

City of Philadelphia



(Bill No. 121038)

AN ORDINANCE

Amending Chapter 17-1900 of The Philadelphia Code, entitled “First Source Jobs Policy,” by clarifying certain definitions and responsibilities of financial assistance beneficiaries and of the City under the Chapter, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 17-1900 of The Philadelphia Code is hereby amended as follows:

CHAPTER 17-1900. FIRST SOURCE JOBS POLICY.

§ 17-1901. Definitions.

* * *

(7) Financial Assistance. Any grant, loan, [tax incentive,] *incentive or abatement in the amount of twenty-five thousand dollars or more* [bond financing subsidy for land purchase or otherwise, or other form of assistance] that is provided to a Beneficiary [in the amount of twenty-five thousand dollars (\$25,000) or more through] *with the authority or approval of the City or a City-related agency*, including, but not limited to, *bond financing subsidies*, Tax Increment Financing (TIF) aid, industrial development bonds, use of the power of eminent domain, Community Development Block Grant (CDBG) [aid or] *loans or grants*, airport revenue bonds, [and] Enterprise Zone [or similar economic development zone] designations [(such as Keystone Opportunity Zones, Keystone Opportunity Expansion Zones, Keystone Opportunity Improvement Zones, and Economic Development District Zones), but not including any assistance to which a Beneficiary is entitled under a law enacted before the Beneficiary applied for or requested such assistance.] ; *and aid from the Philadelphia Workforce Development Corporation or other similar agencies.*

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§ 17-1902. First Source Jobs Policy.

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(1) No award of Financial Assistance by the City, *as defined in Section 17-1901*, shall be approved by Council unless the City requires, as a condition of receiving such assistance, that the Beneficiary enter into a First Source Employment Agreement with the Designated Department or its designee. Such agreement shall require the Beneficiary to use the First Source Registry as its initial source for [filling] *obtaining candidates for* all new, entry-level jobs created directly or indirectly as a result of such Financial Assistance.

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§ 17-1906. First Source Employment Agreement.

* * *

(3) The Designated Department shall provide a list of First Source Candidates from the First Source Registry to the Beneficiary as referrals for employment for *each* new, entry-level job, unless there are no First Source Candidates for the specific job.

(4) The Designated Department or its designee shall develop and maintain a tracking system to record the First Source Candidates interviewed, not interviewed, offered employment and hired by each Beneficiary.

(5) The Agreement shall require the Beneficiary to use good faith efforts to comply with the First Source Jobs Policy, but shall not require the [employer] *Beneficiary* to hire any First Source Candidate referred under the terms of the Agreement.

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§ 17-1908. Good Faith Compliance.

Good Faith efforts to comply shall be evidenced by documentation submitted by a Beneficiary to the Designated Department which includes the following:

- (1) Timely, written notification projecting new, entry-level jobs;
- (2) Written description of specific job qualifications and the minimum requirements for each new, entry-level job;
- (3) *Written verification of compliance with the First Source Period timetable as provided in section 17-1906(2); and*

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(4) Timely, written notification of the First Source Candidates that were either contacted, interviewed, hired or rejected.

§ 17-1909. Penalties.

If the Designated Department determines that a Beneficiary has not complied with *one or more of* the provisions set forth in this Chapter, it may recommend that the City exercise, through appropriate channels, one or more of the following remedies:

(1) Withhold payment(s) or any part thereof related to the Financial Assistance pending corrective action.

(2) Require reimbursement of an appropriate amount of the Financial Assistance already provided to the Beneficiary.

(3) Suspend a Beneficiary from bidding on and/or participating in future City contracts for up to three (3) years.

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Explanation:

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

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on April 18, 2013. The Bill was Signed by the Mayor on April 30, 2013.



Michael A. Decker
Chief Clerk of the City Council