## DISTRICT OF COLUMBIA

Labor Laws

Minimum Wage

Department of Employment Services, Office of Wage-Hour

#### Minimum Wage Poster

#### **GOVERNMENT OF THE DISTRICT OF COLUMBIA** MURIEL BOWSER, MAYOR

#### DISTRICT OF COLUMBIA MINIMUM WAGE POSTER THIS SUMMARY MUST REMAIN IN A VISIBLE LOCATION WHERE EMPLOYEES MAY READ

### MINIMUM WAGE RATES

Employees who do not receive gratuities	Employees who receive gratuities
\$13.25 per hour beginning July 1, 2018	\$3.89 per hour beginning July 1, 2018
\$14.00 per hour beginning July 1, 2019	\$4.45 per hour beginning July 1, 2019
\$15.00 per hour beginning July 1, 2020	\$5.00 per hour beginning July 1, 2020
\$15.20 per hour beginning July 1, 2021	\$5.05 per hour beginning July 1, 2021
\$16.10 per hour beginning July 1, 2022	\$5.35 per hour beginning July 1, 2022
\$17.00 per hour beginning July 1, 2023	\$6.00 per hour beginning May 1, 2023 \$8.00 per hour beginning July 1, 2023

Beginning in 2021, the minimum wage will increase during each successive year in proportion to the Consumer Price OTHER PROVISIONS Index for both employees who do not receive gratuities and employees who receive gratuities. Visit the Department of Employment Services website at www.does.dc.gov for the yearly minimum wage rates.

### MINIMUM WAGE EXCEPTIONS

The minimum wage provision does not apply in instances where other laws or regulations establish minimum wage rates for the following

the U.S. Department of Labor. Persons employed under provisions of the Workforce Innovation and Opportunity Act shall be paid pursuant to that Act.

Handicapped workers may be paid less only when the employer has received an authorizing certificate from

- Persons employed under provisions of the Youth Employment Act shall be paid pursuant to that Act.
- Persons employed under provisions of the Older Americans Act shall be paid pursuant to that Act.
- Students employed by institutions of higher education may be paid the minimum wage established by the United States government The Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015, removed adult learners as a difference.
- minimum wage exception. Newly hired persons 18 years of age or older must be paid the established Distric of Columbia minimum wage immediately upon hire.
- The minimum wage provision does not apply to persons:
- employed in a bona fide executive, administrative, professional, computer, or outside sales capacity;
- engaged in the delivery of newspapers to the home of the consumer.

### At least 1 1/2 times the regular rate of pay for all hours worked over 40 hours in a workweek.

**OVERTIME EXCEPTIONS** 

### The overtime provision shall not apply to persons employed:

- In a bona fide executive, administrative, professional, computer, or outside sales capacity; As a private household worker who lives on the premises of the employer;
- In a retail or service establishment and whose regular rate of pay is in excess of one and one-half times the minimum hourly rate applicable under the Act, and more than one-half of the employee's compensation for a representative period (not less than one month) represents commissions on goods and services;
- As a seaman, by a railroad, as an attendant in a parking lot or parking garage, or in newspaper home delivery; By an air carrier who voluntarily exchanges workdays with another employee for the primary purpose of
- utilizing air travel benefits available to these employees; or

trailers, or trucks if employed by a non-manufacturing establishment primarily engaged in the business of selling these vehicles to ultimate purchasers. NOTE: The Car Wash Employee Overtime Amendment Act of 2012, effective May 31, 2012, removed the overtime exception for employees of a car wash. Car wash employees are entitled to overtime for all hours worked over a forty-hour workweek. The United States Department of Labor's Home Care Rule, effective November 12, 2015, became

PERSONS NOT ENTITLED TO OVERTIME PAY UNDER DISTRICT LAW MAY BE ENTITLED

employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

**Parental Leave Act** 

subject of the event, not a spectator.

production or service unusually difficult.

Definition of Parent or Guardian

biological mother or father of a child;

person who has legal custody of a child;

person who acts as a guardian of a child

aunt, uncle, or grandparent of a child; or is

Under the District of Columbia Human Rights Act of 1977, as amended.

for her child to maintain milk supply and comfort.

provided to the employee

For more information, call the U.S. Department of Labor, Wage-Hour Division, or visit www.dol.gov/whd.

teacher conferences, concerts, plays, rehearsals, sporting events, and other activities where the child is a participant or the

The employee must notify the employer 10 days before the requested leave unless the school-related activity was not

ployee is considered a parent or guardian for purposes of this Act if he or she is:

a person married or in a domestic partnership to a person listed above.

reasonably foreseeable. The leave can be unpaid or paid family, vacation, personal, compensatory or leave bank leave.

The employer may deny the leave if granting the leave would disrupt the employer's business and make the achievement of

A woman has a right to breastfeed her child in any location, public or private, where she has the right to be with her child.

without respect to whether the mother's breast or any part of it is uncovered during or incidental to the breastfeeding of

An employer must provide reasonable daily unpaid break-time, as required by an employee so she may express breast milk

The break-time for expression of milk, if possible, may run concurrently with any break-time, paid or unpaid, already

other than a bathroom or toilet stall, where an employee can express her breast milk in privacy and security.

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An employer is not required to provide break-time if it would create an undue hardship on the operations of the employer.

An employer shall make reasonable efforts to provide a sanitary room or other location in close proximity to the work area.

Employers must pay the cost of purchase, maintenance, and cleaning of uniforms and protective clothing required by employer or by law or pay the employee 15 cents per hour in addition to the minimum wage (maximum required is \$6.00 per week) for washable uniforms. When the employer purchases and the employee maintains washable uniforms, the additional payment required is 10 cents per hour. When the employer cleans and maintains but the employee purchases, the additional payment required is 8 cents per hour.

**MEALS** Employers may deduct \$2.12 for each meal made available. For four (4) hours or less of work, a maximum of one (1)

#### meal deduction is allowed. For over four (4) hours of work, a maximum of two (2) meal deductions is allowed. For employees that live on the employer's premises, no more than \$6.36 per day can be deducted.

## Additional wages are due to employees for split shifts, travel expenses, and tools. Other deductions may be taken for

**DEDUCTIONS** No employer shall make any deductions, except those specifically authorized by law or court order, which would bring the wages below those required by the Act. An itemized wage statement showing all deductions must be provided

## with each pay check.

Every employer shall make and keep for at least three (3) years accurate time and payroll records for each employee, in addition to other detailed records required by the Act

## **TIPPED EMPLOYEES**

Employers must pay a service rate per hour (please see the rate of current minimum wage in accordance with the regulations set forth in this document under tipped employees) to "tipped employees." If an employee's hourly tip earnings (averaged weekly) added to the service rate do not equal the minimum wage, the employer must pay the

#### INTERNET-BASED TIP PORTAL FOR ONLINE REPORTING OF THE QUARTERLY WAGE REPORT An employer who employs an employee who receives gratuities shall submit a quarterly wage report within 30 days of

- the end of each quarter to the Mayor certifying that the employee was paid the required minimum wage. The Mayor has created an Internet-based portal for online reporting of the quarterly wage reports and it is located at https://www.essp.does.dc.gov/.
- An employer shall submit its quarterly wage reports online unless the employer claims that online reporting creates a hardship, in which case the employer shall submit its reports in hard-copy form.
- The Mayor shall provide reporting requirements training to educate employers about the reporting requirements and use of the Internet-based portal.

## ADDITIONAL LAWS ADMINISTERED BY THE OFFICE OF WAGE- HOUR

#### All labor laws enforced within the District of Columbia can be found on www.does.dc.gov. FOR A COMPLETE TEXT OF EACH LAW OR TO FILE A COMPLAINT CONTACT

DEPARTMENT OF EMPLOYMENT SERVICES OFFICE OF WAGE HOUR 4058 Minnesota Avenue, N.E.

Washington, D.C. 20019 (202) 671-1880 | www.does.dc.gov

**DOES** 

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

or unpaid) during a 12 month period to attend school-related activities. School events include but are not limited to: parent- may be ordered to pay a fine of up to \$100 for each day the employer fails to post the notice.

Filing a Complaint of a Violation

you believe an employer has wrongfully denied you parental leave under this statute, you can file a complaint within

ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589

441 4th Street NW, Suite 570N, Washington, DC 20010

The employer must create a policy for breastfeeding mothers and must post and maintain a poster in a conspicuous place

The employee must file within one (1) year of the occurrence or discovery of the violation of the Act. An employee of the

District of Columbia government must file within 180 days of the occurrence or discovery of the violation.

If the employee feels as if she is being discriminated against under the Act, she may contact:

THE DISTRICT OF COLUMBIA OFFICE OF HUMAN RIGHTS

ne year of the incident with the Office of Human Rights (OHR). To file a complaint, visit:

In-Person at 441 4th Street NW, Suite 570N, Washington, DC 20001.

estions about the OHR process can also be answered by phone at (202) 727-4559.

Online at ohr.dc.gov; or

that sets forth these requirements

Washington, DC 20001

[202] 727 / 4559

or ohr.dc.gov

441 4th Street, NW, Suite 570 North

Office of Human Rights

Office of Human Rights

The Right to Breastfeed

GOVERNMENT OF THE

#### DISTRICT OF COLUMBIA applicable to direct care workers employed by agencies and other third-party employers. Direct care workers are DISTRICT OF COLUMBIA DEPARTMENT OF **MURIEL BOWSER, MAYOR** workers who provide home care services, such as certified nursing assistants, home health aides, personal care aides,

### LABOR STANDARDS BUREAU

### 4058 MINNESOTA AVENUE, N.E. • WASHINGTON, DC 20019 • (202) 671-1000 • (202) 671-1929 (Fax)

**WARNING:** It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by

#### NOTICE OF COMPLIANCE

#### **TO EMPLOYEES**

You are required by law to report promptly to your employer and the Office of Workers' Compensation an occupational injury or disease, even if you deem it to be minor. Form No. 7 DCWC, Notice of Accidental Injury or Occupational Disease, to be obtained from the employer or the Office of Workers' Compensation, must be used for that purpose. After you have completed and signed the form, mail it to the Office of Workers' Compensation at the above address, and to

- You are entitled, if required, to the services of a physician or hospital of your choice and lost wages. Call (202) 671-1000 or visit http://does.dc.gov for information.
- You may not sue your employer as a result of a work-related injury or disease by reason of your exclusive remedy under the Workers' Compensation Law.
- In order to preserve your right to benefits under the DC Workers' Compensation Law, you must file a written claim on Form No. 7A DCWC, Employee's Claim Application, within one (1) year after your injury, or within one (1) year after the last payment of benefits. If you need information regarding your rights and obligations prescribed by law, you may call your
- employer first. If you require further information, you may call the Office of Workers' Compensation at (202) 671-1000 or visit http://does.dc.gov

The law gives you the right to legal representation if you so choose.

Sick and Safe Leave

- You are required to display this poster at each worksite so that it will be of the greatest possible
  - You must file an Employer's First Report of Injury or Occupational Disease, Form No. 8 DCWC, with the Office of Workers' Compensation, send a copy to the nearest claim office of your insurer, for all occupational injuries or disease, as soon as possible, but no later than ten (10) working days after

You are required to have Workers' Compensation insurance coverage if you have one (1) or

- Your employee must file Form No. 7 DCWC, Employee's Notice of Accidental Injury or Occupational Disease. Please provide your employee with Form No. 7 DCWC and direct them to complete it and return it to you and the Office of Workers' Compensation. Once you have received notice from the employee, you are required to send the employee a notice of his/her rights and obligations by
- certified mail, return receipt requested.
- an injured or disabled employee. You are required to obtain from the insurer identified below a supply of all required Workers'

**NOTICE:** Violation of the various provisions of the Workers' Compensation law provides for civil penalties.

The undersigned employeer hereby gives notice of compliance with all provisions of the Workers'

### NAME OF INSURANCE COMPANY

NAME OF EMPLOYER

EMPLOYER ID NUMBER (IF NUMBER UNKNOWN, EMPLOYER TO REQUEST FROM IRS)

THIS NOTICE IS TO BE POSTED CONSPICUOUSLY IN AND ABOUT THE EMPLOYER'S PLACE(S) OF BUSINESS FORM NO. 1 DCWC

REV. 03/2017

### Department of Employment Services, Office of Wage-Hour

## **Accrued Sick and Safe Leave Act of 2008**

### OFFICIAL NOTICE (Post Where Employees Can Easily Read)

his poster includes provisions of the Earned Sick and Safe Leave Amendment Act of 2013, effective February 22, 2014) REQUIRES EMPLOYERS IN THE DISTRICT OF COLUMBIA TO PROVIDE PAID LEAVE TO EMPLOYEES FOR THEIR OWN OR

FAMILY MEMBERS' ILLNESSES OR MEDICAL APPOINTMENTS AND FOR ABSENCES ASSOCIATED WITH DOMESTIC VIOLENCE OR SEXUAL ABUSE. **EMPLOYERS REQUIRED TO COMPLY WITH THE ACT** Pursuant to the Accrued Sick and Safe Leave Act of 2008, all employers in the District of Columbia must provide paid leave to each

employee, including employees of restaurants, bars, temporary, staffing firms and part-time employees. aid leave accrues at the beginning of employment, provided that the accrual need not commence prior to November 13, 2008 nd provided that an employer need not allow accrual of paid leave for tipped restaurant or bar employees prior to

aid leave accrues on an employer's established pay period. n employee must be allowed to use paid leave no later than after 90 days of service with the employer. An employee may use eave on short notice if the reason for leave is unforeseeable.

Accrual of paid leave is determined by the type of business, the number of employees an employer has, and the number of hours languages, or to file a complaint, visit www.does.dc.gov, call the Office of Wage Hour at (202) 671-1880, or visit at 4058 in employee works. For tipped employees of restaurants or bars, regardless of the number of employees the employer has, each Minnesota Avenue, N.E., Suite 3600, Washington, D.C. 20019. ull District of Columbia's Minimum Wage. For all other employers, use the following chart:

#### If an employer has. Employees accrue at least. Not to Exceed. 100 or more employees 1 hour per 37 hours worked 7 days per calendar year 25 to 99 employees 1 hour per 43 hours worked 5 days per calendar year Less than 25 employees 1 hour per 87 hours worked 3 days per calendar year

### Under this Act, an employee's accrued paid sick leave carries over from year to year. Employers do not have to pay employees for unused paid sick leave upon termination or resignation of employment

Under the Act, employees who assert their rights to receive paid sick leave or provide information or assistance to help enforce the Act are protected from retaliation.

The DC Department of Employment Services, Office of Wage Hour can investigate possible violations, access employer records, enforce the paid sick leave requirements, order reinstatement of employees who are terminated, as a result of asserting rights to paid sick leave, order payment of paid sick leave unlawfully withheld, and impose penalties. An employer who willfully violates he requirements of the Act shall be assessed a civil penalty in the amount of one thousand dollars (\$1,000) for the first offensi fifteen hundred dollars (\$1,500) for the second offense, and two thousand dollars (\$2,000) for the third and any subsequent

### TO FILE A COMPLAINT OR FOR ADDITIONAL INFORMATION To request full text of the Act, to obtain a copy of the rules associated with this Act, to receive the Act translated into other

Complaints shall be filed within three (3) years after the event on which the complaint is based unless the employer has failed t post notice of the Act.

## DCFMLA

#### DC Family and Medical Leave Act - Know Your Rights in the District of Columbia

Office of Human Rights

Work Leave for Family or Medical Purposes

### he District of Columbia Family and Medical Leave Act (DCFMLA) requires employers with 20 or more employees to provide eligible employees with 16 weeks of unpaid family leave *and* 16 weeks of unpaid medical leave during a 24

Eligible circumstances for family leave under DCFMLA include the birth of a child, adopting a child, or caring for a child in foster care. Caring for a seriously ill family member is also eligible for family leave.

Eligible circumstances for medical leave under DCFMLA includes recovering from a serious illness rendering the employee unable to work.

eave. The one year of service requirement does not need to have immediately preceded the request for leave. he District government is considered a single employer. The above eligibility requirements can be met by considering

The employer must post and maintain this notice in a conspicuous place. An employer that willfully fails to post this notice may be ordered to pay a fine of up to \$100 for each day the employer fails to post the notice.

#### Filing a Complaint of a Violation If you believe an employer has wrongfully denied you family or medical leave, or retaliated against you under this

tatute, you can file a complaint within one year of the incident with the Office of Human Rights (OHR). To file a

Online at ohr.dc.gov; or

• In-Person at 441 4th Street NW, Suite 570N, Washington, DC 20001. Questions about the OHR process can also be answered by phone at (202) 727-4559.

441 4th Street NW, Suite 570N, Washington, DC 20010

**Pregnancy Rights** 

## Office of Human Rights

## commodations for Pregnancy, Childbirth and Breastfeeding

ne Protecting Pregnant Workers Fairness Act (PPW) requires District of Columbia employers to provide reasonable orkplace accommodations for employees whose ability to perform job duties is limited because of pregnancy, childbirth, reastfeeding, or a related medical condition.

he employer must engage in good faith and in a timely and interactive process to determine the accommodations.

## ypes of Accommodations

- yers must make all reasonable accommodations,\* including but not limited t Temporarily restructuring the employee's position to More frequent or longer breaks; provide light duty or a modified work schedule: Time off to recover from childbirth:
- strenuous or hazardous position: Relocating the employee's work area; or Purchasing or modifying work equipment, such Providing private (non-bathroom) space for expressing breast milk.

## Refuse an accommodation unless it would cause significant hardship or expense to the business

Temporarily transferring the employee to a less

Take adverse action against an employee for requesting an accommodation: Deny employment opportunities to the employee because of the request or need for an accommodation Require an employee to take leave if a reasonable accommodation can be provided; or

Require employees to accept an accommodation unless it's necessary for the employee to perform her job duties.

### omplaint within one year with the DC Office of Human Rights (OHR). To file a complaint, visit: Having the employee refrain from heavy lifting: • In-Person at 441 4th Street NW, Suite 570N, Washington, DC 20001.

mmission on Human Rights will make a final determination.

probable length of time the accommodation should be provided.

\* A "reasonable accommodation" is one that does not require significant difficulty in the operation of the employer's business or significant expense for the employer, with consideration to factors such as the size of the business, its financial resources and the nature and structure of the business.

ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 441 4th Street NW, Suite 570N, Washington, DC 20001

DHR will perform the initial mediation and investigation. If probable cause exists, administrative law judges at the

REV. 01/03/2019

### **Employment of Minors** § 32-201. Employment of minors under 14 years of age; distribution of newspaper

Perform in a musical or dance recital or concert; Except as provided in §§ 32-206 and 32-207, no minor under 14 years of age shall be employed, permitted, or suffered work in the District of Columbia, in, about, or in connection with any gainful occupation, with the exemption of housework (3) Participate in a radio or television program erformed outside of school hours in the home of the minor's parent or legal guardian or agricultural work performed outsid

#### f school hours in connection with the minor's own home and directly for the minor's parent or legal guardian; provided, that minors 10 years of age and over may be employed outside of school hours in the distribution or sale of newspapers, subject to the provisions of §§ 32-215 to 32-221. § 32-202. Employment of minors under 18 years of age; hours of employment; notice

Except as provided in § 32-206, no minor under 18 years of age shall be employed, permitted, or suffered to work in, bout, or in connection with any gainful occupation, except in agricultural work, or housework, or in the distribution or sale of newspapers, as prescribed in § 32-201, and except in newspaper stuffing, subject to the provisions of § 32-215, more than consecutive days in any 1 week, or more than 48 hours in any 1 week, or more than 8 hours in any 1 day, nor shall any minor l 6 or 17 years of age be employed, permitted, or suffered to work before 6:00 a.m. or after 10:00 p.m. of any day; nor shall any minor under 16 years of age be employed, permitted, or suffered to work before 7:00 a.m. or after 7:00 p.m. of any day. xcept during the summer (June 1 through Labor Day) when the evening hour shall be 9:00. Every employer shall post and eep conspicuously posted in the establishment, in or about which any minor is employed, permitted, or suffered to work, a printed notice, furnished by the official authorized to enforce this subchapter, setting forth the legal regulations governing the employment and hours of work of minors and occupations prohibited to minors in such establishments, and, in addition, shall keep accessible in the place of employment a list of minors under 18 employed, permitted, or suffered to work, and an ccurate time record showing the hours of beginning and ending work each day. The presence of any such minor in the place

to be posted in place of employment; list of minors employed

#### § 32-203. Employment dangerous or prejudicial to life prohibited; Board of Education to prohibit such employment by general or special order

angerous or prejudicial to the life, health, safety, or welfare of such minor. It shall be the duty of the Board of Education of he District of Columbia and the said board shall have the power, jurisdiction and authority, after hearing duly held, to issue mployment of any minor at any employment specified in §§ 32-204 through 32-206 at a lower age than the age therein specified; provided further, that no hearing shall be necessary for the issuance of an order prohibiting employment in any occupation found by the Secretary of Labor under the authority of the Fair Labor Standards Act to be particularly hazardous for minors under 18 years of age or detrimental to their health and well-being.

### § 32-204. Employment of minors under 16 years of age in certain occupations

- (1) In the operation of any machinery operated by power other than hand or foot power; or (2) In oiling, wiping, or cleaning machinery or assisting therein

### § 32-205. Employment of minors under 18 years of age in certain occupations No minor under 18 years of age shall be employed, permitted, or suffered to work at operating any freight or

(a) The Board of Education may issue a theatrical employment permit to a minor under 18 years of age permitting

- Perform on the stage of a licensed theatre within the District of Columbia in a professional theatrical

- Participate in a motion picture;
- (5) Appear as a fashion model; or
- (6) Participate in a professional sports activity or circus. An application for a theatrical permit shall be made by the parent or quardian, and by the agent if applicable. of the minor to the Board of Education. The Board of Education may issue a theatrical employment permit if
- require the employer to provide the necessary resources to satisfy the requirements of this subsection. A minor shall not appear in more than 2 live performances in 1 day or more than 8 live performances in 1 week. A minor shall not appear in a live performance, or otherwise be required to work, before 7:00 a.m. or after 11:30 p.m. A licensed practical nurse with substantial pediatric experience, or a registered nurse who is a pediatric nurse practitioner, shall be provided for each 3 or fewer infants under the age of 30 months.
- A theatrical employment permit shall limit the time during which a minor 7 years of age or younger is permitted at the place of employment within a 24-hour period according to age as follows:
  - An infant under the age of 6 months may be permitted to remain at the place of employment for a maximum of 2 hours, which shall consist of not more than 20 minutes of work.
- A minor between the ages of 6 months and 30 months may be permitted at the place of employment for a maximum of 4 hours, which shall consist of not more than 2 hours of work, with the balance of the 4-hour period being rest or recreation A minor between the ages of 30 months and 7 years may be permitted at the place of employment for

a maximum of 6 hours, which shall consist of not more than 3 hours of work, with the balance of the

- The telephone number of the employer 6-hour period being rest, recreation, or education. he employee's rate of pay and the basis of that rate, including: For the purposes of this section, the term "theatrical employment permit" means an authorization to perform or appear in any of the activities listed in subsection (a) of this section for monetary remuneration, a gift, or other
- Any allowances claimed as part of the minimum wage, including tip, form of valuable consideration. Overtime rate of pay or exemptions from overtime pay § 32-207. Work or vacation permit – Procurement by employer Living wage or exemptions from the living wage

#### No minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any painful occupation, except in agricultural work or housework as specified in § 32-201, unless the employer procures and keeps on file and accessible to any attendance officer, inspector or other person authorized to enforce this subchapter a work or vacation permit issued as hereinafter prescribed, except that minors under 18 years of age may be employed without a permit outside of school hours in irregular or casual work usual to the home of the employer; provided, that such employment shall not be in connection with nor form a part of the business, trade, profession, or occupation of the employer; and provided

further, that such employment shall not be specifically prohibited by any provision of this subchapter or by any order issued

### under the authority of § 32-203.

- § 32-213. Penalties
- (a) A person commits an offense under this subchapter if that person: Employs a minor or permits a minor to work in violation of this subchapter, of any regulation promulgated by the Board of Education pursuant to § 32-224, or of any order issued under the provisions of § 32-203; or
  - Interferes with the Board of Education, its officers or agents, or any other person authorized by the Every employer shall pay wages earned to his employees on regular paydays District to inspect places of employment of minors. signated in advance by the employer and at least twice during each
- A person convicted of a 1st offense under this section shall be fined not less than \$1,000 nor more than \$3,000, or imprisoned not less than 10 days nor more than 30 days, or both. A person convicted of a 2nd or subsequent offense under this section shall be fined not less than \$ 3,000 nor more than \$ 5,000, or imprisoned not less than 30 days nor more than 90 days, or both. Each day during which a violation of this subchapter occurs shall constitute a separate offense.
- The fines set forth in this section shall not be limited by § 22-3571.01.

DR. UNIQUE MORRIS-HUGHES

### **Building Service Employees Minimum Work Week Act** GOVERNMENT OF THE DISTRICT OF COLUMBIA

#### DIRECTOR **NOTICE OF NEW REGULATIONS**

## Under this Act, covered employees shall be scheduled to work the minimum work week of at least 30 hours.

#### What is a Building Service Employed A covered employee who performs janitorial services, building maintenance services, or other services in or around a covered location to maintain the repair, cleanliness, and overall quality of the covered location or place

**Minimum Work Weel** 

<u>ertain exceptions apply</u> When a covered employee is taking covered leave, the leave shall count towards the 30-hour minimum work week; provided that at each covered location, up to 20% of the work hours that are available for covered employees engaged in cleaning service may be preserved for part-time covered employees with a minimum shift of 4 hours per night and 20 hours per week per covered employee for up to a total of 10 part-time positions

## permitted per covered location.

A covered employer shall post and maintain the notice in a conspicuous place, which shall be prescribed by the Mayor and provided to each covered employer that shall include excerpts or summaries of the pertinent provisions of this Act and information about filing of a complaint pursuant to the Act.

A covered employer shall post every notice required to be posted by this act in English and all languages spoken

#### by covered employees with limited or no-English proficiency, as defined in section 2 of the Language Access Act OFFICE OF WAGE HOUR 4058 Minnesota Avenue, NE · Suite 3600 · Washington, D.C. 20019 · Office: 202-671-1880 · Fax: 202-673-6411

### Information on Unemployment Compensation in the District of Columbia

Your employer is subject to the District of Columbia Unemployment Compensation Act which establishes a system of protecting insured workers from complete wage loss when they become unemployed hrough no fault of their own and are seeking new jobs. To help finance the unemployment insurance system, a tax is levied against employers — not workers. No deductions are made from your pay for this purpose. This program is administered by the District of Columbia's Department of Employment Services.

AMERICAN JOB CENTER — NORTHEAST AMERICAN JOB CENTER — HEADQUARTERS

Washington, DC 20019 5171 South Dakota Avenue, N.E., 2nd Floor Washington, DC 20017 (202) 724-2337 (202) 576-3092 AMERICAN JOB CENTER — NORTHWEST AMERICAN JOB CENTER — SOUTHEAST FRANK D. REEVES MUNICIPAL CENTER 3720 MARTIN LUTHER KING, JR. AVENUE, S.E. 2000 14th Street, N.W., 3rd Floor Washington, DC 20032 Washington, DC 20009 (202) 741-7747 (202) 442-4577 **AMERICAN JOB CENTERS HOURS OF OPERATION:** Monday - Thursday 8:30 a.m. - 4:30 p.m. Friday 9:30 a.m. - 4:30 p.m.

> You may also apply for benefits through the Internet at www.dcnetworks.org. IMPORTANT: Employers must display this Notice To Employees prominently on the work premises. Additional copies may be furnished upon request by calling (202) 698-7550.

DC

## DISTRICT OF COLUMBIA

## **Labor Standards Bureau**

**DEPARTMENT OF EMPLOYMENT SERVICES** 

Department of Employment Services

NOTICE

### Office of Wage-Hour The Wage Theft Prevention Amendment Act of 2014

- Rights and obligations of the parties Process for contesting the complaint
- Notice of Investigation that must be posted for all employees to see for a period of at least 30 days that specifies:

#### An investigation is being conducted Information for employees on how they may participate Rules against Retaliation

used to enforce the provisions of this Act, the Minimum Wage Revision Act, the Accrued The WTPAA extends the protection and it also gives the Mayor power to enforce this law Sick and Safe Leave Act, and the Living Wage Act. The money deposited into the Fund Threats are now included as a form of retaliation. and interest earned, shall not revert to the unrestricted fund balance of the General

#### Fund of the District of Columbia at the end of a fiscal year, or at any other time. It is illegal for *any* person to retaliate. This law protects employees even if their employer incorrectly believes they Minimum Wage Penalties D.C. Official Code § 32-1011 made a complaint.

#### Any person who willfully or negligently violates any of the provisions of rocedural Options §32-1010 shall, upon conviction, be subject to a fine of not more than \$10,000, or to imprisonment of not more than six (6) months, or both.

- Wage Payment Penalties, D.C. Official Code § 32-1307;

  - For the first offense, an amount per affected employee of not mor violation occurred or continued;
  - records for three (3) years or whatever the prevailing federal standard is, whichever is greater for each violation:
- ffense, an amount not more than \$10,000, or imprisoned not more than 90 days, or both. In addition to and apart from any other penalties or remedies
- this Act or the Living Wage Act are violated for each day the violation occurred For any subsequent offense, \$100 for each employee or person whose rights under this Act or the Living Wage Act are violated for each day the violation
- Five hundred dollars for failure to provide notice of investigation to employees Five hundred dollars for failure to post notice of violations to the public

#### No administrative penalty may be collected unless the Mayor has provided any person alleged to have violated any of the provisions of this section notification of the violation, notification of the amount of the administrative penalty to be

## NOTICE TO EMPLOYEES

Information on Paid Family Leave in the District of Columbia our employer is subject to the District of Columbia's Paid Family Leave law, which provides covered employees paid time off from for qualifying parental, family, medical, and prenatal events. For more

maximum weekly benefit amount is \$1.118. o receive benefits under the Paid Family Leave program, you must work for a covered employer in DC. To find out if you are a covered worker, you can ask your employer or contact the Office of Paid Family Leave using the contact information below. Your employer The Office of Paid Family Leave does not administer any job protections for District workers who take leave from work. However, some quired to tell you if you are covered by the Paid Family Leave program. Additionally, your employer is required to provide you

Under the Universal Paid Leave Act, the Office of Paid Family Leave is required to provide notice of the following: 1. That retaliation by a covered employer against a covered employee for requesting, applying for, or using paid-leave benefits is prohibited:

if he or she decides to take paid leave pursuant to this act; and That employees have a right to file a complaint with OHR if they feel they have been retaliated against for requesting, applying for, or using paid leave.

For more information on OHR and job protections, please visit the following web address: **ohr.dc.gov**. For more information about Paid Family Leave, please visit the Office of Paid Family Leave's website at dcpaidfamilyleave.dc.qov,

Office of Paid Family Leave | 4058 Minnesota Avenue NE | Washington DC 20019

Office of Human Rights **EQUAL EMPLOYMENT OPPORTUNITY** 

Credit Information

Status as a victim or

family member of a

victim of Domesti

A school-related event means an activity sponsored either by a school or an associated organization. Any employee shall notify the employer of the desire to leave at least 10 calendar days prior to the event, unless the need to attend the school-related event cannot be reasonably foreseen. Violence, Sexual Offense or

## Filing a Complaint of a Violation

file a complaint about a violation of these laws with the Office of Human Rights, visit: Online at ohr.dc.gov; or

Additional categories protected from discrimination but not in the area of employment include: familial status, source of income, place of residence or business, sealed evictio record, and status as a victim of an intrafamily offense. \*\* Leave is unpaid unless the parent elects to use any paid family, vacation, personal or compensatory leave provided by

441 4th Street NW, Suite 570N, Washington, DC 20010



Office of Human Rights

Title 32, Chapter 2

the Board is satisfied that adequate provisions have been made for the educational instruction of the minor, for safeguarding the minor's health, and for the proper supervision of the minor. The Board of Education may adjudicating wage disputes, to require the employer to provide written notice to each

ice to employees of their employment. Also, within 90 days of the effective date of WTPAA, every employer shall furnish each employee with an updated written notice ing the information required. As proof of compliance, every employer shal ain copies of the written notice furnished to employees that are signed and dated v the employer and by the employee acknowledging receipt of the notice. (There are

#### Wage-Hour Investigation Administrative Law Judge Hearing Civil Court Proceedings

- D.C. Official Code § 32-1307(a) Section 7a Wage Theft Rate by the hour, shift, day, or week (whichever is applicable) Any employer who negligently fails to comply with the provisions of thi
  - than \$2,500; for any subsequent offense, an amount per affected employee of not more than \$5,000. Any employer who willfully fails to comply with the provisions of this Act or ne Living Wage Act shall be guilty of a misdemeanor and, upon conviction,
    - \$500 for each failure to allow the Mayor to inspect payroll records or perform any other investigation;

#### provided for in this Act or the Living Wage Act, the Mayor under section 10(a). shall assess and collect administrative penalties as follows: ASSLA Penalties D.C. Official Code § 32-131.12 For the first offense, \$50 for each employee or person whose rights under

For the complete text of the Wage Theft Prevention Amendment Act of 2014, go to http://lims.dccouncil.us/Download/31203/B20-0671-SignedAct.pdf. Accrued Sick and Safe Leave Act or the Minimum Wage

- job protections may be available under laws and regulations administered by the District's Office of Human Rights (OHR).
- That an employee who works for a covered employer with under 20 employees shall not be entitled to job protection

call 202-899-3700, or email does.opfl@dc.gov.

REV. 10/2023

- Know Your Rights in the District of Columbia -

aunt, uncle, or grandparent of a child; or is a person married to a person listed above

In-Person at 441 4th Street NW, Suite 570N, Washington, DC 20001. Questions can also be answered by phone at (202) 727-4559.

ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589

This poster is in compliance with state posting requirements.

## DEPARTMENT OF EMPLOYMENT SERVICES

### **OFFICE OF WORKERS' COMPENSATION**

### You are required to report to the Office of Workers' Compensation, and your insurer, any disability of more than three (3) days which was not previously reported, as soon as possible, but no later than ten (10) working days after the date of knowledge thereof.

- You are required to furnish, or cause to be furnished, reasonable medical and hospital services, other remedial care or vocational rehabilitation, and various types of disability compensation, to
- Compensation Forms, or you may download the forms and notice mentioned above at our website

#### of work for a longer time in the day or week than stated in the printed regulation hours shall be prima facie evidence of a olation of the provisions of this section. Compensation Law and Administrative Regulations.

## No minor shall be employed, permitted, or suffered to work in any place of employment, or at any employment, general or special orders prohibiting the employment of such minors in any employment or at any place of employment angerous or prejudicial to the life, health, safety, or welfare of such minors; provided, that no such order shall permit the

## orohibited; exception

- (a) No minor under 16 years of age shall be employed, permitted, or suffered to work at any of the following
- This section does not apply to any duly approved vocational education program or training under the auspices of the Board of Education or the Trustees of the University.
- nautomatic elevator, or in any quarry, tunnel, or excavation. § 32-206. Theatrical permits for minors under 18 years of age for performances and professional sports activities

Department of Employment Services

**Department of Employment Services** 

of 2004, effective June 19, 2004 (D.C. Law 15-167:D.C. Official Code g 2-t931), (b) A covered employer who fails to comply with the posting requirements of this section shall be subject to the penalty set forth. (See section 8 of the Act for penalties)

A covered employer who willfully violates the posting requirements of section 5 shall be assessed a civil penalty

not to exceed \$100 for each day that the covered employer fails to post the notice; provided, that the total

A covered employer who fails to comply with any of the requirements of this act, other than the posting requirements, shall be subject to a fine of not more than \$5,000 for each violation for each day that the violation continues. For the first violation, a maximum fine of up to (A) \$500 will be imposed; and (B) for any subsequent

violation, a maximum fine of up to \$1,000.

### For the complete text of the Building Service Employees Minimum Work Week Act of 2016, go to D.C. If you have any questions, please contact or visit: Department of Employment Services, Office of Wage-Hour, 4058 Minnesota Avenue, SE, Suite 3600, Washington, D.C. 20019, (202) 671-1880.

### **Department of Employment Services Notice to Employees**

If you should become unemployed or your hours are reduced, you may be entitled to receive unemployment compensation benefits. To apply for benefits, please call and make an appointment to visit one of the American Job Centers listed. 4058 MINNESOTA AVENUE, N.E. CCDC - BERTIE BACKUS CAMPUS

> DEPARTMENT OF EMPLOYMENT SERVICES

REV. 02/01/2015

eave after giving birth, for a maximum of 14 weeks. you have experienced an event that may qualify for benefits, be sure to apply no more than 30 days after your event. You can learn more about applying for benefits with the Office of Paid Family Leave at **dcpaidfamilyleave.dc.gov**.

DC Human Rights Act n accordance with the District of Columbia Human Rights Act of 1977, as amended, the District of Columbia and employers cannot criminate on the basis of (actual or perceived): Personal Appearance

Stalking (DVSOS) Political Affiliation Homeless Status Genetic Information xual harassment and harassment based on other protected categories is prohibited by the Ac u believe a violation of the Act has occurred, you can file a complaint with the District of Columbia Office of Human Rights. The cess is free and does not require an attorney. Damages can be awarded if it is determined that a violation of the Act did occur.

Matriculation

Sexual Orientation

Family Responsibilities

Gender Identity or Expression

e DC Family and Medical Leave Act of 1990 requires all employers with 20 or more employees to provide up to 16 weeks of unpaic

iths in the seven years immediately preceding the start of the family or medical leave, and worked at least 1,000 hours during

Iso allows up to 16 weeks of unpaid medical leave: to recover from a serious illness that left the employee unable to work for a total of 32 weeks during a 24 month period. iring the period of leave, an employee should not lose benefits such as seniority or group health plan coverage. The employer may quire medical certification and reasonable prior notice when applicable. n employee is eligible under the Act if they have been employed by the employer for at least 12 consecutive or non-consecutive

rring any 12 month period to attend or participate in school-related events for his or her child.

**TWO** ways to verify poster compliance!

**QR CODE** Scan with phone camera:

ccordance with the DC Parental Leave Act of 1994, an employee who is a parent shall be entitled to a total of 24 hours leave $^*$ 

To update your labor law posters contact J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868

Office of Human Rights

re under DCFMLA may be taken in blocks of time, intermittently, and in certain circumstances, at a reduced hedule. Employees can also use any accrued time instead of unpaid leave. employer may require medical certification and reasonable prior notice when applicable. **Parental Leave Act** ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 - Know Your Rights in the District of Columbia employee is eligible under the Act if she or he has been employed by the employer for at least one year without a **Office of Human Rights Work Leave for Parenting Purposes** break in service, and worked at least 1,000 hours during the 12 month period immediately preceding the requested The employer must post and maintain this notice in a conspicuous place. An employer that willfully fails to post this notice The District of Columbia Parental Leave Act allows employees who are parents or quardians to take 24 hours of leave (paid

mployment at more than one District agency.

#### **Protecting Pregnant Workers Fairness Act** - Know Your Rights in the District of Columbia -

Filing a Complaint of a Violation you believe an employer has wrongfully denied you a reasonable accommodation or has discriminated against

he employer may require an employee to provide certification from a health care provider indicating a reasonable

accommodation is advisable. The certification must include: (1) the date the accommodation became or will become

you because of your pregnancy, childbirth, need to breastfeed or a related medical condition, you can file a

medically advisable; (2) an explanation of the medical condition and need for a reasonable accommodation; and (3) the

ime Off to Vote: Employers must post a notice, developed by the Board of Elections, explaining an employee's right to take up to two hours of paid leave for voting. This posting is updated for each election. Visit the Board of Elections website for the most

e Wage Theft Prevention Amendment Act of 2014 (WTPAA) has an effective date of ebruary 26, 2015. The law includes provisions to enhance applicable remedies, fine ld administrative penalties when an employer fails to pay earned wages, to provide doments or agreements, to clarify administrative procedures and legal standards for

business, and a mailing address if different

Any applicable prevailing wages

Vaae Pavment Liabilitv

he employee's regular payday designated by the employer

iving Wage Act, and the Accrued Sick and Safe Leave Act.

When the employer is a subcontractor and has failed to pay an employee an

or any employer alleged to be in non-compliance with the Act. The Mayor shall deliver

GOVERNMENT OF THE DISTRICT OF COLUMBIA

If you ask your employer for leave that could qualify for benefits under the Paid Family Leave program.

Medical leave - receive benefits for your own serious health condition for up to 12 weeks in a year; and

Each kind of leave has its own eligibility rules and its own limit on the length of time you can receive benefits in a year. The maximum

nount of leave for any combination of parental, family, and medical leave is 12 weeks. However, there is an exception for pregnant

omen who take prenatal leave. Pregnant women are eligible for 2 weeks of prenatal leave while pregnant and 12 weeks of parental

Parental leave - receive benefits to bond with a new child for up to 12 weeks in a year:

Prenatal leave - receive benefits for prenatal medical care for up to 2 weeks in a year.

Family leave - receive benefits to care for a family member for up to 12 weeks in a year;

Potential damages, penalties, and other cost

visit the Office of Paid Family Leave's website at dcpaidfamilyleave.dc.gov.

mation about the Paid Family Leave program at these three (3) times:

At the time you were hired:

ere are four (4) kinds of Paid Family Leave benefits

At least once a year; and

Maximum Leave Entitlement

Sex (including pregnancy

C Family and Medical Leave Act

to care for a seriously ill family member.

OC Parental Leave Act

for the birth of a child, an adoption or foster care; or

Notice of Complaint that specifie

**Paid Family Leave** 

The alleged violation

ages earned, the subcontractor and the general contractor shall be jointly a

severally liable to the subcontractor's employees for violations of this Act, the

Wage Theft

Vritten Employment Notice: As an employer of the District of Columbia, upon hire, you are required to provide a

his notice must include The name of the employer and any "doing business as " (DBA) names used by The physical address of the employer's main office or principal place of

> Salary, Piece Rate, or commission (whichever is applicable) Act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:

#### o For the first offense, an amount not more than \$5,000 or e Mayor shall make available for employers a sample template of the notice within days of the effective date of the Wage Theft Prevention Amendment Act of 2019 imprisoned not more than 30 days, or both; for any subsequent ediate Notice to new employees is required regardless of the template

When a temporary staffing firm employs an employee who performs work on behalf of or to the benefit of another employer pursuant to a temporary staffing rrangement or contract for services, both the temporary staffing firm and the employer shall he inintly and severally liable for violations of this Act, the Living Vage Act, and the Accrued Sick and Safe Leave Act to the employee and to occurred or continued he Mayor shall collect administrative penalties in the amounts set forth below for the

No person shall be imprisoned under this section except for an offense committed willfully after the conviction of that person for a prior offense under

imposed, and an opportunity to request a formal hearing held pursuant to the

District of Columbia Administrative Procedure Act, approved October 21, 1968

that a violation has or has not occurred. If a hearing is not requested, the person

to whom notification of violation was provided shall transmit to the Mayor the

The Mayor shall issue a final order following the hearing, containing a finding

(82 Stat 1203, D.C. Official Code § 2-501 et seq).

amount of the penalty within 15 days following notification.

There is established as a special fund the Wage Theft Prevention Fund ("Fund"), which

shall be administered by the Department of Employment Services. The Fund shall be

For the first violation, \$50 for each employee or person whose rights under this Act are violated for each day that the violation

occurred or continued; For any subsequent violations, \$100 for each employee or person whose rights under this Act are violated for each day that the \$500 for each failure to maintain payroll records or to retain payroll

### \$500 for each failure to provide each employee an itemized wage statement or the written notice as required by section 9(b) an \$100 for each day that the employer fails to post notice as required

An employer who willfully violates the requirements of this Act shall be subject to a civil penalty for each affected employee of \$1,000 for the 1st offense, \$1,500 for the 2nd ffense, and \$2,000 for the 3rd and each subsequent offense. If the Mayor determine that an employer has violated any provision of this Act, the Mayor shall order the employer to provide affirmative remedies including: compensatory damages, punitive damages, and additional damages as provided in the law. The administrative fines and penalties collected under this section shall be deposited in the Wage Theft

DISTRICT OF COLUMBIA

**DEPARTMENT OF EMPLOYMENT SERVICES** 

Paid Family Leave benefits are based on the wages your employer paid to you and reported to the Department of Employer Services. If you believe your wages were reported incorrectly, you have the right to provide proof of your correct wages. The current

biological mother or father of a child person who has legal custody of a child person who acts as a quardian of a child

# Go to: JJKeller.com/LLPverify