DISTRICT OF COLUMBIA

Employment Laws

POSTER COMPLIANCE DATE 05/2020

Employees who do not receive gratuities

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 receive gratuities

\$11.50 per hour beginning July 1, 2016 \$2.77 per hour beginning January 1, 2005 \$12.50 per hour beginning July 1, 2017 \$3.33 per hour beginning July 1, 2017 \$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

Beginning in 2021, the minimum wage will increase during each successive year pursuant 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. MINIMUM WAGE EXCEPTIONS

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

- Handicapped workers may be paid less only when the employer has received an authorizing certificate from the U.S. Department of Labor
- Persons employed under provisions of the Workforce Innovation and Opportunity Act shall be paid pursuant to that Act. 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.
- the United States government. The Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015, removed adult learners as a minimum wage exception. Newly hired persons 18 years of age or older must be paid the

Students employed by institutions of higher education may be paid the minimum wage established by

- established District of Columbia minimum wage immediately upon hire. The minimum wage provision does not apply to persons:
- (a) employed in a bona fide executive, administrative, professional, computer, or outside sales
- (b) engaged in the delivery of newspapers to the home of the consumer.

At least $1\frac{1}{2}$ 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 As a seaman, by a railroad, as an attendant in a parking lot or parking garage, or in newspaper home
- 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 automobiles, 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 UNDER

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

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

UNIFORMS

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

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. OTHER PROVISIONS

Additional wages are due to employees for split shifts, travel expenses, and tools. Other deductions may be taken for lodging provided by the employer.

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

must pay the difference.

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

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 1. 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

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.

requirements and use of the Internet-based portal.

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

DEPARTMENT OF

FMPLOYMENT SERVICES

GOVERNMENT OF TH DISTRICT OF COLUMBIA MURIEL BOWSER, MAYOR

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

schedule. Employees can also use any accrued time instead of unpaid leave.

vithout a break in service, and worked at least 1,000 hours during the 12 month period immediately preceding the requested leave. The one year of service requirement does not need to have immediately preceded the request for leave.

The District government is considered a single employer. The above eligibility requirements can be met by considering employment at more than one District agency.

Employer Posting Requirement he District of Columbia Family and Medical Leave Act (DCFMLA) requires employers with 20 or more employees The employer must post and maintain this notice in a conspicuous place. An employer that willfully fails to post

Filing a Complaint of a Violation

Online at ohr.dc.gov; or In-Person at 441 4th Street NW, Suite 570N, Washington, DC 20001.

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

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

you believe an employer has wrongfully denied you parental leave under this statute, you can file a omplaint within one year of the incident with the Office of Human Rights (OHR). To file a complaint, visit:

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

Filing a Complaint of a Violation

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

notice may be ordered to pay a fine of up to \$100 for each day the employer fails to post the notice.

Office of Human Rights

Employer Posting Requirements

(paid or unpaid) during a 12 month period to attend school-related activities. School events include but are not

imited to: parent-teacher conferences, concerts, plays, rehearsals, sporting events, and other activities where the

The employee must notify the employer 10 days before the requested leave unless the school-related activity was

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

not reasonably foreseeable. The leave can be unpaid or paid family, vacation, personal, compensatory or leave bank

Office of Human Rights

Jnder 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 her child

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

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

the violation.

or ohr.dc.gov

The Right to Breastfeed

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

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

DEPARTMENT OF EMPLOYMENT SERVICES LABOR STANDARDS BUREAU

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

OFFICE OF WORKERS' COMPENSATION

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 the

NOTICE OF COMPLIANCE

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

vour employer. 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.

You are required to display this poster at each worksite so that it will be of the greatest possible benefit to your employees.

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

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 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 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.
- 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
- an injured or disabled employee. 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
- **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' Compensation Law and Administrative Regulations

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

Sick and Safe Leave

Department of Employment Services, Office of Wage-Hour **Accrued Sick and Safe Leave Act of 2008**

OFFICIAL NOTICE (Post Where Employees Can Easily Read)

(This 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

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.

An employee must be allowed to use paid leave no later than after 90 days of service with the employer. n employee may use leave on short notice if the reason for leave is unforeseeable.

and part-time employees

ccrual of paid leave is determined by the type of business, the number of employees an employer has, nd the number of hours an employee works. For tipped employees of restaurants or bars, regardless f the number of employees the employer has, each tipped employee must accrue at least one (1) hour er 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:

Employees accrue at least... Not to Exceed. 1 hour per 37 hours worked 7 davs per calendar vear 100 or more employees 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 the requirements of the Act shall be assessed a civil penalty in the amount of one thousand dollars (\$1.000) for the first offense. 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

translated into other 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 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 to post notice of the Act.

DCFMLA

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

provide eligible employees with 16 weeks of unpaid family leave and 16 weeks of unpaid medical leave

Vork Leave for Family or Medical Purposes

uring a 24 month period Eligible circumstances for family leave under DCFMLA include the birth of a child, adopting a child, or

rendering the employee unable to work. ave under DCFMLA may be taken in blocks of time, intermittently, and in certain circumstances, at a reduced

The employer may require medical certification and reasonable prior notice when applicable. n employee is eligible under the Act if she or he has been employed by the employer for at least one year

this notice may be ordered to pay a fine of up to \$100 for each day the employer fails to post the notice.

If you believe an employer has wrongfully denied you family or medical leave, or retaliated against you 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:

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

Certification from Health Care Provider

Pregnancy Rights

Office of Human Rights **Protecting Pregnant Workers Fairness Act**

Know Your Rights in the District of Columbia -

ccommodations for Pregnancy, Childbirth and Breastfeeding

he 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 reasonable accommodation is advisable. The certification must include: (1) the date the accommodation pregnancy, childbirth, breastfeeding, or a related medical condition.

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

Types of Accommodations

ployers must make all reasonable accommodations,* including but not limited to: Temporarily restructuring the employee's More frequent or longer breaks: position to provide light duty or a modified work

Time off to recover from childbirth Temporarily transferring the employee to a less Having the employee refrain from heavy lifting strenuous or hazardous position; Relocating the employee's work area; or Purchasing or modifying work equipment, such

Prohibited Actions by Employers

Refuse an accommodation unless it would cause significant hardship or expense to the business; Take adverse action against an employee for requesting an accommodation;

Providing private (non-bathroom) space for

expressing breast milk.

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 he

f 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 complaint within one year with the DC Office of Human Rights (OHR). To file a complaint, visit:

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

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

Online at ohr.dc.gov; or In-Person at 441 4th Street NW, Suite 570N, Washington, DC 20001.

dges at the Commission 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

OHR will perform the initial mediation and investigation. If probable cause exists, administrative law

441 4th Street NW, Suite 570N, Washington, DC 20001 Office of Human Rights

Title 32, Chapter 2

Employment of Minors

32-201. Employment of minors under 14 years of age; distribution of newspapers

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

ermitted, or suffered to work in the District of Columbia, in, about, or in connection with any gainful

occupation, with the exemption of housework performed outside of school hours in the home of the

ninor's parent or legal guardian or agricultural work performed outside of school hours in connection

with the minor's own home and directly for the minor's parent or legal guardian; provided, that minors 10

rears of age and over may be employed outside of school hours in the distribution or sale of newspapers,

§ 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, about, 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 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 16 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

hall 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, except during the summer (June 1 through Labor Day) when the evening hour

shall be 9:00. Every employer shall post and keep conspicuously posted in the establishment, in or about

authorized to enforce this subchapter, setting forth the legal regulations governing the employment and

§ 32-203. Employment dangerous or prejudicial to life prohibited; Board of Education

No minor shall be employed, permitted, or suffered to work in any place of employment, or at any

aployment, dangerous or prejudicial to the life, health, safety, or welfare of such minor. It shall be

ne duty of the Board of Education of the District of Columbia and the said board shall have the power,

urisdiction and authority, after hearing duly held, to issue general or special orders prohibiting the

the life, health, safety, or welfare of such minors; provided, that no such order shall permit the

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

(2) In oiling, wiping, or cleaning machinery or assisting therein.

eight or nonautomatic elevator, or in any quarry, tunnel, or excavation.

professional theatrical production;

(a) No minor under 16 years of age shall be employed, permitted, or suffered to work at any of

(b) This section does not apply to any duly approved vocational education program or training

No minor under 18 years of age shall be employed, permitted, or suffered to work at operating any

§ 32-206. Theatrical permits for minors under 18 years of age for performances and

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

(1) Perform on the stage of a licensed theatre within the District of Columbia in a

under the auspices of the Board of Education or the Trustees of the University.

§ 32-205. Employment of minors under 18 years of age in certain occupations

(1) In the operation of any machinery operated by power other than hand or foot power;

which any minor is employed, permitted, or suffered to work, a printed notice, furnished by the official

nours 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

Perform in a musical or dance recital or concert;

(4) Participate in a motion picture;

(3) Participate in a radio or television program

- (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 guardian, 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 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 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
- 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
- of work, with the balance of the 6-hour period being rest, recreation, or education. 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 Salary, Piece Rate, or commission (whichever is applicable

mployment of such minors in any employment or at any place of employment dangerous or prejudicial § 32-207. Work or vacation permit – Procurement by employer No minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or mployment of any minor at any employment specified in §§ 32-204 through 32-206 at a lower age than in connection with any gainful occupation, except in agricultural work or housework as specified in he age therein specified; provided further, that no hearing shall be necessary for the issuance of an order § 32-201, unless the employer procures and keeps on file and accessible to any attendance officer, prohibiting employment in any occupation found by the Secretary of Labor under the authority of the Fair inspector or other person authorized to enforce this subchapter a work or vacation permit issued as abor Standards Act to be particularly hazardous for minors under 18 years of age or detrimental to their. 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

section for monetary remuneration, a gift, or other form of valuable consideration.

- (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 District to inspect places of employment of minors.
- (b) 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
- The fines set forth in this section shall not be limited by § 22-3571.01.

Department of Employment Services

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

Department of Employment Services MURIEL BOWSER

NOTICE OF NEW REGULATIONS D.C. Act 21-485 (Act), also known as the Building Service Employees Minimum Work Week Act of 2016.

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

A covered employee who performs janitorial services, building maintenance services, or other

the covered location or place of business. Certain exceptions apply 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

services in or around a covered location to maintain the repair, cleanliness, and overall quality of

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

AMERICAN JOB CENTER — HEADQUARTERS

4058 MINNESOTA AVENUE, N.E.

section 2 of the Language Access Act 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)

provided, that the total penalty shall not exceed \$500. 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.

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

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 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 this purpose. This program is administered by the District of Columbia's Department of Employment Services.

f 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.

Washington, DC 20019 (202) 724-2337 Washington, DC 20017 (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.

Department of Employment Services

NOTICE DISTRICT OF COLUMBIA

DEPARTMENT OF EMPLOYMENT SERVICES Labor Standards Bureau

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

Notice of Investigation that must be posted for all employees to see effective date of February 26, 2015. The law includes provisions to enhance for a period of at least 30 days that specifies: applicable remedies, fines, and administrative penalties when an employer An investigation is being conducted fails to pay earned wages, to provide for suspension of business licenses of **b.** Information for employees on how they may participate emplovers that are delinguent in paving wage judgments or agreements, to

and, upon conviction, shall be fined:

and, upon conviction, shall be fined:

Living Wage Act. The money deposited into the Fund, and interest earned. disputes, to require the employer to provide written notice to each employee

The WTPAA extends the protection and it also gives the Mayor power to

of the terms of their employment, and to maintain appropriate employment enforce this law. Threats are now included as a form of retaliation It is illegal for *any* person to retaliate. This law protects employees even if their employer incorrectly

believes they made a complaint. Wage-Hour Investigation offense under this section. Administrative Law Judge Hearing

Civil Court Proceedings Potential Penaltie Wage Payment Penalties, D.C. Official Code § 32-1307

D.C. Official Code § 32-1307(a) Section 7a – Wage Theft **Prevention Fund** Any employer who negligently fails to comply with the provisions of this Act or the Living Wage Act shall be guilty of a misdemeanor

 For the first offense, an amount per affected employed of not more 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 the Living Wage Act shall be guilty of a misdemeanor

 For the first offense, an amount not more than \$5,000 or imprisoned not more than 30 days, or both; for any subsequent offense, 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 provided for in this Act or the Living Wage Act, the Mayor shall assess and collect administrative required under section 10(a). 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 this Act or the Living Wage Act are violated for each day the

violation occurred or continued 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 occurred or continued

Accrued Sick and Safe Leave Act or the Minimum Wage No administrative penalty may be collected unless the Mayor ha

Five hundred dollars for failure to provide notice of investigation to

Five hundred dollars for failure to post notice of violations to the public

Every employer shall pay wages earned to his employees on regular paydays designated in advance by the employer and at least twice 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 imposed, and an opportunity to Notice of Complaint request a formal hearing held pursuant to the District of Columbia For any employer alleged to be in non-compliance with the Act, The Mayor

Administrative Procedure Act, approved October 21, 1968 (82 Sta 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 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 shall be administered by the Department of Employment Services. The Fund shall be used to enforce the provisions of this Act, the

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. Minimum Wage Penalties D.C. Official Code § 32-1011 Any person who willfully or negligently violates any of the provisions

of §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.

Minimum Wage Revision Act, the Accrued Sick and Safe Leave Act, and the

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

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 District of Columbia

In addition to and apart from the penalties or remedies provided for in this section, the Mayor shall assess and collect administrative penalties 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 violation occurred or continued; \$500 for each failure to maintain payroll records or to

retain payroll records for three (3) years or whatever the prevailing federal standard is, whichever is greater for each \$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 (c); and \$100 for each day that the employer fails to post notice as

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 offense, and \$2,000 for the 3rd and each subsequent offense. If the Mayor determines 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

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.

and additional damages as provided in the law. The administrative fines and

penalties collected under this section shall be deposited in the Wage Theft

Paid Family Leave

Department of Employment Services NOTICE TO EMPLOYEES

New Benefit Available Beginning in July 2020 Information on Paid Family Leave in the District of Columbia

d paid taxes based on the wages they paid to you. To find out if you are a covered worker, you can ask your employer or were taken because you applied for or claimed Paid Family Leave benefits. When these harmful actions were taken because ontact the Office of Paid Family Leave using the information below. Your employer is required to tell you if you are covered you applied for or claimed Paid Family Leave benefits, they are known as "retaliation." If you believe you have been retaliated by the Paid Family Leave program. You should receive information about Paid Family Leave from your employer at these against, you may file a complaint with the DC Office of Human Rights (OHR), which receives complaints at the following web

The Paid Family Leave program does not provide job protection to you when you take leave and receive Paid Family Leave

benefits. However, you may be protected against actions taken by your employer that are harmful to you if those actions

address: ohr.dc.gov. You may be eligible for job protection under the DC Family and Medical Leave Act (DCFMLA). For more information on DCFMLA, 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

Icpaidfamilyleave.dc.gov, call 202-899-3700, or email does.opfl@dc.gov. Office of Paid Family Leave | 4058 Minnesota Avenue NE | Washington DC 20019 here are three (3) kinds of events for which you may be eligible for Paid Family Leave benefits. Each kind of leave has its

wn eligibility rules and its own limit on the length of time you can receive benefits in a year. No matter how many different rpes of leave you may take in a year, you may receive no more than **8 weeks** of Paid Family Leave benefits in a year. The

> GOVERNMENT OF THE DISTRICT OF COLUMBIA MURIEL BOWSER, MAYOR

DISTRICT OF COLUMBIA

DEPARTMENT OF

EMPLOYMENT SERVICES

Office of Human Rights **EQUAL EMPLOYMENT OPPORTUNITY**

accordance with the District of Columbia Human Rights Act of 1977, as amended, the District of Columbia and

National Origin Sexual Orientation Gender Identity or exual harassment and harassment based on other protected categories is prohibited by the Act

Human Rights. The process is free and does not require an attorney. Damages can be awarded if it is determined that a violation of the Act did occur. DC Family and Medical Leave Act

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

also 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 uring the period of leave, an employee should not lose benefits such as seniority or group health plan coverage. The

The Act applies to employees who have worked for the employer for one year without a break in service and have

JJKeller.com/LLPverify

Enter: 45990-052020

mployer may require medical certification and reasonable prior notice when applicable.

Additional categories protected from discrimination but not in the area of employment include: familial status, source of income, place of residence or business, 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

JJKeller.com/employmentlaw 800-327-6868

‱ & Associates, Inc.` Since 1953 45990

mployers cannot discriminate on the basis of (actual or perceived):*

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

to care for a seriously ill family member.

worked at least 1000 hours during the last 12 months.

TWO ways to

compliance!

ENTER

Sex (including pregnancy)

eeks of unpaid family leave

A parent is defined as the: · Family Responsibilities Marital Status Matriculation biological mother or father of a child · Political Affiliation person who has legal custody of a child Personal Appearance

Any employee shall notify the employer of the desire to leave at least 10 calendar days prior to the event, unless the you believe a violation of the Act has occurred, you can file a complaint with the District of Columbia Office of need to attend the school-related event cannot be reasonably foreseen

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

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

Office of Human Rights

This poster is in compliance with district posting requirements

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.

EMPLOYMENT SERVICES

prohibited by any provision of this subchapter or by any order issued under the authority of § 32-203.

DR. UNIQUE MORRIS-HUGHES

DIRECTOR

• 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;

For the complete text of the Building Service Employees Minimum Work Week Act of 2016, go to D.C. Act 21-485.

languages spoken by covered employees with limited or no-English proficiency, as defined in

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

AMERICAN JOB CENTER — NORTHEAST CCDC - BERTIE BACKUS CAMPUS 5171 SOUTH DAKOTA AVENUE, N.E., 2ND FLOOR

Friday 9:30 a.m. - 4:30 p.m. You may also apply for benefits through the Internet at www.dcnetworks.org.

Written Employment Notice: As an employer of the District of Columbia, upon hire, you are required to provide a notice 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 containing the information required. As proof of compliance, every employer shall retain copies of the written notice An infant under the age of 6 months may be permitted to remain at the place of

furnished to employees that are signed and dated by the employer and by employment for a maximum of 2 hours, which shall consist of not more than 20 the employee acknowledging receipt of the notice. (There are additional requirements for temporary staffing firms This notice must include: The name of the employer and any "doing business as " (DBA)

The physical address of the employer's main office or principal place of business, and a mailing address if different employment for a maximum of 6 hours, which shall consist of not more than 3 hours The telephone number of the employer The employee's rate of pay and the basis of that rate, including Rate by the hour, shift, day, or week (whichever is

names used by the employer

Wage Theft

The Wage Theft Prevention Amendment Act of 2014 (WTPAA) has an

clarify administrative procedures and legal standards for adjudicating wage

Overtime rate of pay or exemptions from overtime pay Living wage or exemptions from the living wage Any applicable prevailing wages The employee's regular payday designated by the employer e Mayor shall make available for employers a sample template of the

> equired regardless of the template release date.) Wage Payment Liability: When the employer is a subcontractor and has failed to pay an employee any wages earned, the subcontractor and the general contractor shall be jointly and severally liable to the subcontractor's employees for violations of this Act, the Living Wage Act, and the The Mayor shall collect administrative penalties in the amounts set forth Accrued Sick and Safe Leave Act. below for the following violations

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 arrangement or contract for services, both the

temporary staffing firm and the employer shall be jointly and severally

liable for violations of this Act, the Living Wage Act, and the Accrued

Any allowances claimed as part of the minimum wage,

including tip, meal, or lodging allowances

notice within 60 days of the effective date of the Wage Theft Prevention

Amendment Act of 2014. (Immediate Notice to new employees is

Sick and Safe Leave Act to the employee and to the District. during each calendar month.

Notice of Complaint that specifies The alleged violation Potential damages, penalties, and other cost Rights and obligations of the parties

shall deliver two (2) notices to the employe

n order to receive benefits under the Paid Family Leave program, you must have worked for an employer in DC before you

At the time you were hired (if you were hired after January 2020); At least once a year starting in 2020; and If (in 2020 or later) you ever asked your employer for leave that could qualify for benefits under the Paid Family

ee types of leave for which you may receive benefits are

Process for contesting the complaint

Parental leave - receive benefits to bond with a new child for up to 8 weeks in a year; Family leave - receive benefits to care for a family member for up to 6 weeks in a year; and Medical leave - receive benefits for your own serious health condition for up to 2 weeks in a year f you have experienced an event that may qualify for parental, family, or medical leave benefits, you can learn more about

pplying for benefits with the Office of Paid Family Leave at **dcpaidfamilyleave.dc.gov**.

Paid Family Leave benefits are based on the wages your employer paid to you and reported to the Department of

mployment Services. If you believe your wages were reported incorrectly, you have the right to provide proof of your correct

perienced a covered event. Your employer should have reported your wages to the Department of Employment Services

rages. Effective July 1, 2020 through October 1, 2021, the maximum weekly benefit amount is \$1,000.

- Know Your Rights in the District of Columbia DC Parental Leave Act In accordance with the DC Parental Leave Act of 1994, an employee who is a parent shall be entitled to a total of 24 hours leave** during any 12 month period to attend or participate in school-related events for his or her child.

> person who acts as a guardian of a child; aunt, uncle, or grandparent of a child; or is a person married to a person listed above. A school-related event means an activity sponsored either by a school or an associated organization.

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

Filing a Complaint of a Violation

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

J. J. Keller & Associates, Inc.

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

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Office of Human Rights

Parental Leave Act

- Know Your Rights in the District of Columbia -

The District of Columbia Parental Leave Act allows employees who are parents or guardians to take 24 hours of leave

The employer must post and maintain this notice in a conspicuous place. An employer that willfully fails to post this

Parental Leave Act

Work Leave for Parenting Purposes

child is a participant or the subject of the event, not a spectator.

achievement of production or service unusually difficult.

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

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

Definition of Parent or Guardian An employee is considered a parent or guardian for purposes of this Act if he or she is: biological mother or father of a child;

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.

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

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suffered to work, and an accurate time record showing the hours of beginning and ending work each day. The presence of any such minor in the place 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 violation of the provisions of this section.

rohibited; exception

the following occupations:

professional sports activities

Minimum Work Week

What is a Building Service Employed

of age permitting the minor to:

subject to the provisions of §§ 32-215 to 32-221.

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

to prohibit such employment by general or special order