

ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 9-185

"Public Funds Investment Policy in Financial Institutions and Companies Making Loans to or Doing Business with Northern Ireland Amendment Act of 1992".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 9-311 on first and second readings, July 7, 1992, and October 6, 1992, respectively. Following the signature of the Mayor on November 2, 1992, this legislation was assigned Act No. 9-305, published in the November 13, 1992, edition of the D.C. Register, (Vol. 39 page 8221) and transmitted to Congress on January 6, 1993 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 9-185, effective March 16, 1993.



JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 6,20,21,22,25,26,27

February 2,3,4,16,17,18,19,22,23,24,25,26

March 1,2,3,4,5,8,9,10,11,12,15

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 1992

To amend the District of Columbia Depository Act of 1977, the District of Columbia Housing Finance Agency Act, and the District of Columbia Retirement Reform Act to endorse the MacBride Principles of fair employment for companies operating in Northern Ireland; to encourage that the investment of public funds in the stocks, securities, or other obligations of any bank, financial institution, or company which makes loans to or does business with Northern Ireland be only in those companies which comply with the MacBride Principles of fair employment; and to provide for the identification of companies and institutions doing business with Northern Ireland and whether they comply with the MacBride Principles.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public Funds Investment Policy in Financial Institutions and Companies Making Loans to or Doing Business with Northern Ireland Amendment Act of 1992".

Sec. 2. Section 3 of the District of Columbia Depository Act of 1977, effective October 26, 1977 (D.C. Law 3-32; D.C. Code § 47-342), is amended by adding a new subsection (d) to read as follows: Section 47-342

"(d)(1) All public funds invested in stocks, securities, and other obligations of any institution or company doing business in or with Northern Ireland or with agencies or instrumentalities of Northern Ireland shall be invested to reflect advances to eliminate discrimination made by these institutions or companies as set forth in paragraph (2) of this subsection.

"(2) The Mayor shall consider the following actions, referred to as the MacBride Principles, to determine whether advances to eliminate discrimination are being made by companies and institutions doing business in or with Northern Ireland or with agencies or institutions of Northern Ireland:

"(A) Increasing the representation of individuals from underrepresented religious groups in the work force, including managerial, supervisory, administrative, clerical, and technical jobs;

"(B) Providing adequate security for the protection of minority employees both at the workplace and while traveling to and from work;

"(C) Banning provocative religious or political emblems from the workplace;

"(D) Publicly advertising all job openings and making special recruitment efforts to attract applicants from underrepresented religious groups;

"(E) Providing that layoff, recall, and termination procedures should not in practice favor particular religious groups;

"(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria that discriminate on the basis of religion or ethnic origin;

"(G) Developing training programs that will prepare substantial numbers of current minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of minority employees;

"(H) Establishing procedures to assess, identify, and actively recruit minority employees with potential for further advancement; and

"(I) Appointing senior management staff members to oversee affirmative action efforts and setting up timetables to carry out affirmative action principles.

"(3) On or before the 1st day of October of each year, the Mayor shall determine the existence of affirmative action taken by all institutions and companies doing business in or with Northern Ireland, in which public funds are or will be invested, in adhering to the MacBride Principles as enumerated in paragraph (2) of this subsection and provide an annual report of his or her findings for presentation to the Council, which report shall be made available for public inspection."

Sec. 3. The District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Code § 45-2101 *et seq.*), is amended as follows:

(a) Section 406 (D.C. Code § 45-2136) is amended by striking the period and inserting the phrase "and 413." in its place.

(b) A new section 413 is added to read as follows:

"Sec. 413. Investment of funds with financial institution or company doing business with Northern Ireland.

"(a) For the purposes of this section, the term "agency funds" means all monies managed and all funds established pursuant to sections 406 and 411.

"(b)(1) Agency funds invested in stocks, securities, or other obligations of any institution or company doing business in or with Northern Ireland or with agencies or instrumentalities of Northern Ireland shall be invested to reflect advances to eliminate discrimination made by these institutions and companies pursuant to paragraph (2) of this subsection.

"(2) The Mayor shall consider the following criteria, referred to as the MacBride Principles, to determine the advances to eliminate discrimination made by companies and institutions doing business in or with Northern Ireland or with agencies or instrumentalities of Northern Ireland:

"(A) Increasing the representation of individuals from underrepresented religious groups on the work force, including managerial, supervisory, administrative, clerical, and technical jobs;

"(B) Providing adequate security for the protection of minority employees both at the workplace and while traveling to and from work;

Section
45-2136
Section
45-2142

"(C) Banning provocative religious or political emblems from the workplace;

"(D) Publicly advertising all job openings and making special recruitment efforts to attract applicants from underrepresented religious groups;

"(E) Providing that layoff, recall, and termination procedures should not in practice favor particular religious groups;

"(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria that discriminate on the basis of religion or ethnic origin;

"(G) Developing training programs that will prepare substantial numbers of current minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of minority employees;

"(H) Establishing procedures to assess, identify, and actively recruit minority employees with potential for further advancement; and

"(I) Appointing senior management staff members to oversee affirmative action efforts and setting up timetables to carry out affirmative action principles.

"(3) On or before the 1st day of October of each year, the Mayor shall determine the existence of affirmative action taken by all institutions and companies doing business in or with Northern Ireland, in which agency funds are or will be invested, in adhering to the MacBride Principles as enumerated in paragraph (2) of this subsection and provide an annual report of his or her findings for presentation to the Council, which report shall be made available for public inspection."

Sec. 4. Section 141 of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D.C. Code § 1-721), is amended by adding a new subsection (c) to read as follows:

Section
1-721

"(c)(1) Any assets of the Funds invested after the effective date of the Public Funds Investment Policy in Financial Institutions and Companies Making Loans to or Doing Business with Northern Ireland Act of 1992 in stocks, securities, or other obligations of any institution or company doing business in or with Northern Ireland or with agencies or instrumentalities of Northern Ireland shall be invested to reflect advances to eliminate discrimination made by these institutions and companies pursuant to paragraph (2) of this subsection.

"(2) The Mayor shall consider the following criteria, referred to as the MacBride Principles, to determine the advances to eliminate discrimination made by companies and institutions doing business in or with Northern Ireland or with agencies or instrumentalities of Northern Ireland:

"(A) Increasing the representation of individuals from underrepresented religious groups in the work force, including managerial, supervisory, administrative, clerical, and technical jobs;

"(B) Providing adequate security for the protection of minority employees both at the workplace and while traveling to and from work;

"(C) Banning provocative religious or political emblems from the workplace;

"(D) Publicly advertising all job openings and making special recruitment efforts to attract applicants from underrepresented religious groups;

"(E) Providing that layoff, recall, and termination procedures should not in practice favor particular religious groups;

"(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria that discriminate on the basis of religion or ethnic origin;

"(G) Developing training programs that will prepare substantial numbers of current minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of minority employees;

"(H) Establishing procedures to assess, identify, and actively recruit minority employees with potential for further advancement; and

"(I) Appointing senior management staff members to oversee affirmative action efforts and the setting up of timetables to carry out affirmative action principles.

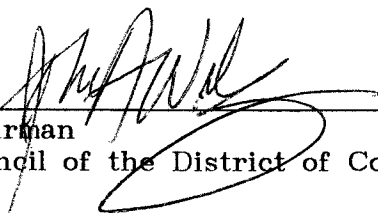
"(3)(A) On or before the 1st day of October of each year, the Mayor shall determine the existence of affirmative action taken by all institutions and companies doing business in or with Northern Ireland, in which Funds are or will be invested, in adhering to the MacBride Principles as enumerated in paragraph (2) of this subsection and provide an annual report of his or her findings for presentation to the Council, which report shall be made available for public inspection.

"(B) In making the determination pursuant to subparagraph (A) of this paragraph, the Mayor may rely on reference sources, such as the Investor Responsibility Research Center (IRRC), in making a determination with respect to the affirmative action taken by the institutions and companies."

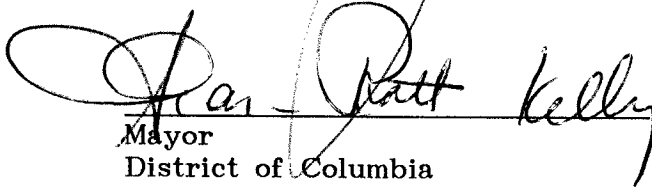
Sec. 5. Effective date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in either the District of Columbia Register, the District of

Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: November 2, 1992



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 9-311

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 7-7-92

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. WILSON, BRAZIL, CRAWFORD, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, ROLARK, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Signature of Secretary to the Council

Date: October 16, 1992

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 10-6-92

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. WILSON, BRAZIL, CRAWFORD, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, ROLARK, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Signature of Secretary to the Council

Date: October 16, 1992

Item on Consent Calendar

ACTION & DATE:

VOICE VOTE:

Recorded vote on request

Absent:

ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. WILSON, BRAZIL, CRAWFORD, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, ROLARK, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date