a full public hearing and meeting, was inadvertently omitted from this term's rules; and

WHEREAS, The absence of this provision, even in the temporary rules of Council, interrupts the FMLA coverage that Council employees receive; and such interruption could possibly jeopardize a Council employee's right to FMLA benefits if needed before the passage of the permanent rules; and

WHEREAS, The current temporarily-adopted rules, with the exception of the FMLA amendment, are substantially the same as last term's rules; and

WHEREAS, The Family Medical Leave Act (FMLA) became applicable to all non-represented and represented city employees, with the exception of Council employees, on February 5, 1994; and

WHEREAS, On January 23, 1995 the Congressional Accountability Act of 1995 became law, which provided that congressional staffers be covered by a variety of laws, including the FMLA; and

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WHEREAS, On October 26, 1996 the Presidential and Executive Office of Accountability Act afforded executive branch employees rights under the FMLA; and

WHEREAS, Despite these Congressional enactments regarding federal legislative and executive branch employees, the approximately 191 employees of the Philadelphia City Council continued to remain exempt from the FMLA, thereby denying them right to care for a seriously ill family member or unpaid maternity or paternity leave, all with the continuation of health coverage; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That Resolution No. 1 concerning the Rules for the governance of the City Council of Philadelphia, be amended to read as follows:

* * *

II. The President of Council

* * *

8. * * *

8A. *All employees of the Council shall have no less than the same leave entitlements that non-represented city employees enjoy under the Family and Medical Leave Act of 1993 and other leave policies as delineated in the city's Personnel Department's Administrator's Manual for Family & Medical Leave Act & Philadelphia Leave Procedures in effect on the date this provision is added to the rules.*

FURTHER RESOLVED, The Administrative Services Officer of the City Council shall provide each Council employee with the most current information on their entitlements under this rule.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the tenth of October, 2002.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Marie B. Hauser
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Ortiz, Council President Verna and Goode

Sponsored by: Councilmember Ortiz, Council President Verna,
Councilmembers Goode Cohen, DiCicco, Tasco, Rizzo, Nutter,
Miller, Kenney, Reynolds Brown, Clarke and Mariano