

Committee on Labor and Civil Service
April 5, 2021

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LABOR AND CIVIL SERVICE

Remote location using Microsoft® Teams
Monday, April 5, 2021
1:00 p.m.

PRESENT:

COUNCILWOMAN CHERELLE PARKER, CHAIR
COUNCILMAN BRIAN J. O'NEILL, VICE-CHAIR
COUNCILMAN ALLAN DOMB
COUNCILWOMAN KATHERINE GILMORE RICHARDSON
COUNCILMAN DEREK S. GREEN
COUNCILWOMAN HELEN GYM
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ

BILL: 200265

1 - - -

2 COUNCILWOMAN PARKER: I

3 understand that state law currently
4 requires that the following announcement
5 be made at the beginning of every remote
6 public hearing as follows: Due to the
7 current public health emergency, City
8 Council Committees are currently meeting
9 remotely. We are using Microsoft Teams
10 to make these remote hearings possible.

11 Instructions for how the public
12 may view and offer public testimony at
13 public hearings of Council Committees
14 are included in the public hearing
15 notices that are published in the Daily
16 News, Inquirer and Legal Intelligencer
17 prior to the hearings and can also be
18 found on PHLCouncil.com. I now note
19 that the hour has come.

20 Rachel, will you please call
21 the roll to take attendance. Members
22 that are in attendance will please
23 indicate that you are present when your
24 name is called. Also, please say a few
25 brief words when responding so that your

1 image will be displayed on the screen
2 when you speak.

3 THE CLERK: Councilmember Allan
4 Domb.

5 COUNCILMAN DOMB: Good morning,
6 Majority Leader Parker and colleagues
7 and the public. Thank you.

8 THE CLERK: Councilmember Derek
9 Green.

10 COUNCILMAN GREEN: Good
11 morning, Madam Chair. Good morning,
12 colleagues. Glad to be here and
13 hopefully we'll have a great
14 conversation and looking forward for a
15 bountiful harvest for the world.

16 THE CLERK: Councilmember Helen
17 Gym.

18 COUNCILWOMAN GYM: Good
19 morning, Madam Chair. Good morning,
20 colleagues. Looking forward.

21 THE CLERK: Councilmember
22 Katherine Gilmore Richardson.

23 COUNCILWOMAN GILMORE
24 RICHARDSON: Good afternoon, Madam Chair
25 and colleagues. Even though it's not

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1 September, I'm looking forward to this
2 hearing, Councilmember Green.

3 THE CLERK: Councilmember Maria
4 Quinones-Sanchez.

5 COUNCILWOMAN QUINONES-SANCHEZ:
6 Good afternoon. Good afternoon.

7 THE CLERK: And I believe
8 that's all that's on right now, but that
9 does make a quorum.

10 COUNCILWOMAN PARKER: Thank
11 you. A quorum of the Committee is
12 present and this hearing is now called
13 to order. This is the public hearing on
14 the Committee of Labor and Civil Service
15 on Bill No. 200265.

16 Rachel, will you please read
17 the title of the bill.

18 THE CLERK: Bill No. 200625, an
19 ordinance amending Title 9 of The
20 Philadelphia Code, entitled "Regulation
21 of Businesses, Trades and Professions,"
22 by adding a new Chapter 9-4700 to
23 prohibit employers from requiring
24 prospective employees to undergo testing
25 for the presence of marijuana as a

1 condition of employment, under certain
2 terms and conditions.

3 COUNCILWOMAN PARKER: Before we
4 begin to hear testimony from the
5 witnesses we have for today, everyone
6 who has been invited to the meeting to
7 testify should be aware that this public
8 hearing is being recorded. Because the
9 hearing is public, participants and
10 viewers have no reasonable expectation
11 of privacy. By continuing to be in the
12 meeting, you are consenting to being
13 recorded.

14 Additionally, prior to
15 recognizing Members for questions or
16 comments they have for witnesses, I will
17 note for the record at this time that we
18 will use the chat feature available in
19 Microsoft Teams to allow Members to
20 signify that they wish to be recognized.
21 In order to comply with the Sunshine
22 Act, the chat feature must only be used
23 for that purpose.

24 Before I ask Rachel to call the
25 first panel for Bill No. 200625, I

1 wanted to ask my colleague Councilmember
2 Green if he would like to make some
3 opening comments.

4 COUNCILMAN GREEN: Thank you,
5 Madam Chair. I'll be brief. I want to
6 thank my colleagues for being here this
7 afternoon for the hearing.

8 As many people know, not only
9 members of Council but the viewing
10 public, we've had medical cannabis in
11 the Commonwealth of Pennsylvania for
12 some time. Recently, the states of New
13 York, New Jersey, Virginia and other
14 states have actually moved forward with
15 recreational cannabis.

16 But the challenge here is that
17 those who have an ailment and have gone
18 to a physician to receive a
19 recommendation for medical cannabis are
20 able to do so and able to use it legally
21 within the Commonwealth of Pennsylvania.
22 However, if those same individuals then
23 are looking for employment and based on
24 the nature of employment they are
25 applying for may have a cannabis

1 screening and that may disqualify them
2 from getting employment.

3 And so, from my perspective and
4 I think from the perspectives of a
5 number of people, this is somewhat
6 contradictory. Now, in certain types of
7 employment, we do have to have that type
8 of cannabis testing. I've had
9 conversations with the Greater
10 Philadelphia Chamber of Commerce
11 regarding employers who may have a
12 concern. We've been able to address
13 that. And most of the employers who've
14 reached out to me regarding this
15 legislation already are in line with
16 this legislation.

17 And so, I think this is
18 commonsense legislation to make sure we
19 are matching the perspectives of the
20 Commonwealth of Pennsylvania as well as
21 other peer states to make sure that
22 those who have an ailment where they're
23 receiving a recommendation from their
24 physician to receive medical cannabis
25 will not be discriminated against if

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1 they are also trying to seek employment.

2 Thank you, Madam Chair.

3 COUNCILWOMAN PARKER: Thank
4 you, Councilmember Green.

5 Rachel, will you please call
6 the first panel we have to testify this
7 afternoon on Bill No. 200625.

8 THE CLERK: Randy Duque.

9 COUNCILWOMAN PARKER: Good
10 afternoon, Randy. I see your face. You
11 are connected. And are you ready to
12 proceed?

13 MR. DUQUE: Yes, I am.

14 COUNCILWOMAN PARKER: All
15 right. Just state your name for the
16 record, Randy, and please feel free to
17 proceed with your testimony.

18 MR. DUQUE: Sure. My name is
19 Randy Duque and I am the Acting
20 Executive Director for the Philadelphia
21 Commission on Human Relations. Good
22 afternoon, Chair Parker and members of
23 the Labor and Civil Service Committee.

24 As I said, my name is Randy
25 Duque and I am the Acting Executive

1 Director of the Philadelphia Commission
2 on Human Relations or PCHR.

3 Thank you for allowing me to
4 provide testimony on Bill No. 200265 for
5 the prohibition on testing for marijuana
6 as a condition for employment, which
7 makes it an illegal hiring practice in
8 Philadelphia to test job applicants for
9 marijuana use as a determining factor.

10 The Administration supports the
11 intent of this bill and it's proposed to
12 be amended, and the PCHR is prepared to
13 enforce it. This step in removing
14 barriers to employment is important,
15 particularly for those who depend on the
16 medical benefits of cannabis. As the
17 use of marijuana continues to become
18 decriminalized and destigmatized across
19 the nation, it is necessary to adapt to
20 the times to ensure job hiring
21 prerequisites like testing for THC or
22 metabolites do not unnecessarily prevent
23 job seekers from obtaining gainful
24 employment in the City.

25 The legislation also recognizes

1 that such a rule cannot be
2 one-size-fits-all. It exempts jobs that
3 involve the safety and care of others as
4 well as current federal and state rules
5 and certain agreements. The bill
6 respects existing federal and state
7 regulations, contracts and collective
8 bargaining agreements that require drug
9 testing for prospective employees.

10 While it identifies categories
11 such as law enforcement, commercial
12 driving and health care, the legislation
13 also allows for further refinement by
14 the enforcement agency. The PCHR will
15 carefully consider other occupations
16 that are necessary and relevant to
17 exemption as regulations have developed
18 and promulgated.

19 Moving forward, we encourage
20 stakeholders to work closely to ensure
21 that workers and employers alike receive
22 clear messaging about the parameters of
23 this bill. The business community would
24 greatly benefit from comprehensive
25 guidance regarding which occupations are

1 exempt. Likewise, it is necessary for
2 Philadelphia residents who use marijuana
3 to clearly understand which occupations
4 are nonexempt under this legislation and
5 may still require preemployment
6 marijuana drug tests. Miscommunication
7 may mislead some residents into thinking
8 their employer will not test for
9 marijuana, leading to unsuccessful
10 employment outcomes. Thank you for your
11 time.

12 COUNCILWOMAN PARKER: Thank you
13 so very much for your testimony.

14 Does Councilmember Green or
15 members of the Committee have any
16 questions for Randy?

17 COUNCILMAN GREEN: Yes, Madam
18 Chair.

19 COUNCILWOMAN PARKER: Please
20 proceed.

21 COUNCILMAN GREEN: Yes.
22 Mr. Duque, thank you for being here and
23 your testimony. I know my conversations
24 with members of the business community
25 and Chamber of Commerce, they stated

1 some of the issues that you raised in
2 your testimony, considering that many
3 companies that are in the City of
4 Philadelphia are across multiple
5 jurisdictions and needed some time in
6 order to implement the regulations, and
7 that was the basis of the amendment.

8 But I also understand from the
9 Commission of Human Relations
10 perspective, who also needed some time
11 to adopt regulations in order to make
12 this legislation as effective as
13 possible. And so, based on that
14 perspective, that's why we went with the
15 amendment date of January 1, 2022.

16 I just want to get a sense from
17 you from a drafting perspective
18 regarding regulations, if you can give
19 us a sense of timing regarding that
20 process.

21 MR. DUQUE: We hope to have at
22 least a preliminary draft within a month
23 or so or three months -- within 90 days,
24 put it that way. The reason why it's
25 hard to really tell is because right now

1 our agency is in the transition phase.
2 I'm currently the Acting Executive
3 Director and ideally by the end of the
4 month or so, there might be an
5 appointment for a permanent director so
6 we have to be able to be flexible. It
7 may or may not be me. I hope it's me.
8 But anyway, within that time we will be
9 working towards getting preliminary
10 drafts and then working collaboratively
11 with Commerce, with the Law Department,
12 obviously with my colleagues to really
13 look at, carefully start looking at what
14 other exemptions need to be in place so
15 we can properly inform various
16 communities and residents.

17 COUNCILMAN GREEN: Thank you,
18 Mr. Duque, for your testimony. I'm sure
19 both you and your department will have
20 multiple reasons for you to stay in your
21 position.

22 MR. DUQUE: Thank you,
23 Councilmember.

24 COUNCILWOMAN PARKER: Thank
25 you. Thank you, Councilmember Green.

1 Just two quick ones for me,
2 Mr. Duque. Just for the benefit of the
3 public -- well, first let me start by
4 saying a special thank you to Councilman
5 Green. You have been hard at work on
6 this issue for a very long time. We
7 want to thank you for taking the lead on
8 the issue and we want to let you know,
9 Councilmember Green, that we really do
10 appreciate your work.

11 Mr. Duque, tell me, if you
12 will, for the benefit of the listening
13 public, talk to them about how you
14 believe enforcement will work and will
15 it be complaint-based, right. In
16 essence, would a member of the public --
17 there has to obviously be a campaign --
18 know that this is law in Philadelphia
19 and will there be a hotline? Tell
20 people who are watching at home how you
21 think this will work.

22 MR. DUQUE: I envision it
23 working much like our Fair Chance Hiring
24 law here in the City, whereas it's
25 complaint-based. We did a campaign when

1 the City initially started enforcing it
2 just to make people aware. So in the
3 beginning, we just got phone calls to
4 our regular intake line, people who had
5 concerns. So I see it happening very
6 much the same way. They can give us a
7 call or they can file online.

8 Basically, if they feel that
9 they've been asked to do a preemployment
10 drug screen, a marijuana screen for a
11 job that is protected under this bill,
12 then they can file with us where we can
13 investigate.

14 COUNCILWOMAN PARKER: Thank
15 you. Thank you so very much for your
16 response.

17 Are there any other questions
18 from members of the Committee? And
19 maybe if I opened up the chat box, I
20 would see something.

21 Okay. I'm sorry. It looks
22 like Councilmember Brian O'Neill who is
23 also a member of the Labor and Civil
24 Service Committee -- for some odd reason
25 he was here. I don't know if he had to

1 leave, but I just want to note for the
2 record that Councilmember O'Neill was
3 also here.

4 If there are no other comments
5 or questions from members of the
6 Committee, Rachel, I'll ask you to call
7 the second panel we have to testify this
8 afternoon on Bill No. 200625.

9 THE CLERK: Yes. We have four
10 people on the second panel. Paul
11 Armentano, Robert Rudnitsky, Steven
12 Schain, Esquire and Thomas Jones.

13 COUNCILWOMAN PARKER: Thank
14 you. And now, let me close the chat
15 because then maybe I can see some of you
16 all. Moving back and forth with this
17 technology, it's all interesting. I see
18 all of you are here and present.

19 Paul, how about we start with
20 you and then you just state your name
21 for the record and proceed with your
22 testimony.

23 MR. ARMENTANO: Thank you. I'd
24 be happy to. My name's Paul Armentano.
25 I'm here to testify in support of Bill

1 200625. For over 25 years, I've worked
2 professionally in the field of cannabis
3 policy with a particular emphasis on
4 this particular issue, drug testing and
5 workplace performance.

6 My work on this issue has been
7 highlighted in the peer-reviewed
8 scientific literature in various
9 academic anthologies and I've provided
10 numerous presentations on this topic
11 before academic and legal symposiums as
12 well as before lawmakers and
13 Councilmembers.

14 I'm a court-certified expert on
15 issues pertaining to cannabis and drug
16 detection, and I've attended many
17 accredited educational forums on the
18 topic, including those sponsored by the
19 American Academy of Forensic Sciences,
20 the Society of Forensic Toxicologists,
21 DATIA, the Drug and Alcohol Testing
22 Industry Association and the National
23 Institute on Drug Abuse.

24 I currently serve as the Deputy
25 Director for NORML, the National

1 Organization for the Reform of Marijuana
2 Laws, a public interest advocacy
3 organization based in Washington, D.C.
4 I have submitted in addition to my
5 written remarks, a PowerPoint
6 presentation of slides, supplemental
7 materials for members of the Council.

8 I really have three takeaways
9 that I want to provide you from my
10 testimony today: One, there's no
11 evidence to support the claim that those
12 who consume cannabis in the privacy of
13 their own home away from the job pose a
14 unique workforce safety threat or risk.
15 Two, current conventional drug tests are
16 detection tests, not tests that
17 determine impairment. And three, many
18 states and many more cities and
19 municipalities are moving away from
20 preemployment drug screening in the very
21 way that Bill 200625 proposes. So this
22 is not a novel concept for Philadelphia.
23 This is a trend that other states and
24 other cities are engaging in.

25 With that said, NORML has long

1 opined that employers ought to revisit
2 their drug testing detection policies
3 for cannabis and we highlight the
4 reality that those who engage in the use
5 of cannabis away from the job do not
6 represent a demonstrable public safety
7 threat within the workplace. This is
8 simply a statement of fact.

9 If we look at, for instance,
10 the National Academy of Sciences which
11 concluded an exhaustive review of this
12 topic in 2017, they looked at 10,000
13 scientific studies. They concluded,
14 "There is no or insufficient evidence to
15 support a statistical association
16 between cannabis use and occupational
17 accidents or injuries."

18 A more recent scientific review
19 of the relevant literature published in
20 2020 in the General Substance Use and
21 Misuse similarly concluded, "The current
22 body of evidence does not provide
23 sufficient evidence to support the
24 position that cannabis users are at an
25 increased risk of occupational injury."

1 Most recently a November 2020 study of
2 136,000 employees in various occupations
3 identified, "No association between
4 past-year cannabis use and work-related
5 injury for employees in any occupation,
6 including those who work at high-risk
7 injury occupations." Authors of the
8 study concluded, "To the best of our
9 knowledge, this was the largest
10 population-based cross-sectional study
11 examining the association between
12 past-year cannabis use and work-related
13 injuries. We found that workers
14 reported cannabis use more than once in
15 the past year were no more likely to
16 report having experienced a work-related
17 injury over the same period of time in a
18 large cohort of the working population."

19 Furthermore, Point No. 2, these
20 tests as they're conventionally
21 configured do not possess the ability to
22 determine whether or not someone who
23 tests positive for cannabis is actually
24 under the influence of cannabis or
25 whether or not they even use or consume

1 cannabis within the last few weeks or
2 even within the last few months, rather
3 these drug screens simply detect the
4 presence of inert byproducts that are
5 nonpsychoactive and that may linger in
6 bodily fluids for extensive periods of
7 time.

8 That's because carboxy THC, the
9 metabolite that's screened for in
10 standard preemployment urinalysis tests
11 is a fat soluble metabolite. As a
12 result, scientific papers have
13 documented the presence or the detection
14 of this metabolite for over 100 days
15 following cannabis exposure, long after
16 any potential impairment due to cannabis
17 has certainly long worn off.

18 In fact, even the federal
19 government acknowledges in their own
20 report, "A positive test result even
21 when confirmed only indicates the
22 particular substance as present in the
23 test subject's bodily tissues. It does
24 not indicate abuse or addiction,
25 recency, frequency or amount of use or

1 impairment." Again, my written
2 testimony has citations to all of these
3 studies that I'm citing.

4 By contrast, there exists today
5 much more modern technology that, in
6 fact, can accurately gauge employees'
7 performance. These technologies such as
8 DREYD, D-R-E-Y-D, or the AlertMeter use
9 a battery of cognitive tests such as
10 measurements of time, perception and
11 memory recall to determine whether or
12 not an employee is demonstrably impaired
13 while on the job or whether he or she is
14 performing in a manner that is
15 inconsistent with his or her baseline
16 performance. These tests can be
17 administered in realtime in a matter of
18 only a few minutes using handheld or
19 laptop technology devices.

20 These technologies are far
21 superior to conventional preemployment
22 drug screen or conventional urinalysis
23 drug testing. And again, if you go into
24 my PowerPoint slides, I've included more
25 information about these technologies,

1 including a video introduction with
2 respect to the use of the AlertMeter
3 technology.

4 In short, suspicionless
5 marijuana drug testing in the workplace
6 such as preemployment drug screening is
7 not now nor has it ever been an
8 evidence-based policy. Rather these
9 discriminatory practices are a hold-over
10 from the zeitgeist of the 1980's war on
11 drugs. But times have changed.

12 Attitudes have changed and in many
13 places, the cannabis laws have changed
14 as well.

15 It is time for workplace
16 policies to adapt to this new reality
17 and to cease punishing employees for
18 activities they engage in during their
19 off hours and that pose no workplace
20 safety risk. Fortunately as I mentioned
21 at the beginning of my testimony, some
22 states and many municipalities have
23 already moved in this direction.

24 Lawmakers in Nevada by statute
25 have eliminated preemployment drug

1 screening in the workplace for nonsafety
2 sensitive positions, so have lawmakers
3 in New Jersey, so have lawmakers most
4 recently in New York. Similar policies
5 have also been enacted city-wide in
6 Atlanta, Georgia; in the District of
7 Columbia, in Richmond, Virginia; in New
8 York City; in Rochester, New York; in a
9 number of other cities and counties; and
10 most certainly I hope Philadelphia joins
11 them.

12 Members of the Council, I
13 encourage you to follow suit and
14 similarly enact Bill No. 200625. Thank
15 you very much for your time this
16 afternoon. And I'm certainly happy to
17 answer any questions you may have with
18 response to my written remarks.

19 COUNCILWOMAN PARKER:
20 Mr. Armentano, let me just state for the
21 record thank you so very much for that
22 very informative testimony. We're going
23 to hear testimony from everyone on the
24 panel and then our colleagues will ask
25 additional questions.

1 I'm going to now ask
2 Mr. Robert -- Robert, I hope I don't
3 screw this up now, you have to tell me.
4 Robert Rudnitsky. Did I say it
5 correctly, Robert?

6 MR. RUDNITSKY: (Muted).

7 COUNCILWOMAN PARKER: Come off
8 mute for me.

9 MR. RUDNITSKY: I believe you
10 did. Yes, you did.

11 COUNCILWOMAN PARKER: Okay.
12 Robert, just state your name for the
13 record and please proceed with your
14 testimony.

15 MR. RUDNITSKY: My name is
16 Robert Rudnitsky, Executive Director for
17 Philly NORML and Cofounder of Perfectly
18 NORML. Both organizations are advocates
19 providing education on the economic and
20 social impacts when two commodities,
21 marijuana and hemp, arise simultaneously
22 from almost 100 years of prohibition.
23 I'm here today to talk about
24 discrimination in both jobs and in our
25 communities.

1 In prohibition days,
2 PhillyNORML would sponsor awareness
3 events and marches, the slogan, We smoke
4 pot and we like it a lot. It's hard to
5 imagine, but back then because of media
6 exposure, we have real concerns about
7 who would be leading these marches
8 because if recognized, we could lose our
9 jobs.

10 And now fastforward to today
11 here in the city of the first class,
12 Philadelphians have enjoyed the benefits
13 of decriminalized marijuana. In fact,
14 most Philadelphians think it's legal
15 across the entire state. But step over
16 the county line into Pennsylvtucky and
17 Lord knows, Dorothy, click your heels
18 three times, you'll wish you were back
19 in decriminalized Philadelphia.

20 And over the past years, I've
21 been honored to work with Senator Street
22 and his outstanding staff in the process
23 of helping constituents free of charge
24 to obtain their medical marijuana cards.
25 Discrimination rears its head in many

1 forms. As a result of the opioid
2 crisis, doctors are now facing scrutiny
3 to no fault of their own. Senior
4 citizens are now being mercilessly taken
5 off their opioids and being told that
6 medical marijuana will do the same
7 thing.

8 However, there's a serious
9 problem with this scenario. Most senior
10 citizens are on a fixed income.
11 Discrimination in Pa is very high
12 regarding pricing. It's a pay-to-play
13 game. Anywhere from \$300 to \$500 an
14 ounce, extremely expensive for those on
15 a tight budget, and those who cling
16 where every penny is spent.

17 Medicine is paid for by
18 insurance. Cannabis is not. No voucher
19 system exists yet for anyone with lesser
20 means. Cannabis physicians usually
21 start around \$200 and are not paid by
22 insurance and the cost of the card is
23 \$50 annually. Initial costs
24 out-of-pocket are \$600 to \$800 and
25 monthly average costs out-of-pocket are

1 \$400 to \$800. When confronted with
2 these grim options, many senior citizens
3 and those with lesser means choose to
4 opt out of the medical marijuana program
5 and then suffer needlessly.

6 When it comes to medical
7 protocol, I say use the right tool for
8 the job. And ladies and gentlemen, I
9 think most of us will agree that by the
10 time you reach your golden years and
11 your knees are bone to bone and there
12 are no discs left in your spine, the
13 only thing in your mind will be making
14 it through the day with the least amount
15 of pain. Cannabis may change how you
16 think about pain, but clearly does not
17 replace painkillers, especially for
18 those in pain.

19 And on other fronts, the stakes
20 couldn't be higher. Over 500,000
21 Pennsylvanians have bared their souls,
22 exposing their deepest medical issues to
23 a series of conditions, all needlessly
24 at costly risk of losing their jobs,
25 loans, careers, small businesses and

1 driver's license as legalization is now
2 being drafted for full legalization of
3 adult use of marijuana with very little
4 thought regarding the severity of the up
5 and coming problems and for those who
6 have falsely suffered DUI convictions,
7 illegal drug testing, criminal records
8 and prison sentencing.

9 Adding fuel to the fire, Act 16
10 fails to have enforcement mechanisms for
11 those aggrieved patients and employees.
12 In the case of the municipal worker in
13 Pittsburgh, the plaintiff was awarded
14 unemployment compensation but still has
15 pending litigation. In Pittsburgh,
16 contrast between two policies, police
17 still fire personnel for a blood test,
18 while firefighters and EMS have
19 negotiated medical marijuana into their
20 collective bargaining agreement with the
21 City. Soon we'll have the MSOs, the
22 Walmarks of cannabis screening for their
23 employees too.

24 In the case of Nathan Miller, a
25 seasonal picker at Amazon, Nathan was

1 very clear with his supervisors about
2 his marijuana usage. When applying for
3 a full-time position, he was terminated
4 for testing positive. In our volunteer
5 work in Senator Street's office,
6 supporting those re-entering society who
7 are unaware that they now qualify for
8 the medical marijuana program under the
9 PTSD medical condition as a result of
10 incarceration, helping those re-entering
11 society to enter -- helping those
12 re-enter to obtain their medical card
13 ensures that a positive test does not
14 initiate re-incarceration, and there is
15 no infrastructure in place for educating
16 those who are unaware.

17 And finally, for over the past
18 35 years it's hard to explain what I
19 have to go through every two years to
20 keep my CDL for my business. I'm
21 fortunate, but what about Brown, FedEx,
22 UPS and merely all the trucking carriers
23 and more are all restricted because of
24 these useless, outdated policies that
25 are costing all of us endless amounts of

1 jobs, loans and small business
2 opportunities.

3 Making matters worse, patients
4 are required to pay out-of-pocket
5 attorney fees and all expenses in regard
6 to filing civil litigation all in hopes
7 to enforce employment protection and
8 maybe recover damages. Act 16 clearly
9 outlines blood tests meeting a positive
10 threshold for repairment, especially for
11 those in the most safety sensitive
12 positions.

13 In short, last week's job
14 report shows that we have the most
15 employment gain in 100 days of any
16 presidency. However, 9 million people
17 are still employed from this time last
18 year and many are legally using
19 cannabis. Even the PUC is basing
20 uncertainties whether it can keep its
21 drug policies.

22 Over 500,000 patients have
23 qualified for the right to use medical
24 marijuana card as long as it's not on
25 the job, so where is the harm.

1 Qualified medical patients are lawfully
2 allowed to consume cannabis and are
3 being discriminated by employers on a
4 continual basis without compensation.
5 Clearly, an act of violation.

6 I applaud our fine City Council
7 and all the folks who took their time
8 today in the pursuit in ending the
9 madness as two commodities, marijuana
10 and hemp, arise simultaneously almost
11 after 100 years of prohibition.

12 COUNCILWOMAN PARKER:

13 Mr. Rudnitsky, thank you so very much
14 for your testimony. And for the
15 listening audience, I want you to know I
16 know you felt his passion just like I
17 did, and that's probably because he's a
18 constituent of the 9th Councilmanic
19 District and he lives in the 9th. So,
20 Robert, thank you so much for your
21 testimony.

22 Please guys, I'm going to ask
23 each of you to hang on. And as soon as
24 we get through all of the testimony, we
25 want you to answer some questions for

1 us.

2 Next up is Mr. Steven Schain.

3 Steven, just state your name for the
4 record and proceed with your testimony.

5 (No response.)

6 COUNCILWOMAN PARKER: I just
7 saw him and now I don't see him anymore.
8 Let me see if he's still on. No. He
9 was on. Maybe he's had some technical
10 difficulty and he's trying to get back.

11 With that being said, Thomas
12 Jones --

13 MR. SCHAIN: I am back.

14 COUNCILWOMAN PARKER: Okay.
15 You're back. All right. Steven, just
16 state your name for the record and
17 proceed with your testimony please.

18 MR. SCHAIN: Good afternoon.
19 My name is Steven Schain. I am an
20 attorney with the Hogan Law Group.
21 We're 54 attorneys, 17 offices across
22 the globe. All we do is legalize
23 marijuana and industrial hemp. I've
24 been a member, God help me, of the
25 Pennsylvania Bar for 31 years and

1 maintained an office in Philadelphia
2 since 1989. So I offer testimony today
3 in support of this pending ordinance and
4 building upon what the other speakers
5 have talked about.

6 I'm going to focus on two
7 things: Number one, preventing a loss
8 of productivity and needless expense.
9 And number two, shifting the testing to
10 impairment in the presence of THC. So
11 basically as it stands now, if this
12 ordinance isn't going to be passed, plus
13 or minus 125,000 Philadelphians are
14 going to lose potential jobs.

15 Why do I say this? At this
16 point, plus or minus 10 percent of the
17 American population, about 31 million
18 people are daily cannabis or monthly
19 cannabis users. When you break that
20 down, that's about 125,000
21 Philadelphians. As we've heard earlier
22 in great detail, marijuana has enormous
23 hang time in the system. Meaning, you
24 could have a robust Saturday in March
25 and still come up pretty positive on

1 THC, which is the key metric here in
2 testing. That's really no reason to
3 cause people their jobs. The testing is
4 pretty imprecise as we'll talk about in
5 a second or two, and imposes a huge cost
6 on employers.

7 Now, for the bulk of my career,
8 I've been a banking lawyer. I shifted
9 over to being cannabis about seven years
10 ago. So for me, everything got to make
11 dollars and sense. At this point,
12 having employers test imposes enormous
13 course on private employment, but also
14 squanders the perfect source of
15 productivity for Philadelphia and tax
16 revenue, plus creating additional
17 systemic costs. What are they?
18 Unemployment compensation, lack of
19 health insurance and other social
20 services.

21 It certainly isn't the focus of
22 today's presentation, but we'd be remiss
23 if we didn't talk deeply about
24 incarceration. 1 in 3 African-American
25 men at some point in his life will be

1 incarcerated probably for de minimis
2 drug offense. The average cost of
3 keeping a Pennsylvanian incarcerated is
4 \$79,000 per year. I think it goes
5 without any contradiction that a loss of
6 income leads to an increase in criminal
7 activity. It just doesn't make fiscal
8 sense not to pass this. Let's employ
9 Philadelphia. Let's employ
10 Philadelphians and let's have social
11 services go where they best need it, not
12 to helping otherwise abled productive
13 Philadelphians work.

14 With that ringing endorsement
15 from the private sector of the good work
16 of this ordinance, I have an issue that
17 was talked earlier by the gentleman from
18 the National Chair of NORML. There's
19 enormous confusion about marijuana and
20 cannabis. Sometimes our passion in this
21 sector gets the better of us, so let's
22 break it down really elementary.
23 There's three plants, the indica, the
24 sativa, the ruderalis. That's the
25 entire universe of what we deal with.

1 Those plants throw off plus or
2 minus 120 constituent elements that are
3 called cannabinoids. One of these
4 cannabinoids, one, THC has some sort of
5 psychotropic effect. The other 119 do
6 not. As this statute is written, it
7 would be testing for the presence of
8 marijuana, which it defines as all forms
9 or varieties of the genus cannabis,
10 seeds, resin extracted, compound,
11 manufacturer, salt, derivative, mixture
12 or preparation in seeds and resins.
13 That means basically you would be
14 testing people for seeds and resins in
15 their blood, but 119 of these
16 cannabinoids have no impairment
17 whatsoever. So for reasons we can talk
18 about at length in the questions, there
19 are all kinds of oil-based hemp-sourced
20 material that are sold over the counter.
21 One very popular one was called CBD.

22 At this point as this ordinance
23 is written, people lawfully buying CBD
24 on Chestnut Street couldn't get a job on
25 Walnut Street because this thing is

1 overreaching. I suggest another
2 possible metric, perhaps the correct
3 metric, is used in terms of impairment.
4 If we look at the driving-while-impaired
5 laws of many different states, they look
6 for the presence of THC. THC has a
7 variety of effects on people.

8 Now, the gentleman from NORML
9 can certainly wax quite more eloquent
10 than I can, but there are ranges of
11 strains that treat all sorts of
12 different ailments in marijuana.
13 There's a good deal of supports saying
14 that certain strains of marijuana make
15 you hyperalert and a better driver.
16 Someone argued that it impairs your
17 motor skills, but there's a range of how
18 THC in your system would affect.

19 Before that is settled, I think
20 in the shorter term to help
21 Philadelphians work to help tax revenue
22 generated to provide unnecessary drain
23 on social services, let's just agree in
24 the short-term to use THC as the metric.
25 All we have to do is look at the laws of

1 different states.

2 Some states are zero tolerance
3 for driving with THC in your system.

4 Six states listed between 1 and 5 mg of
5 THC in your system. 32 states and your
6 federal government adopted the UID laws,
7 requiring actual impairment. That means
8 you'd have to do a motor skills test.

9 And in Colorado where my law firm is
10 based, we're a Colorado-based law firm
11 although we have offices across the
12 globe, has enacted a law imposing a
13 rebuttable inference of criminally
14 insufficient impairment if a driver's
15 blood THC exceeds 5 mg.

16 So at this point, we should
17 look at the functioning of people having
18 a job. I'm an attorney. I'm about as
19 dangerous as one can be behind a
20 keyboard or perhaps standing up in the
21 Court of Common Pleas. Other people may
22 be operating heavy machinery. Quite a
23 difference between the two. And to have
24 one-size-fits-all just isn't right. I
25 think a bit more care into an otherwise

1 very wonderful piece of legislation
2 needs to fine-tuned to perhaps separate
3 the weak from the shaft.

4 I thank everybody for
5 contributing. I'll be sticking around
6 if anybody has any questions. And I
7 want to give a special thanks to
8 Councilperson Green, who has always been
9 at the forefront of all of these things.
10 Thank you, Councilperson Green.

11 COUNCILWOMAN PARKER: Thank
12 you, Mr. Schain, for your testimony. We
13 greatly appreciate it.

14 Mr. Thomas Jones. Is Thomas
15 still on with us?

16 MR. JONES: Yes, I am. Can you
17 hear me?

18 COUNCILWOMAN PARKER: Yes, I
19 can hear you well. Thank you, Thomas.
20 Thomas, just state your name for the
21 record and proceed with your testimony.

22 MR. JONES: My name is Thomas
23 Jones. I'm speaking as a private
24 citizen and as someone who this bill
25 will directly affect, a resident of

1 Philadelphia, a graduate of 2018 La
2 Salle University with a degree in
3 psychology. I've been diagnosed with
4 ADHD syndrome and PDD-NOS, which is a
5 condition on the autism spectrum that's
6 characterized by impairment in the
7 development of social interactions and
8 verbal and nonverbal communications.

9 I have been registered with the
10 Pennsylvania State Department, State
11 Department of Health as a medical
12 marijuana user since 2018 and I'm
13 unemployed. I'm not unemployed because
14 I don't look for work. I am not
15 unemployed because I'm not a capable
16 person. I'm unemployed because I use
17 medical marijuana legally to treat a
18 medical condition for which there is no
19 cure or prescription. There's no cure
20 or prescription therapy treatment, and I
21 cannot pass an employment drug test for
22 marijuana.

23 The short version of that,
24 medical marijuana helps me deal with the
25 issues surrounding my autism spectrum

1 condition, and as an added benefit,
2 medical marijuana has greatly helped in
3 the reduction of my motor verbal ticks
4 and my sleeping and eating issues that I
5 believe are initially caused by my
6 decade-long use of ADD and (inaudible)
7 medications.

8 Without medical marijuana, I
9 believe my health would be much worse
10 and my inability to socially interact
11 with people and my limited verbal and
12 nonverbal communication skills would
13 make it nearly impossible to secure and
14 hold a full-time job. I apply to jobs
15 almost every day. The roadblock comes
16 when they do a drug test.

17 One of the times an employer
18 wanted to hire me, she even took my case
19 to her corporate office, they had no
20 plan in place to deal with potential
21 good employment candidates who were
22 authorized medical marijuana users.
23 Even in cities where medical marijuana
24 and recreation marijuana are legal,
25 these companies still require drug

1 testing, which includes everything from
2 marijuana medications to chronic pain or
3 more.

4 These companies will accept you
5 if you can provide proof of
6 prescriptions, but you are automatically
7 rejected if you test positive for hard
8 drugs or marijuana, even if it is
9 medical marijuana and you are an
10 authorized user. I just wanted to speak
11 because this directly affects me and I
12 wanted to make sure that you would have
13 a view of someone that is impacted.

14 COUNCILWOMAN PARKER: Thank
15 you, Thomas, so very much for your
16 testimony. You have a very moving story
17 and I want to thank you for just the
18 courage to be here today to share your
19 story with Philadelphia.

20 Chair recognizes Councilmember
21 Green to lead us in questions.

22 COUNCILMAN GREEN: Thank you,
23 Madam Chair.

24 I want to thank all of the
25 witnesses who testified this afternoon.

1 I would like to initially start with
2 Thomas. We reconnected when you reached
3 out to me in reference to this
4 legislation, but you reminded me that we
5 first met at La Salle University when I
6 believe you were a student at that time,
7 and I spoke at an autism conference at
8 the La Salle's part of their LADDER
9 program. And I think you provided some
10 information. And I want to thank you
11 for speaking out in reference to how
12 this issue has impacted you
13 specifically.

14 And if you can provide a little
15 more perspective, if you're willing to
16 share, in reference to what the dynamics
17 have been when you have applied for
18 various positions and what some of the
19 feedback has been when you've either
20 chose to disclose or not to disclose the
21 fact you used this type of treatment to
22 help with your learning difference.

23 MR. JONES: I'll be happy to
24 share. When I first got my card and I
25 decided to apply, I was completely

1 upfront about it. I was happy and I was
2 excited that I was doing the correct
3 thing. But as soon as I brought it up,
4 they didn't know how to handle it. It
5 was (inaudible) about the card, but they
6 don't know -- they didn't have anything
7 in their system on how to handle this.
8 So a lot of times it would be, well, we
9 can't go any further with this. They
10 brushed it the side.

11 After multiple times of --
12 after I noticed that the drug testing
13 came up when I was offered it, I
14 wouldn't bring it up unless the topic of
15 a drug test came up, and even then, I
16 would only have to take the test even
17 after showing them the card. And as
18 soon as it showed that I tested positive
19 for the drug test, they wouldn't hire me
20 even though I had my card with me.

21 COUNCILMAN GREEN: Yes. Thank
22 you for sharing that because I think
23 that this simplifies what the purpose of
24 this legislation is showing that those
25 who receive a recommendation from a

1 physician for this type of medication,
2 because it's helping them to live a more
3 quality of life and more impactful life,
4 but then just because they received that
5 type of recommendation from a physician
6 totally allowable in the Commonwealth of
7 Pennsylvania and numerous states around
8 the nation, but then when individuals
9 try to get employed like yourself,
10 they're being discriminated against
11 because of the fact that we're still
12 using a detection type of perspective
13 regarding screening for those who want
14 prospective employment.

15 My next question is either for
16 you, Tom, or any other witnesses that
17 are here. And it was spoken to earlier
18 in all of the testimonies that we're now
19 moving into a phase of transition from
20 what cannabis was treated as for a
21 number of years, decades, to where it is
22 now. And it's still based on a
23 detection perspective as opposed to
24 impairment.

25 When Mr. Schain was talking

1 about impairment tests, it brought me
2 back to when I was in the Attorney
3 General's Office in Delaware, and some
4 people are not taking or did not blow
5 into any type of machine in reference to
6 their sobriety and had to do a field
7 sobriety test. And so, that is based on
8 whether that person is impaired or not.
9 And that's really the movement we should
10 be going on, whether someone was
11 impaired as opposed to something being
12 detected in their system, because I
13 think the general public does not have
14 an understanding that even THC can be in
15 your system for a very, very long time
16 regardless if it has any impairment
17 impact on you or not as compared to
18 alcohol, which has a different
19 perspective in reference to how alcohol
20 metabolizes in your system.

21 So I'm just curious from any of
22 the witnesses here how are we moving
23 forward from a detection perspective to
24 impairment perspective not only from a
25 criminal law but also employment as

1 well.

2 MR. ARMENTANO: This is Paul
3 Armentano. I'll be happy to weigh in on
4 that. As I mentioned in my testimony,
5 this distinction is crucial,
6 particularly in legal jurisdictions
7 where cannabis whether it's for medical
8 purposes or adult use purposes is, in
9 fact, legal. There is, therefore, a
10 need to move away from the detection of
11 cannabis or past use of cannabis to
12 impairment or someone being under the
13 influence of cannabis.

14 The conventional tests that
15 we're talking about, whether we're
16 talking about urinalysis, blood tests or
17 even saliva tests all fall into the
18 category of detection tests. The
19 purpose of those tests is to detect the
20 presence of either active THC in the
21 case of a blood test or inactive
22 byproducts of THC. And otherwise, after
23 THC has been metabolized by the body, a
24 waste product, an inert metabolite,
25 primarily carboxy THC may be present in

1 blood, in urine and in saliva.

2 Neither the presence of these
3 compounds regardless of the quantity
4 that is detected is indicative of either
5 someone being under the influence of
6 that compound or having even recently
7 been exposed to cannabis. As has been
8 noted, a urinalysis is the primary tool
9 that employers use as a preemployment
10 drug screen or even on-the-job drug
11 screen. Urinalysis cannot detect THC.
12 Urinalysis can detect the inert
13 byproduct of THC, that's carboxy THC.

14 Carboxy THC is only present in
15 quantities after THC, after the active
16 ingredient in cannabis has been
17 metabolized. So I'd like to call
18 urinalysis an unimpairment test, because
19 you only get carboxy THC after THC has
20 already been metabolized. We know that
21 THC is psychoactive, but carboxy THC is
22 not.

23 Carboxy THC can be detected in
24 urine for weeks, even months after past
25 exposure. It is self-evidently not a

1 determination of impairment or recency
2 of use. Neither again is blood testing,
3 which does have a shorter window of
4 detection, but a window of detection
5 that may be as long as one week after
6 past exposure.

7 In the cases of saliva testing,
8 metabolites can be detected for many
9 hours after past use. Again, none of
10 these are impairment tests. The sort of
11 impairment or performance testing
12 technology that I mention in my
13 testimony, like DREYD, like AlertMeter,
14 these are handheld technologies that use
15 a battery of scientifically validated
16 tests, tests that we know when one is
17 under the influence of cannabis they
18 differ in their performance.

19 So things like short-term
20 memory recall, perception of the passing
21 of time, these are the sort of battery
22 of cognitive tests that are used by
23 these platforms. A person has a
24 baseline performance on these devices.
25 And then if they're suspected to be

1 under the influence, they perform on
2 these same devices and their performance
3 is then compared to their baseline
4 performance to see if there are
5 similarities or difference.

6 This sort of technology is
7 already being used in the workplace. I
8 think it's going to become more popular
9 as time moves on. And again, if there's
10 a better understanding that conventional
11 technology and tests that are used don't
12 meet the definition of a performance or
13 an impairment test, they simply detect
14 for compounds that are not specific to
15 when one may have last used cannabis or
16 whether they're under the influence of
17 it.

18 COUNCILMAN GREEN: Thank you
19 for that response. And I would just
20 like to say both to Thomas and all of
21 the witnesses, thank you for being here.
22 Clearly, we have a lot more education
23 that needs to occur at all levels, not
24 only the public sector but also
25 individuals as a whole to make sure that

1 people have an understanding of this
2 challenge and concern, and that we
3 continue to see legislation that occurs
4 throughout the nation regarding medical
5 cannabis, that we're also going to see
6 additional legislation actually
7 presented today so that those who
8 legitimately have a need for this type
9 of treatment are not being discriminated
10 against and are not stopped from getting
11 employment, which ultimately helps all
12 of us as a society by having as many
13 people gainfully employed as possible.

14 It's something that we need
15 here in the City of Philadelphia
16 considering our high level of poverty.
17 And although the focus of this
18 legislation is primarily driven on the
19 employment aspect of discrimination,
20 we've also noted and Mr. Schain talked
21 about this in his testimony regarding
22 the whole perspective of the criminal
23 justice aspect of cannabis and how
24 that's impacted not only the City of
25 Philadelphia but our nation.

1 So thank you, Madam Chair.

2 COUNCILWOMAN PARKER: Thank
3 you, Councilmember Green.

4 Quick question for Mr. Schain.
5 Mr. Schain, during your testimony you
6 talked about your firm being a global
7 firm. Although headquartered in
8 Colorado, you work across the nation and
9 the firm works across the world on this
10 issue. Tell us, if you will, what's the
11 movement like at the federal level to
12 address this issue.

13 And Robert in his testimony, he
14 talked about the work he had been doing
15 with State Senator Street, who at the
16 state level has clearly been a leader in
17 this effort. But between the federal
18 level and then the state level here in
19 Pennsylvania, is there any interest in
20 addressing this issue?

21 MR. SCHAIN: Chair Parker, we
22 find ourselves in a conundrum where we
23 have a disconnect between the federal
24 policy and the state policy. So as we
25 speak this afternoon, marijuana remains

1 100 percent illegal at the federal
2 level. At the same time 36, perhaps
3 more states, now have legalized state
4 marijuana programs. So we call this the
5 waterfall. At the top of a waterfall,
6 all that needs to happen is a piece of
7 legislation called the Controlled
8 Substance Act has to be modified. The
9 Controlled Substance Act has five
10 schedules.

11 Here's where things get fuzzy.
12 The problem is if marijuana becomes
13 descheduled, if it goes to Schedule II
14 or Schedule III or Schedule IV or
15 Schedule V, it's still illegal
16 federally. It's still somewhat
17 illegally federally. Now, I'm a lawyer
18 so I have to muddy the waters.

19 On top of the two concentric
20 circles, we have the employment law.
21 And actually in places like Pennsylvania
22 which is an employment at-will state,
23 you can fire somebody for good cause,
24 bad cause or no cause. In the state of
25 Colorado, believe it or not -- I didn't

1 create the law -- you can't do it for
2 discriminatory purpose, but generally if
3 Councilman Green walks in wearing
4 cufflinks that I found to be a little
5 flashy, I can say, well, I'm sorry,
6 Councilman Green, you can't work at my
7 popsicle stand anymore.

8 Now, the employment law is
9 federal and the federal law is a little
10 bit different. Even in Colorado, you're
11 allowed to terminate somebody for the
12 presence of marijuana in their system.
13 We have a strange overlap and
14 conflicting federal law. That's part of
15 what makes me so excited about this
16 ordinance, because this prevents the
17 testing of it. That's very different
18 from terminating somebody for having it
19 and the testing of it, especially as a
20 preemployment device.

21 So if the federal government
22 could work together -- and how could
23 that not happen, we know all know the
24 federal government works so
25 wonderfully -- and say, hey, let's take

1 this to completely change the Controlled
2 Substance Act or create a safe harbor
3 and say, we're going to take certain
4 parts of cannabis and say it doesn't
5 apply to that, it would be a very
6 different conversation, although we feel
7 it diminishes us and legalize marijuana.

8 It might not be hurtful for
9 Philadelphia City Council to think of
10 cannabis much like alcohol. Can you
11 test somebody for preemployment for
12 alcohol? The difference being that the
13 gentleman from NORML said, the hang time
14 from cannabis is so great, and also if
15 you're a person with let's say
16 post-traumatic stress disorder and you
17 used marijuana with some degree of
18 frequency, well, heck you can have a
19 residual amount in your system, somebody
20 like myself's a great lightweight and I
21 can be 23 skidoo, but a person who's
22 really a medical user and is in great
23 need of it, they can have a relatively
24 THC amount in their system and no
25 impairment. So it's rather a slippery

1 slope.

2 Again, leading to the
3 enthusiasm we really shouldn't be having
4 preemployment testing and we should
5 break it down to really what is that
6 person doing. But looking into the
7 federal government for solvation, I
8 would suspect is the triumph of optimism
9 over experience.

10 COUNCILWOMAN PARKER: Got it.
11 Thank you. Thank you, Mr. Schain, for
12 your response.

13 MR. SCHAIN: You're welcome.

14 COUNCILWOMAN PARKER: I'm
15 looking in the chat.

16 Are there any other questions
17 for this panel from members of the
18 Committee?

19 (No response.)

20 COUNCILWOMAN PARKER: Hearing
21 none, let me ask is there anyone else
22 here to testify on the bill whose name
23 has not yet been called?

24 (No response.)

25 COUNCILWOMAN PARKER: Anybody

1 here to testify whose name has not yet
2 been called?

3 (No response.)

4 COUNCILWOMAN PARKER: Hearing
5 none, I want to thank all of the panels
6 and witnesses for their participation
7 today. We value your opinions. I now
8 invite all panels and witnesses to
9 please disconnect from the meeting
10 before we go into our public meeting.
11 We will now pause the proceedings
12 briefly as multiple participants leave
13 the hearing.

14 MR. SCHAIN: Thank you.

15 COUNCILWOMAN PARKER: Thank you
16 so much. And, Robert, I'll be seeing
17 you soon I'm sure.

18 MR. RUDNITSKY: I'm sure.
19 Thank you. Thank you all. Thank you,
20 Councilman. Thank you, Councilwoman.

21 COUNCILWOMAN PARKER: This
22 concludes the public hearing of the
23 Committee on Bill No. 200625. We will
24 now go into a public meeting to consider
25 the action to be taken on this bill. We

1 will now convene the public meeting.

2 Rachel, will you please call
3 the roll to take attendance. Members
4 that are in attendance will please
5 indicate that you are present when your
6 name is called. Also, please say a few
7 brief words when responding so that your
8 image will be displayed on the screen
9 when you speak.

10 THE CLERK: Councilmember Allan
11 Domb.

12 COUNCILMAN DOMB: Good
13 afternoon. Present.

14 THE CLERK: Councilmember Brian
15 O'Neill.

16 COUNCILMAN O'NEILL: Good
17 afternoon. Present.

18 THE CLERK: Councilmember Derek
19 Green.

20 COUNCILMAN GREEN: Good
21 afternoon. I'm present. And I guess
22 you're making me say it again.

23 THE CLERK: Councilmember
24 Katherine Gilmore Richardson.

25 COUNCILWOMAN GILMORE

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1 RICHARDSON: Good afternoon, Madam Chair
2 and colleagues. I'm here.

3 THE CLERK: And, Councilmember
4 Maria Sanchez.

5 COUNCILWOMAN QUINONES-SANCHEZ:
6 Good afternoon. Thank you. I am here.

7 THE CLERK: And also,
8 Councilmember Helen Gym, I believe just
9 joined again.

10 COUNCILWOMAN GYM: Yes, I am
11 here, Madam Chair.

12 COUNCILWOMAN PARKER: Thank you
13 so much members of the Labor and Civil
14 Service Committee. We will now go into
15 our public meeting.

16 The Chair recognizes
17 Councilmember Green for a motion on the
18 amendment to Bill No. 200625.

19 COUNCILMAN GREEN: Thank you,
20 Madam Chair.

21 I offer an amendment to Bill
22 No. 200625. A copy of the amendment has
23 been circulated to all members of the
24 Committee. I move that the amendment to
25 Bill No. 200625 be approved.

1 COUNCILMAN DOMB: Second.

2 COUNCILWOMAN PARKER: The Chair
3 notes for the record that Councilmember
4 Domb seconds the motion. It has been
5 moved and properly seconded that the
6 amendment to Bill No. 200625 be
7 approved.

8 All those in favor of the
9 motion will signify by saying aye.

10 (Aye.)

11 COUNCILWOMAN PARKER: Those
12 opposed?

13 (No response.)

14 COUNCILWOMAN PARKER: The ayes
15 have it and the motion carries, and the
16 amendment to Bill No. 200625 has been
17 approved.

18 The Chair recognizes
19 Councilmember Green for a motion on Bill
20 No. 200625 as amended.

21 COUNCILMAN GREEN: Thank you,
22 Madam Chair.

23 I move that Bill No. 200625 as
24 amended be reported from this Committee
25 with a favorable recommendation and

1 further move that the rules of Council
2 be suspended to permit first reading of
3 this bill at the next session of
4 Council.

5 COUNCILWOMAN GYM: Second.

6 COUNCILWOMAN PARKER: The Chair
7 notes for the record that Councilmember
8 Gym seconds the motion. It has been
9 moved and properly seconded that Bill
10 No. 200625 as amended be reported from
11 this Committee with a favorable
12 recommendation and further move that the
13 rules of Council be suspended to permit
14 first reading of this bill at the next
15 session of Council.

16 All those in favor of the
17 motion will signify by saying aye.

18 (Aye.)

19 COUNCILWOMAN PARKER: Those
20 opposed?

21 (No response.)

22 COUNCILWOMAN PARKER: The ayes
23 have it and the motion carries.

24 And this will conclude the
25 meeting. It concludes the business

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1 before the Committee on Labor and Civil
2 Service today.

3 I do just want to specifically
4 thank all of my colleagues. I know some
5 of you were actually in two meetings at
6 the same time, but you made sure that
7 you were present and allowed us to
8 maintain our quorum so that we could
9 vote on this important bill. So I want
10 to say a special thank you to each of
11 you, and thank you, Councilmember Green,
12 for your work. Have a good day,
13 everyone.

14 COUNCILMAN GREEN: Thank you.
15 Take care.

16 COUNCILWOMAN QUINONES-SANCHEZ:
17 Thank you.

18 (Committee on Labor and Civil
19 Service concluded at 2:05 p.m.)
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C E R T I F I C A T I O N

I, hereby certify that the
proceedings and evidence noted are contained
fully and accurately in the stenographic
notes taken by me in the foregoing matter,
and this is a correct transcript of the
same.

TANEHA C. CARROLL
Court Reporter - Notary Public

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