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DC ST § 5-409.01

§ 5-409.01. Paramedic and Emergency Medical Technician Lateral Transfer to Fire and Emergency Medical Services Department.

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DC ST § 5-409.01

District of Columbia Official Code 2001 Edition [Currentness](#)
Division I. Government of District.

Title 5. Police, **←Firefighters,→** and Chief Medical Examiner. (Refs & Annos)

Chapter 4. Fire Department.

Subchapter I. General.

←BEST

→§ 5-409.01. Paramedic and Emergency Medical Technician ←Lateral→ Transfer to Fire and Emergency Medical Services Department.

(a) Notwithstanding any other law or regulation, the Mayor is authorized to provide for the transfer of Fire and Emergency Medical Services Department personnel holding valid certificates as paramedics or emergency medical technicians, or All Hazards/Emergency Medical Services ("EMS") Specialists, to be uniformed **←firefighters.→**

BEST →

- (1) Transfer shall be to the **←firefighter→** step and class with a rate of pay closest to, but not lower than, the rate of pay earned by the employee prior to transfer.
- (2) Transferred employees may elect to participate in the District of Columbia Police Officers' and Fire Fighters' Retirement Program established pursuant to Chapter 9 of Title 1 ("Program").
- (3) Transfer is conditioned on the transferred employee meeting the requirements for entry-level **←firefighters,→** including meeting established medical standards, undergoing a background check, and successfully completing a physical abilities test and the **←firefighting→** training program.
- (4) Transferred employees are required to meet citizenship requirements set forth by law or regulation.
- (5) Maximum age limitations for appointment shall not apply to transferred employees.

(a-1)(1) As of March 31, 2009, the Mayor is authorized to provide for the designation of Fire and Emergency Medical Services Department personnel holding valid certificates as paramedics or emergency medical technicians to be All Hazards/EMS Specialists.

(2) The Mayor shall develop pay parity, that reflects training and responsibility, between All Hazards/EMS Specialists and uniformed fire fighters; provided, that the rate of pay earned by each employee shall not be lower than the rate of pay immediately prior to March 31, 2009.

(3) Employees transferred pursuant to this subsection may elect to participate in the Program.

(4)(A) All Hazards/EMS Specialists who are participants in the defined contribution plan under § 1-626.05(3) may elect to participate in the Program.

(B) All Hazards/EMS Specialists who are participants in the defined benefit plan under the Civil Service Retirement System in Chapter 83 of Title 5 of the United States Code and who are not eligible to retire under the Civil Service Retirement System on or within 31 days of March 31, 2009, may make an irrevocable, one-time election to participate in the Program.

(5)(A) If an All Hazards/EMS Specialist is a participant in the defined contribution plan under § 1-626.05(3) and elects to participate in the Program, all of the employee's interest in contributions and earnings under the defined contribution plan shall be transferred from the defined contribution plan to the District of Columbia Police Officers and Fire Fighters' Retirement Fund in accordance with § 5-704(i)(2)(B) or (C). Upon such transfer of funds, the All Hazard(s)/EMS Specialist shall cease to be a participant in or have an account under the defined contribution plan.

(B) An All Hazards/EMS Specialist who is a participant in the defined benefit plan under the Civil Service Retirement System in Chapter 83 of Title 5 of the United States Code, who is not eligible to retire under the Civil Service Retirement System on or within 31 days of March 31, 2009, and who elects to participate in the Program may elect to receive credit for prior service covered by the defined benefit plan in accordance with § 5-704(i)(2)(D).

(6) The Mayor shall provide for basic training for all hazards and allow All Hazards/EMS Specialists to meet adjusted fitness standards that fairly and reasonably accommodate their incumbent status, including their age and level of experience.

(7) The Mayor shall provide MSS Paramedic Supervisory Personnel ("Supervisory") designated as All Hazards/EMS Specialists with appropriate promotional opportunities and shall avoid pay compression between Supervisory and non-Supervisory All Hazards/EMS Specialists.

(b) The Mayor, pursuant to subchapter I of Chapter 2 of Title 1, may issue rules to implement the provisions of this title [section].

CREDIT(S)

(Oct. 3, 2001, D.C. Law 14-28, § 202, 48 DCR 6981; Mar. 13, 2004, D.C. Law 15-105, § 37(a), 51 DCR 881; Mar. 31, 2009, D.C. Law 17-356, § 2, 56 DCR 1614.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-105, in subsec. (a)(2), validated a previously made technical correction.

D.C. Law 17-356, in subsec. (a), substituted "technicians, or All Hazards/Emergency Medical Services ("EMS") Specialists," for "technicians" in the lead-in language and rewrote par. (2); and added subsec. (a-1). Prior to amendment, par. (2) of subsec. (a) read as follows:

"(2) Transferred employees may elect to participate in the Police Officers and Fire Fighters' Retirement

Fund pursuant to § 1-903.01."

Emergency Act Amendments

For temporary (90 day) addition of section, see § 202 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 14-28, the "Fiscal Year 2002 Budget Support Act of 2001", was introduced in Council and assigned Bill No. 14-144, which was referred to the Committee Of the Whole. The Bill was adopted on first and second readings on May 1, 2001, and June 5, 2001, respectively. Signed by the Mayor on June 29, 2001, it was assigned Act No. 14-85 and transmitted to both Houses of Congress for its review. D.C. Law 14-28 became effective on October 3, 2001.

Law 15-105, the "Technical Amendments Act of 2003", was introduced in Council and assigned Bill No. 15-437, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 4, 2003, and December 2, 2003, respectively. Signed by the Mayor on January 6, 2004, it was assigned Act No. 15-291 and transmitted to both Houses of Congress for its review. D.C. Law 15-105 became effective on March 13, 2004.

Law 17-356, the "Paramedic and Emergency Medical Technician Transition Amendment Act of 2008", was introduced in Council and assigned Bill No. 17-768 which was referred to the Committee on Public Safety and the Judiciary. The Bill was adopted on first and second readings on December 2, 2008, and December 2, 2008, respectively. Approved without the signature of the Mayor on February 2, 2009, it was assigned Act No. 17-723 and transmitted to both Houses of Congress for its review. D.C. Law 17-356 became effective on March 31, 2009.

Miscellaneous Notes

Section 4 of D.C. Law 17-356 provides that this act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

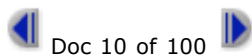
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