

An Ordinance

Amending Title 17 of The Philadelphia Code, entitled “Contracts and Procurement,” by adding a new Chapter 17-2300 entitled, “Public Hearing Required Prior to Execution of a Labor Agreement with City Workers Represented by the Fraternal Order Of Police With Respect To The Workers’ Terms And Conditions Of Employment.”, by establishing certain definitions; and requiring a public hearing within thirty (30) days prior to the City entering into or amending a labor agreement with City workers represented by the Fraternal Order of Police, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 17 of the Philadelphia Code is hereby amended to read as follows:

TITLE 17. CONTRACTS AND PROCUREMENT.

* * *

CHAPTER 17-2300. PUBLIC HEARING REQUIRED PRIOR TO EXECUTION OF A LABOR AGREEMENT WITH CITY WORKERS REPRESENTED BY THE FRATERNAL ORDER OF POLICE WITH RESPECT TO THE WORKERS’ TERMS AND CONDITIONS OF EMPLOYMENT.

§17-2301. Legislative Findings.

WHEREAS, The City has a financial interest in ensuring the fairness and transparency in the approval process for contracting with the labor union representing the uniformed workers of the Philadelphia Police Department; and

WHEREAS, The Philadelphia Police Department’s personnel spending equates to roughly 14.72% of the City’s entire budget; and

WHEREAS, In FY 2020, the police overtime spending through the third quarter was approximately \$53,000,0000 with only 20% of the allotted overtime budget remaining for the fourth quarter; and

WHEREAS, Transparency in government is key to improving the public’s trust in government to carry out the will and best interest of the public it serves; and

WHEREAS, The City cannot provide transparency to the public while simultaneously spending over 1/10th of the overall budget on a single department where the right of the public to be heard is not afforded prior to the execution of such a contract.

§17-2302 Definitions.

The following definitions apply to this Chapter:

- (1) "City" means the City of Philadelphia.*
- (2) "Contract" means a labor agreement, including but not limited to a collective bargaining agreement, between the City and the City workers in the Philadelphia Police Department represented by the Fraternal Order of Police.*
- (3) "Labor Organization" means the Fraternal Order of Police representing workers in the Philadelphia Police Department with respect to the workers' terms and conditions of employment.*

§17-2303 Public Hearing Required.

- (1) Within thirty (30) days prior to the City executing, entering into or amending a Contract as define herein, City Council shall hold a public hearing relating to the Contract, including but not limited to, the cost of the Contract and any other terms or conditions set forth therein. However, nothing herein shall be construed to require Council approval of the Contract for it to be binding and effective.*
- (2) An Administration representative shall be present at the hearing to inform the Council and the public about the terms of the Contract and the Administration shall be subject to the requirements of §10-110 of the Home Rule Charter, regarding refusal to testify.*
- (3) Prior notice of the Public Hearing shall be required and the hearings must allow for the public to attend and comment on the terms of the Contract presented by the Administration representative.*

SECTION 2. This ordinance shall take effect immediately.

This bill is introduced by Councilmember Katherine Gilmore Richardson and Co-sponsored by the following Councilmembers: Johnson, Thomas, Parker, Brooks, Jones, Squilla, Green, Quiñones Sánchez, Domb, and Gauthier.