

Legislation Text

File #: 200559, Version: 0

Amending Chapter 9-2300 of The Philadelphia Code, entitled "Protection of Displaced Contract Workers," by clarifying definitions and scope of applicability, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-2300 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 9-2300 PROTECTION OF DISPLACED CONTRACT WORKERS

§ 9-2301. Definitions.

The following definitions shall apply throughout this Chapter:

* * *

(3) *Customary seasonal work means work performed by an employee during only the same approximate part of each calendar year, such as summer or winter.*

(4) Employee means any person employed to provide services pursuant to a service contract and includes registered nurses. "Employee" does not include a person who is (a) a managerial, supervisory, or confidential employee, including those employees who would so be defined under the Fair Labor Standards Act; or (b) is employed less than 15 hours a week. *However, "Employee" does include persons who work 15 hours or more per week during customary seasonal work but do not work an annualized average of 15 hours or more per week.*

[(4)] (5) * * *

[(5)] (6) Service contract means a contract, *lease, or concession agreement* let to a contractor by the awarding authority for the furnishing of security, janitorial, building maintenance, food and beverage, hotel service, or non-professional health care services, including any services to be performed by registered nurses.

[(6)] (7) Successorship service contract means a service contract with the awarding authority where substantially the same services to be performed have previously been rendered to the awarding authority as part of the same program or at the same facility under another service contract that recently has been terminated or has ended within the previous 90 days, *or have previously been rendered by the awarding authority's own employees.*

(8) *Terminated or ending contractor means a contractor whose service contract expires without renewal or whose contract is terminated and includes the awarding authority itself where work previously rendered by the awarding authority's own employees is the subject of a successorship service contract.*

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Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.