

# **DISTRICT OF COLUMBIA**

Labor Laws

Minimum Wage Department of Employment Services, Office of Wage-Hour			TO EMI	
Minimum W		Wage Poster	6	You a Comp
		DISTRICT OF COLUMBIA VSER, MAYOR		Notice of Wo the fo your e
	DISTRICT OF COLUMBIA	MINIMUM WAGE POSTER		You a
	THIS SUMMARY MUST REMAIN IN A VISIBL	E LOCATION WHERE EMPLOYEES MAY READ		Call (2
MINIMUM WAGE RATES		UNIFORMS		You n
	Fundaviana sub a varius sustituition	Employers must pay the cost of purchase, maintenance, and cleaning of uniforms and protective clothing required		exclu
Employees who do not receive gratuities \$13.25 per hour beginning July 1, 2018	Employees who receive gratuities \$3.89 per hour beginning July 1, 2018	by employer or by law or pay the employee 15 cents per hour in addition to the minimum wage (maximum required		In or
\$13.25 per hour beginning July 1, 2018 \$14.00 per hour beginning July 1, 2019	\$4.45 per hour beginning July 1, 2019	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		a wri
\$14.00 per hour beginning July 1, 2019 \$15.00 per hour beginning July 1, 2020	\$5.00 per hour beginning July 1, 2020	employee purchases, the additional payment required is 8 cents per hour.		injur
\$15.20 per hour beginning July 1, 2020	\$5.05 per hour beginning July 1, 2020			lf you emp
\$15.20 per hour beginning July 1, 2021 \$16.10 per hour beginning July 1, 2022	\$5.35 per hour beginning July 1, 2021	MEALS Employers may deduct \$2.12 for each meal made available. For four (4) hours or less of work, a maximum of one (1)		at (2
	\$6.00 per hour beginning May 1, 2023	meal deduction is allowed. For over four (4) hours of work, a maximum of two (2) meal deductions is allowed. For	<u>A</u>	The l
\$17.00 per hour beginning July 1, 2023	\$8.00 per hour beginning July 1, 2023	employees that live on the employer's premises, no more than \$6.36 per day can be deducted.	ТО ЕМІ	
Beginning in 2021, the minimum wage will increase during each successive year in proportion to the Consumer Price 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.		OTHER PROVISIONS		You a
		Additional wages are due to employees for split shifts, travel expenses, and tools. Other deductions may be taken for lodging provided by the employer.	V// -	more
	ny mininani wage faces.			You a
MINIMUM WAGE EXCEPTIONS		DEDUCTIONS		bene
The minimum wage provision does not apply in instances whe rates for the following:	re other laws of regulations establish minimum wage	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		You r
<ol> <li>Handicapped workers may be paid less only when the employer has received an authorizing certificate from</li> </ol>		with each pay check.		the C
the U.S. Department of Labor.		RECORDS	S	occu the c
2. Persons employed under provisions of the Workforce Innovation and Opportunity Act shall be paid pursuant to that Act.		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.		uic c
3. Persons employed under provisions of the Youth Employment Act shall be paid pursuant to that Act.				
4. Persons employed under provisions of the Older Americans Act shall be paid pursuant to that Act.		TIPPED EMPLOYEES	Sick	c ang
5. Students employed by institutions of higher education United States government.	n may be paid the minimum wage established by the	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		
6. The Wage Theft Prevention Amendment Act of 2014, o	effective February 26, 2015, removed adult learners as a	difference.		
	ars of age or older must be paid the established District		1	
of Columbia minimum wage immediately upon hire.		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		
7. The minimum wage provision does not apply to persons.		An employer who employes 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.		
(a) employed in a bona fide executive, administr	ative, professional, computer, or outside sales capacity;	the end of each quarter to the mayor certifying that the employee was paid the required minimum waye.	(This pos	

### engaged in the delivery of newspapers to the home of the consumer.

## **OVERTIME PAY**

**NOTICE:** This state h

Work Leave fo

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Definition of P

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### 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
- As a salesperson, parts salesperson, or mechanic primarily engaged in selling or servicing au 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 applicable to direct care workers employed by agencies and other third-party employers. Direct care workers are workers who provide home care services, such as certified nursing assistants, home health aides, personal care aides, caregivers, and companions.

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

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

- 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.

DOES

DISTRICT OF COLUMBIA

DEPARTMENT OF

EMPLOYMENT SERVICES

- 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



rtment of Labor dictates that the employee is entitled to the higher minimum wage rate.	Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an	The District of Columbia Family and Medical Leave Act (DCFMLA) requires employers with 20 or more employer provide eligible employees with 16 weeks of unpaid family leave <i>and</i> 16 weeks of unpaid medical leave durin month period.  Family Leave Eligible circumstances for family leave under DCFMLA include the birth of a child, adopting a child, or for a child in foster care. Caring for a seriously ill family member is also eligible for family leave.  Medical Leave		
THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.		Eligible circumstances for medical leave under DCFMLA includes recovering from a serious illness ren the employee unable to work. Leave under DCFMLA may be taken in blocks of time, intermittently, and in certain circumstances, at a reduce schedule. Employees can also use any accrued time instead of unpaid leave. The employer may require medical certification and reasonable prior notice when applicable.		
Parental Leave Act - Know Your Rights in the District of Columbia -		Employee Eligibility An amplayer is cligible under the Art if the action has been amplayed by the amplayer for at least are year with		
Parenting Purposes Dia Parental Leave Act allows employees who are parents or guardians to take 24 hours of leave (paid 2 month period to attend school-related activities. School events include but are not limited to: parent-	<b>Employer Posting Requirements</b> 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.	An employee is eligible under the Act if she or he has been employed by the employer for at least one year of break in service, and worked at least 1,000 hours during the 12 month period immediately preceding the releave. The one year of service requirement does not need to have immediately preceded the request for leave.		
concerts, plays, rehearsals, sporting events, and other activities where the child is a participant or the not a spectator. otify the employer 10 days before the requested leave unless the school-related activity was not le. The leave can be unpaid or paid family, vacation, personal, compensatory or leave bank leave. ny the leave if granting the leave would disrupt the employer's business and make the achievement of unusually difficult. <b>Trent or Guardian</b> dered a parent or guardian for purposes of this Act if he or she is: nother or father of a child; has legal custody of a child;	Filing a Complaint of a Violation         If you believe an employer has wrongfully denied you parental leave under this statute, you can file a complaint within one year of the incident with the Office of Human Rights (OHR). To file a complaint, visit:         •       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.	The District government is considered a single employer. The above eligibility requirements can be me employment at more than one District agency. Pregnancy Rights Protectir - Kno		
acts as a guardian of a child; or grandparent of a child; or is rried or in a domestic partnership to a person listed above.	ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 441 4th Street NW, Suite 570N, Washington, DC 20010 Office of Human Rights District of Columbia	Accommodations for Pregnancy, Childbirth and Breastfeeding The Protecting Pregnant Workers Fairness Act (PPW) requires District of Columbia employers to provide reasonable workplace accommodations for employees whose ability to perform job duties is limited because of pregnancy, child breastfeeding, or a related medical condition. The employer must engage in good faith and in a timely and interactive process to determine the accommodations. Types of Accommodations		
	man Rights Breastfeed	<ul> <li>Employers must make all reasonable accommodations,* including but not limited to:</li> <li>More frequent or longer breaks;</li> <li>Time off to recover from childbirth;</li> <li>Temporarily transferring the employee to a less strenuous or hazardous position;</li> <li>Relocating the employee's work area; or</li> </ul>		
		Purchasing or modifying work equipment, such     Providing private (non-bathroom) space for ex		

### Under the District of Columbia Human Rights Act of 1977, as amended. 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 for her child to maintain milk supply and comfort.
- The break-time for expression of milk, if possible, may run concurrently with any break-time, paid or unpaid, already provided to the employee
- 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.
- other than a bathroom or toilet stall, where an employee can express her breast milk in privacy and security.
- The employer must create a policy for breastfeeding mothers and must post and maintain a poster in a conspicuous place that sets forth these requirements 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
- 441 4th Street, NW, Suite 570 North WASHINGTON, DC 20001
- [202] 727 / 4559 OR **ohr.dc.gov**

Workers' Comp.

- on an occupational injury or disease, even if you deem it to be minor. Form No. 7 DCWC, You are required to furnish, or cause to be furnished, reasonable medical and hospital services, cidental Injury or Occupational Disease, to be obtained from the employer or the Office other remedial care or vocational rehabilitation, and various types of disability compensation, to Compensation, must be used for that purpose. After you have completed and signed an injured or disabled employee. ail it to the Office of Workers' Compensation at the above address, and to You are required to obtain from the insurer identified below a supply of all required Workers' Compensation Forms, or you may download the forms and notice mentioned above at our website tled, if required, to the services of a physician or hospital of your choice and lost wages. http://does.dc.gov.
- 71-1000 or visit http://does.dc.gov for information.
- medy under the Workers' Compensation Law. The undersigned employeer hereby gives notice of compliance with all provisions of the Workers' preserve your right to benefits under the DC Workers' Compensation Law, you must file Compensation Law and Administrative Regulations. aim on Form No. 7A DCWC, Employee's Claim Application, within one (1) year after your
- ithin one (1) year after the last payment of benefits.
- I-1000 or visit http://does.dc.gov es you the right to legal representation if you so choose.

- our emplovees
- e an Employer's First Report of Injury or Occupational Disease, Form No. 8 DCWC, with f Workers' Compensation, send a copy to the nearest claim office of your insurer, for all injuries or disease, as soon as possible, but no later than ten (10) working days after
- nowledge thereof.

OFFIC
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rovisions of the Farned Sick ar

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.
ACCRUAL START DATE
Paid leave accrues at the beginning of employment, provided that the accrual need not commence prior to November 13, 2008 and provided that an employer need not allow accrual of paid leave for tipped restaurant or bar employees prior to February 22, 2014.
Paid leave accrues on an employer's established pay period.
ACCESSING PAID LEAVE
An employee must be allowed to use paid leave no later than after 90 days of service with the employer. An employee may use leave on short notice if the reason for leave is unforeseeable.
NUMBER OF HOURS ACCRUED
Accrual of paid leave is determined by the type of business, the number of employees an employer has, and the number of hours
an employee works. For tipped employees of restaurants or bars, regardless of the number of employees the employer has, each
tipped employee must accrue at least one (1) hour per 43 hours worked, up to five (5) days per calendar year and be paid at the
full District of Columbia's Minimum Wage. For all other employers, use the following chart:

DCFMLA

as chairs:

rohibited Actions by Employers

ork Leave for Family or Medical Purpose

# DEPARTMENT OF EMPLOYMENT SERVICES LABOR STANDARDS BUREAU **OFFICE OF WORKERS' COMPENSATION**

# 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 lefrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, In insurer may deny insurance benefits if false information materially related to a claim was provided by

# NOTICE OF COMPLIANCE

- uired by law to report promptly to your employer and the Office of Workers'
- t sue your employer as a result of a work-related injury or disease by reason of your
- information regarding your rights and obligations prescribed by law, you may call your rst. If you require further information, you may call the Office of Workers' Compensation
- uired to have Workers' Compensation insurance coverage if you have one (1) or
- uired to display this poster at each worksite so that it will be of the greatest possible

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 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.

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

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

# NAME OF INSURANCE COMPANY

- NAME OF EMPLOYER EMPLOYER REPRESENTATIV
- 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 IAL NOTICE 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 ployees Can Easily Read) 25 to 99 employees 1 hour per 43 hours worked 5 days per calendar year provisions of the Earned Sick and Safe Leave Amendment Act of 2013, effective Less than 25 employees 1 hour per 87 hours worked 3 days per calendar year A TO PROVIDE PAID LEAVE TO EMPLOYEES FOR THEIR OWN OR NUSED LEAVE MENTS AND FOR ABSENCES ASSOCIATED WITH DOMESTIC VIOLENCE 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 EMPLOYEE PROTECTION Il employers in the District of Columbia must provide paid leave to each Under the Act, employees who assert their rights to receive paid sick leave or provide information or assistance to help enforce orary, staffing firms and part-time employees. the Act are protected from retaliation. ENFORCEMENT led that the accrual need not commence prior to November 13, 2008

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 offenses

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 iss, 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 or bars, regardless of the number of employees the employer has, each Minnesota Avenue, N.E., Suite 3600, Washington, D.C. 20019.

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.

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

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

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

• **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.

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

# Medical Leave Act (DCFMLA) requires employers with 20 or more employees to The employer must post and maintain this notice in a conspicuous place. An employer that willfully fails to post this weeks of unpaid family leave *and* 16 weeks of unpaid medical leave during a 24 notice may be ordered to pay a fine of up to \$100 for each day the employer fails to post the notice. amily leave under DCFMLA include the birth of a child, adopting a child, or caring

ring for a seriously ill family member is also eligible for family leave. nedical leave under DCFMLA includes recovering from a serious illness rendering

t 1.000 hours during the 12 month period immediately preceding the requested

yees whose ability to perform job duties is limited because of pregnancy, childbirth,

breast milk.

Temporarily restructuring the employee's position to

Providing private (non-bathroom) space for expressing

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

Deny employment opportunities to the employee because of the request or need for an accommodation

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

Take adverse action against an employee for requesting an accommodation:

Require an employee to take leave if a reasonable accommodation can be provided; or

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

mplaint, visit

# ct if she or he has been employed by the employer for at least one year without a **Office of Human Rights**

Employer Posting Requirements

• Online at ohr.dc.gov; or

ement does not need to have immediately preceded the request for leave. red a single employer. The above eligibility requirements can be met by considering

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

# Certification from Health Care Provide

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 medically advisable; (2) an explanation of the medical condition and need for a reasonable accommodation; and (3) the probable length of time the accommodation should be provided.

# Filing a Complaint of a Violation

you believe an employer has wrongfully denied you a reasonable accommodation or has discriminated against you because of your pregnancy, childbirth, need to breastfeed or a related medical condition, you can file a omplaint within one year with the DC Office of Human Rights (OHR). To file a complaint, visit: Online at ohr.dc.gov; or In-Person at 441 4th Street NW, Suite 570N, Washington, DC 20001.

HR will perform the initial mediation and investigation. If probable cause exists, administrative law judges at the mmission on Human Rights will make a final determination.

\* 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 **Office of Human Rights** 

REV. 01/03/2019

Except as provided in §§ 32-206 and 32-207, no minor under 14 years of age shall be employed, permitted, or suffered

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 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 he employment and hours of work of minors and occupations prohibited to minors in such establishments, and, in addition, hall keep accessible in the place of employment a list of minors under 18 employed, permitted, or suffered to work, and an 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

### **Child Labor** Wage Theft Title 32, Chapter 2 Department of Employment Services **Employment of Minors** NOTICE Perform on the stage of a licensed theatre within the District of Columbia in a professional theatrical § 32-201. Employment of minors under 14 years of age; distribution of newspaper **DISTRICT OF COLUMBIA** production; ermitte **DEPARTMENT OF EMPLOYMENT SERVICES** Perform in a musical or dance recital or concert: Labor Standards Bureau o 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 Participate in a motion picture; Office of Wage-Hour 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 (5) Appear as a fashion model; or The Wage Theft Prevention Amendment Act of 2014 the provisions of §§ 32-215 to 32-221. (6) Participate in a professional sports activity or circus. e Wage Theft Prevention Amendment Act of 2014 (WTPAA) has an effective date of Rights and obligations of the parties An application for a theatrical permit shall be made by the parent or guardian, and by the agent if applicable. § 32-202. Employment of minors under 18 years of age; hours of employment; notice ebruary 26, 2015. The law includes provisions to enhance applicable remedies, fine Process for contesting the complaint of the minor to the Board of Education. The Board of Education may issue a theatrical employment permit if to be posted in place of employment; list of minors employed d administrative penalties when an employer fails to pay earned wages, to provide the Board is satisfied that adequate provisions have been made for the educational instruction of the minor, uspension of business licenses of employers that are delinquent in paying wag Notice of Investigation that must be posted for all employees to see for a Except as provided in § 32-206, no minor under 18 years of age shall be employed, permitted, or suffered to work in, dgments or agreements, to clarify administrative procedures and legal standards for for safeguarding the minor's health, and for the proper supervision of the minor. The Board of Education may period of at least 30 days that specifies: adjudicating wage disputes, to require the employer to provide written notice to each require the employer to provide the necessary resources to satisfy the requirements of this subsection. An investigation is being conducte loyee of the terms of their employment, and to maintain appropriate Information for employees on how they may participate vment records. A minor shall not appear in more than 2 live performances in 1 day or more than 8 live performances in 1 week. 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 A minor shall not appear in a live performance, or otherwise be required to work, before 7:00 a.m. or after 11:30 Rules against Retaliation p.m. A licensed practical nurse with substantial pediatric experience, or a registered nurse who is a pediatric The WTPAA extends the protection and it also gives the Mayor power to enforce this law Vritten Employment Notice: nurse practitioner, shall be provided for each 3 or fewer infants under the age of 30 months. Threats are now included as a form of retaliation As an employer of the District of Columbia, upon hire, you are required to provide a ice to employees of their employment. Also, within 90 days of the effective date of It is illegal for *any* person to retaliate. A theatrical employment permit shall limit the time during which a minor 7 years of age or younger is WTPAA, every employer shall furnish each employee with an updated written notice This law protects employees even if their employer incorrectly believes they permitted at the place of employment within a 24-hour period according to age as follows: ing the information required. As proof of compliance, every employer sha made a complaint. ain copies of the written notice furnished to employees that are signed and date An infant under the age of 6 months may be permitted to remain at the place of employment for a rocedural Options v the employer and by the employee acknowledging receipt of the notice. (There are maximum of 2 hours, which shall consist of not more than 20 minutes of work. Wage-Hour Investigation nents for temporary staffing firms ccurate time record showing the hours of beginning and ending work each day. The presence of any such minor in the place A minor between the ages of 6 months and 30 months may be permitted at the place of employment Administrative Law Judge Hearing his notice must include Civil Court Proceedings for a maximum of 4 hours, which shall consist of not more than 2 hours of work, with the balance of olation of the provisions of this section. The name of the employer and any "doing business as " (DBA) names used by this section. the 4-hour period being rest or recreation otential Penalties § 32-203. Employment dangerous or prejudicial to life prohibited; Board of Education The physical address of the employer's main office or principal place of A minor between the ages of 30 months and 7 years may be permitted at the place of employment for Wage Payment Penalties, D.C. Official Code § 32-1307; business, and a mailing address if different District of Columbia. to prohibit such employment by general or special order a maximum of 6 hours, which shall consist of not more than 3 hours of work, with the balance of the D.C. Official Code § 32-1307(a) Section 7a – Wage Theft The telephone number of the employer No minor shall be employed, permitted, or suffered to work in any place of employment, or at any employment 6-hour period being rest, recreation, or education. he employee's rate of pay and the basis of that rate, including: Prevention Fund angerous or prejudicial to the life, health, safety, or welfare of such minor. It shall be the duty of the Board of Education of For the purposes of this section, the term "theatrical employment permit" means an authorization to perform or Rate by the hour, shift, day, or week (whichever is applicable) Any employer who negligently fails to comply with the provisions of thi Salary, Piece Rate, or commission (whichever is applicable) ne District of Columbia and the said board shall have the power, jurisdiction and authority, after hearing duly held, to issue Act or the Living Wage Act shall be guilty of a misdemeanor and, upon appear in any of the activities listed in subsection (a) of this section for monetary remuneration, a gift, or other occurred or continued; eneral or special orders prohibiting the employment of such minors in any employment or at any place of employment Any allowances claimed as part of the minimum wage, including tip, conviction, shall be fined: form of valuable consideration. ngerous or prejudicial to the life, health, safety, or welfare of such minors; provided, that no such order shall permit the For the first offense, an amount per affected employee of not mor meal, or lodging allowances than \$2,500; for any subsequent offense, an amount per affected Overtime rate of pay or exemptions from overtime pay nplovment of any minor at any employment specified in §§ 32-204 through 32-206 at a lower age than the age therein § 32-207. Work or vacation permit – Procurement by employer employee of not more than \$5,000. Living wage or exemptions from the living wage pecified; provided further, that no hearing shall be necessary for the issuance of an order prohibiting employment in any \$500 for each failure to maintain payroll records or to retain payrol Any employer who willfully fails to comply with the provisions of this Act or No minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any Any applicable prevailing wage occupation found by the Secretary of Labor under the authority of the Fair Labor Standards Act to be particularly hazardous records for three (3) years or whatever the prevailing federal ne Living Wage Act shall be guilty of a misdemeanor and, upon conviction, ainful occupation, except in agricultural work or housework as specified in § 32-201, unless the employer procures and he employee's regular payday designated by the employer for minors under 18 years of age or detrimental to their health and well-being. shall be fined: keeps on file and accessible to any attendance officer, inspector or other person authorized to enforce this subchapter a work e Mayor shall make available for employers a sample template of the notice within For the first offense, an amount not more than \$5,000 or or vacation permit issued as hereinafter prescribed, except that minors under 18 years of age may be employed without a § 32-204. Employment of minors under 16 years of age in certain occupations days of the effective date of the Wage Theft Prevention Amendment Act of 201 imprisoned not more than 30 days, or both; for any subsequent diate Notice to new employees is required regardless of the template ffense, an amount not more than \$10,000, or imprisoned not permit outside of school hours in irregular or casual work usual to the home of the employer; provided, that such employment orohibited; exception more than 90 days, or both. shall not be in connection with nor form a part of the business, trade, profession, or occupation of the employer; and provided $(c) \cdot and$ (a) No minor under 16 years of age shall be employed, permitted, or suffered to work at any of the following further, that such employment shall not be specifically prohibited by any provision of this subchapter or by any order issued lage Payment Liability: In addition to and apart from any other penalties or remedies When the employer is a subcontractor and has failed to pay an employee and occupations: under the authority of § 32-203. provided for in this Act or the Living Wage Act, the Mayor under section 10(a). ages earned, the subcontractor and the general contractor shall be jointly a (1) In the operation of any machinery operated by power other than hand or foot power; or shall assess and collect administrative penalties as follows: severally liable to the subcontractor's employees for violations of this Act, the § 32-213. Penalties iving Wage Act, and the Accrued Sick and Safe Leave Act. For the first offense, \$50 for each employee or person whose rights under (2) In oiling, wiping, or cleaning machinery or assisting thereir (a) A person commits an offense under this subchapter if that person: When a temporary staffing firm employs an employee who performs work on this Act or the Living Wage Act are violated for each day the violation occurred This section does not apply to any duly approved vocational education program or training under the auspices behalf of or to the benefit of another employer pursuant to a temporary staffing Employs a minor or permits a minor to work in violation of this subchapter, of any regulation rrangement or contract for services, both the temporary staffing firm and the For any subsequent offense, \$100 for each employee or person whose rights of the Board of Education or the Trustees of the University. promulgated by the Board of Education pursuant to § 32-224, or of any order issued under the employer shall be jointly and severally liable for violations of this Act, the Living under this Act or the Living Wage Act are violated for each day the violation provisions of § 32-203; or lage Act, and the Accrued Sick and Safe Leave Act to the employee and to occurred or continued damages, and additional damages as provided in the law. The administrative fines and § 32-205. Employment of minors under 18 years of age in certain occupations he Mayor shall collect administrative penalties in the amounts set forth below for the penalties collected under this section shall be deposited in the Wage Theft 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 vention Fund following violation<sup>,</sup> District to inspect places of employment of minors. signated in advance by the employer and at least twice during each For the complete text of the Wage Theft Prevention Amendment Act of 2014, go to Five hundred dollars for failure to provide notice of investigation to employees No minor under 18 years of age shall be employed, permitted, or suffered to work at operating any freight or calendar month http://lims.dccouncil.us/Download/31203/B20-0671-SignedAct.pdf. A person convicted of a 1st offense under this section shall be fined not less than \$ 1,000 nor more than \$ 3,000, Five hundred dollars for failure to post notice of violations to the public nautomatic elevator, or in any guarry, tunnel, or excavation tice of Complaint or imprisoned not less than 10 days nor more than 30 days, or both. A person convicted of a 2nd or subsequent Accrued Sick and Safe Leave Act or the Minimum Wage or any employer alleged to be in non-compliance with the Act. The Mayor shall deliver § 32-206. Theatrical permits for minors under 18 years of age for performances and offense under this section shall be fined not less than \$ 3,000 nor more than \$ 5,000, or imprisoned not less Revision Act notices to the employer than 30 days nor more than 90 days, or both. Each day during which a violation of this subchapter occurs shall professional sports activities No administrative penalty may be collected unless the Mayor has provided any Notice of Complaint that specifie constitute a separate offense. person alleged to have violated any of the provisions of this section notification The alleged violation (a) The Board of Education may issue a theatrical employment permit to a minor under 18 years of age permitting of the violation, notification of the amount of the administrative penalty to be The fines set forth in this section shall not be limited by § 22-3571.01. Potential damages, penalties, and other cost the minor to: **Paid Family Leave** Minimum Work Week Department of Employment Services **Building Service Employees Minimum Work Week Act** DISTRICT OF COLUMBIA family leave DEPARTMENT OF EMPLOYMENT SERVICE GOVERNMENT OF THE DISTRICT OF COLUMBIA GOVERNMENT OF THE DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES **Department of Employment Services NOTICE TO EMPLOYEES** MURIEL BOWSER DR. UNIQUE MORRIS-HUGHES Information on Paid Family Leave in the District of Columbia MAYOR DIRECTOR **Expanded benefits available October 2022** NOTICE OF NEW REGULATIONS our employer is subject to the District of Columbia's Paid Family Leave law, which provides covered employees paid time off from women who take prenatal leave. Prequant women are eligible for 2 weeks of prenatal leave while prequant and 12 weeks of parental D.C. Act 21-485 (Act), also known as the Building Service Employees Minimum Work Week Act of 2016. for gualifying parental, family, medical, and prenatal events. For more info nation about the Paid Family Leave program, plea visit the Office of Paid Family Leave's website at dcpaidfamilyleave.dc.gov. Applying for Benefits Under this Act, covered employees shall be scheduled to work the minimum work week of at least 30 hours. 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 vered Worker 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 more about applying for benefits with the Office of Paid Family Leave at dcpaidfamilyleave.dc.gov. of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code g 2-t931). (b) A covered employer who fails worker, you can ask your employer or contact the Office of Paid Family Leave using the contact information below. Your employer What is a Building Service Employee Benefit Amounts to comply with the posting requirements of this section shall be subject to the penalty set forth. (See section 8 of equired to tell you if you are covered by the Paid Family Leave program. Additionally, your employer is required to provide you Paid Family Leave benefits are based on the wages your employer paid to you and reported to the Department of Employment A covered employee who performs janitorial services, building maintenance services, or other services in or mation about the Paid Family Leave program at these three (3) times: the Act for penalties) Services. If you believe your wages were reported incorrectly, you have the right to provide proof of your correct wages. The current around a covered location to maintain the repair, cleanliness, and overall guality of the covered location or place At the time you were hired maximum weekly benefit amount is \$1.049. of business. At least once a year; and **Employee Protection** The Office of Paid Family Leave does not administer any job protections for District workers who take leave from work. However, some If you ask your employer for leave that could qualify for benefits under the Paid Family Leave program. A covered employer who willfully violates the posting requirements of section 5 shall be assessed a civil penalty <u>ertain exceptions apply</u> job protections may be available under laws and regulations administered by the District's Office of Human Rights (OHR). not to exceed \$100 for each day that the covered employer fails to post the notice; provided, that the total When a covered employee is taking covered leave, the leave shall count towards the 30-hour minimum work Under the Universal Paid Leave Act, the Office of Paid Family Leave is required to provide notice of the following: ere are four (4) kinds of Paid Family Leave benefits penalty shall not exceed \$500. week; provided that at each covered location, up to 20% of the work hours that are available for covered 1. That retaliation by a covered employer against a covered employee for requesting, applying for, or using paid-leave Parental leave - receive benefits to bond with a new child for up to 12 weeks in a year: A covered employer who fails to comply with any of the requirements of this act, other than the posting employees engaged in cleaning service may be preserved for part-time covered employees with a minimum benefits is prohibited: Family leave - receive benefits to care for a family member for up to 12 weeks in a year; shift of 4 hours per night and 20 hours per week per covered employee for up to a total of 10 part-time positions requirements, shall be subject to a fine of not more than \$5,000 for each violation for each day that the violation That an employee who works for a covered employer with under 20 employees shall not be entitled to job protection Medical leave - receive benefits for your own serious health condition for up to 12 weeks in a year; and continues. For the first violation, a maximum fine of up to (A) \$500 will be imposed; and (B) for any subsequent permitted per covered location. if he or she decides to take paid leave pursuant to this act; and Prenatal leave - receive benefits for prenatal medical care for up to 2 weeks in a year. violation, a maximum fine of up to \$1,000. That employees have a right to file a complaint with OHR if they feel they have been retaliated against for Maximum Leave Entitlement <u>Posting Requirements</u> For the complete text of the Building Service Employees Minimum Work Week Act of 2016, go to D.C. requesting, applying for, or using paid leave. Fach 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 A covered employer shall post and maintain the notice in a conspicuous place, which shall be prescribed by or more information on OHR and job protections, please visit the following web address: **ohr.dc.gov**. Act 21-485. ount of leave for any combination of parental, family, and medical leave is 12 weeks. However, there is an exception for pregnant the Mayor and provided to each covered employer that shall include excerpts or summaries of the pertinent For more information about Paid Family Leave, please visit the Office of Paid Family Leave's website at dcpaidfamilyleave.dc.gov, If you have any questions, please contact or visit: Department of Employment Services, Office of call 202-899-3700, or email does.opfl@dc.gov. provisions of this Act and information about filing of a complaint pursuant to the Act. Wage-Hour, 4058 Minnesota Avenue, SE, Suite 3600, Washington, D.C. 20019, (202) 671-1880. A covered employer shall post every notice required to be posted by this act in English and all languages spoken Office of Paid Family Leave | 4058 Minnesota Avenue NE | Washington DC 20019 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 EEO Office of Human Rights Unemployment lı Department of Employment Services EQUAL EMPLOYMENT OPPORTUNIT Notice to Employees - Know Your Rights in the District of Columbia -Information on Unemployment Compensation in the District of Columbia A parent is defined as the DC Human Rights Act biological mother or father of a child /our 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 n accordance with the District of Columbia Human Rights Act of 1977, as amended, the District of Columbia and employers cannot scriminate on the basis of (actual or perceived):\* person who has legal custody of a child through 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 person who acts as a guardian of a child this purpose. This program is administered by the District of Columbia's Department of Employment Services. Personal Appearance Disability aunt, uncle, or grandparent of a child; or is Credit Information Sexual Orientation 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 a person married to a person listed above. Gender Identity or Expression one of the American Job Centers listed. Sex (including pregnancy Status as a victim or A school-related event means an activity sponsored either by a school or an associated organization. family member of a Family Responsibilities National Origir 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 victim of Domesti the school-related event cannot be reasonably foreseen. American Job Center — Northeast Matriculation Violence, Sexual Offense or Stalking (DVSOS) Political Affiliation CCDC - BERTIE BACKUS CAMPUS Filing a Complaint of a Violation Homeless Status Genetic Information 5171 South Dakota Avenue, N.E., 2nd Floor Marital Status WASHINGTON, DC 20017 rual harassment and harassment based on other protected categories is prohibited by the Ac file a complaint about a violation of these laws with the Office of Human Rights, visit: ou believe a violation of the Act has occurred, you can file a complaint with the District of Columbia Office of Human Rights. The (202) 576-3092 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. Online at ohr.dc.gov; or American Job Center – Southeast )C Family and Medical Leave Act In-Person at 441 4th Street NW, Suite 570N, Washington, DC 20001. 3720 MARTIN LUTHER KING, JR. AVENUE, S.E. e DC Family and Medical Leave Act of 1990 requires all employers with 20 or more employees to provide up to 16 weeks of unpaid WASHINGTON, DC 20032 Questions can also be answered by phone at (202) 727-4559. (202) 741-7747 for the birth of a child, an adoption or foster care; or Additional categories protected from discrimination but not in the area of employment include: familial status, source of to care for a seriously ill family member. income, place of residence or business, sealed evictio record, and status as a victim of an intrafamily offense. Iso allows up to 16 weeks of unpaid medical leave: HOURS OF OPERATION: to recover from a serious illness that left the employee unable to work for a total of 32 weeks during a 24 month period. \*\* Leave is unpaid unless the parent elects to use any paid family, vacation, personal or compensatory leave provided by :30 а.м. - 4:30 р.м. ring the period of leave, an employee should not lose benefits such as seniority or group health plan coverage. The employer may the employer. - 4:30 р.м. quire medical certification and reasonable prior notice when applicable. ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 n employee is eligible under the Act if they have been employed by the employer for at least 12 consecutive or non-consecutive 441 4th Street NW, Suite 570N, Washington, DC 20010 oths in the seven years immediately preceding the start of the family or medical leave, and worked at least 1,000 hours during You may also apply for benefits through the Internet at www.dcnetworks.org. **Office of Human Rights** IMPORTANT: Employers must display this Notice To Employees prominently on the work premises. )C Parental Leave Act Additional copies may be furnished upon request by calling (202) 698-7550. 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 ring any 12 month period to attend or participate in school-related events for his or her child. WE ARE does WASHINGTON DEPARTMENT OF DC EMPLOYMENT SERVICES REV. 02/01/2015 To update your labor law posters contact **TWO** ways to verify poster compliance! J. J. Keller & Associates, Inc. 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 JJKeller.com/laborlaw recent version of the posting. **QR CODE** Scan with phone camera: 800-327-6868

Go to: JJKeller.com/LLPverify

Enter this code: **69340-052023** 

ONLINE

American Job Center — Headquarter	s
4058 MINNESOTA AVENUE, N.E.	
WASHINGTON, DC 20019	
(202) 724-2337	
American Job Center - Northwest	
FRANK D. REEVES MUNICIPAL CENTER	
2000 14th Street, N.W., 3rd Floor	
WASHINGTON, DC 20009	
(202) 442-4577	
	American Job Centers I
	Monday - Thursday 8:3
	Friday 9:30 A.M

District of Columbia



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REV. 10/2022



employer to provide affirmative remedies including: compensatory damages, punitive

\$100 for each day that the employer fails to post notice as required ASSLA Penalties D.C. Official Code § 32-131.12 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

standard is, whichever is greater for each violation; \$500 for each failure to allow the Mayor to inspect payroll records or perform any other investigation; \$500 for each failure to provide each employee an itemized wage statement or the written notice as required by section 9(b) and

For the first violation, \$50 for each employee or person whose rights under this Act are violated for each day that the violation For any subsequent violations, \$100 for each employee or person whose rights under this Act are violated for each day that the violation occurred or continued;

In addition to and apart from the penalties or remedies provided for in this section, the Mayor shall assess and collect administrative penalties as follows:

Prosecutions for violations of this subchapter shall be in the Superior Court of the District of Columbia and shall be conducted by the Attorney General of the

committed willfully after the conviction of that person for a prior offense under

Any person who willfully or negligently violates any of the provisions of or to imprisonment of not more than six (6) months, or both. No person shall be imprisoned under this section except for an offense

Minimum Wage Penalties D.C. Official Code § 32-1011 §32-1010 shall, upon conviction, be subject to a fine of not more than \$10,000,

used to enforce the provisions of this Act, the Minimum Wage Revision Act, the Accrued Sick and Safe Leave Act, and the Living Wage Act. The money deposited into the Fund 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.

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

to whom notification of violation was provided shall transmit to the Mayor the amount of the penalty within 15 days following notification. There is established as a special fund the Wage Theft Prevention Fund ("Fund"), which

District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat 1203, D.C. Official Code § 2-501 et seq). The Mayor shall issue a final order following the hearing, containing a finding that a violation has or has not occurred. If a hearing is not requested, the person

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