DISTRICT OF COLUMBIA

Washington D.C.
Thank you for choosing our eComply downloadable labor law posters with one year of free mandatory updates!

Your posters must be posted in a conspicuous location. Be sure to download all files.

**Printing & Posting Instructions**

- These PDF documents should be **printed on 8.5” x 11” paper** with the printer set to the “fit to page” or comparable option. Following these printing instructions will help ensure that you are complying with state and federal size and font requirements.
- Posters have a Publication Code in the lower left corner, below the red line, such as D-CA_1 *(date)* MINIMUM WAGE. **Post pages with the same code together.**
- **Color requirements:** (for Colorado, Maryland, New Mexico, and North Carolina ONLY).*
- The Attention Employers letter that follows is for your information but should **not** be posted.

**IMPORTANT**: If your email address changes, be sure to notify us so that you continue to receive updates.

We are proud to be your most reliable resource for labor law compliance and we look forward to keeping you in compliance. Please contact us at 800-322-3636 if you have any questions.

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* **Background color requirement** (applies to Colorado *Anti-Discrimination*, and Maryland *Workers Compensation*)

These posters will appear on your computer screen and print with the required color background *if you have a color printer*. If not, you must print these posters on the appropriate colored paper.

* **Identical poster requirement** (applies to North Carolina *Workers Compensation* and New Mexico *Workers Compensation*)

These posters must be identical to the state-issued poster which is in color. The posters will appear in color on your computer screen and must be printed using a color printer to match the original.
ATTENTION DISTRICT OF COLUMBIA EMPLOYERS

Our goal as your **RELIABLE** labor law poster company is to ensure that you are always in compliance! We would like to make you aware that there may be **other requirements** that your company is subject to in addition to posting your labor law posters in a conspicuous location.

- Under the Paid Family Leave (PFL) Law, employers must provide the PFL notice in electronic or physical form to all employees as follows: 1. At least once between Feb. 1, 2020 and Feb. 1, 2021, and at least once a year thereafter. 2. At the time of hire to all new employees hired after Feb. 1, 2020. 3. To individual employees when the employer receives direct notice after Feb. 1, 2020 of the employee's need for leave due to an event that could qualify for PFL benefits.

- The Protecting Pregnant Workers Fairness Act on your poster includes a notice requirement in addition to the posting requirement. All District employers must provide written notice of the law to an employee within 10 days of the employee notifying their employer of their pregnancy or other condition addressed in the Act.

For further information, please go to the DC Office of Human Rights web page at [https://ohr.dc.gov](https://ohr.dc.gov) or call **202-727-4559**.

- The Wage Theft Prevention Amendment Act of 2014 on your poster, which went into effect in February 2015, includes a notice requirement in addition to the posting requirement. Employers must meet this notice requirement by providing written notice to each employee of the terms of their employment.

For a list of publications and further information about the Wage Theft Prevention Act, please call **202-671-1880** or go to the DC Department of Employment Services (DOES) Wage & Hour Compliance web page at the following address: [https://does.dc.gov/service/office-wage-hour-compliance](https://does.dc.gov/service/office-wage-hour-compliance).

- Under the DC **No Smoking** law, it is a violation for an employer, owner, manager, or person in authority to permit smoking in prohibited areas or to fail to post No Smoking signs. For more information, go to the DC **Smoke-Free and Tobacco Laws** web page at [https://dchealth.dc.gov/service/smoke-free-and-tobacco-laws](https://dchealth.dc.gov/service/smoke-free-and-tobacco-laws). To request free "No Smoking" signs, contact the Tobacco Control Program at (202) 442-5433, or send an email to TobaccoControl@dc.gov.

- If applicants for employment are normally seen in an area **other than where you post your federal labor law poster**, you need to post four federal notices in this area where applicants can easily see them. Poster Compliance Center publishes a Federal Applicant Edition poster that includes all four of these notices. Call Customer Service at (800) 322-3636 if you would like to order this poster.

- If your state has an **E-Verify** law (used to determine if workers are eligible for employment), covered employers must register for E-Verify through the U.S. Department of Homeland Security (DHS) and must post required participation posters.  
  - Only employers who have registered should post the required posters which can be downloaded free during registration.  
  - DHS prohibits commercial sale of these posters by third parties.

For these reasons E-Verify posters are not included on our state posters. For further information or to register for E-Verify, go to the DHS E-Verify home page at [https://www.e-verify.gov](https://www.e-verify.gov) or call 888-464-4218.

Poster Compliance Center publishes labor law posters that include all general required notices for employers. Depending on a company's industry, type of commerce, sector, location, or workforce, **additional specialized notices may be required** by federal, state, or local governments or agencies. Examples could include notices for a municipality, notices for federal contractors, notices that must be posted for the public or job applicants (in addition to those posted for employees), a labor law notice required in another language for employees who do not speak English, public sector notices, signage that must be posted at a specific location in your business such as the entrance, or a notice that can only be obtained through an insurance company.

**DISCLAIMER:** This product is not intended to provide legal or financial advice or substitute for the advice of an attorney or advisor.

**DCSL (12-19)**
DISTRICT OF COLUMBIA MINIMUM WAGE POSTER

THIS SUMMARY MUST REMAIN IN A VISIBLE LOCATION WHERE EMPLOYEES MAY READ

MINIMUM WAGE RATES

<table>
<thead>
<tr>
<th>Employees who do not receive gratuities</th>
<th>Employees who receive gratuities</th>
</tr>
</thead>
<tbody>
<tr>
<td>$11.50 per hour beginning July 1, 2016</td>
<td>$2.77 per hour beginning January 1, 2005</td>
</tr>
<tr>
<td>$12.50 per hour beginning July 1, 2017</td>
<td>$3.33 per hour beginning July 1, 2017</td>
</tr>
<tr>
<td>$13.25 per hour beginning July 1, 2018</td>
<td>$3.89 per hour beginning July 1, 2018</td>
</tr>
<tr>
<td>$14.00 per hour beginning July 1, 2019</td>
<td>$4.45 per hour beginning July 1, 2019</td>
</tr>
<tr>
<td>$15.00 per hour beginning July 1, 2020</td>
<td>$5.00 per hour beginning July 1, 2020</td>
</tr>
<tr>
<td>$15.20 per hour beginning July 1, 2021</td>
<td>$5.05 per hour beginning July 1, 2021</td>
</tr>
</tbody>
</table>

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](http://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:

1. Handicapped workers may be paid less only when the employer has received an authorizing certificate from the U.S. Department of Labor.
2. Persons employed under provisions of the Workforce Innovation and Opportunity Act shall be paid pursuant to that Act.
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.
5. Students employed by institutions of higher education may be paid the minimum wage established by the United States government.
6. 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 established District of Columbia minimum wage immediately upon hire.
7. The minimum wage provision does not apply to persons:
   a. employed in a bona fide executive, administrative, professional, computer, or outside sales capacity; or
   b. engaged in the delivery of newspapers to the home of the consumer.

OVERTIME PAY

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:

1. In a bona fide executive, administrative, professional, computer, or outside sales capacity;
2. As a private household worker who lives on the premises of the employer;
3. 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;
4. As a seaman, by a railroad, as an attendant in a parking lot or parking garage, or in newspaper home delivery;
5. 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
6. 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 FEDERAL LAW
For more information, call the U.S. Department of Labor, Wage-Hour Division, or visit www.dol.gov/whd.

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 hour.

MEALS
Employers may deduct $2.12 for each meal made available. For four (4) hours or less of work, a maximum of one (1) meal deduction is allowed. For over four (4) hours of work, a maximum of two (2) meal deductions is allowed. For employees that live on the employer’s premises, no more than $6.36 per day can be deducted.

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.

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

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

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

INTERNET-BASED TIP PORTAL FOR ONLINE REPORTING OF THE QUARTERLY WAGE REPORT
An employer who employs an employee who receives gratuities shall submit a quarterly wage report within 30 days of the end of each quarter to the Mayor certifying that the employee was paid the required minimum wage.

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/.
2. 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.
3. The Mayor shall provide reporting requirements training to educate employers about the reporting requirements and use of the Internet-based portal.

ADDITIONAL LAWS ADMINISTERED BY THE OFFICE OF WAGE-HOUR
All labor laws enforced within the District of Columbia can be found on www.does.dc.gov.

FOR A COMPLETE TEXT OF EACH LAW OR TO FILE A COMPLAINT CONTACT

DEPARTMENT OF EMPLOYMENT SERVICES
OFFICE OF WAGE HOUR
4058 Minnesota Avenue, N.E.
Washington, D.C. 20019
(202) 671-1880 | www.does.dc.gov
NOTICE TO EMPLOYEES

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

Covered Workers
In order to receive benefits under the Paid Family Leave program, you must have worked for an employer in DC before you experienced a covered event. Your employer should have reported your wages to the Department of Employment Services and 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 contact the Office of Paid Family Leave using the information below. Your employer is required to tell you if you are covered by the Paid Family Leave program. You should receive information about Paid Family Leave from your employer at these three (3) times:

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

Covered Events
There are three (3) kinds of events for which you may be eligible for Paid Family Leave benefits. Each kind of leave has its own eligibility rules and its own limit on the length of time you can receive benefits in a year. No matter how many different types 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 three types of leave for which you may receive benefits are:

1. Parental leave - receive benefits to bond with a new child for up to 8 weeks in a year;
2. Family leave - receive benefits to care for a family member for up to 6 weeks in a year; and
3. Medical leave - receive benefits for your own serious health condition for up to 2 weeks in a year.

Applying for Benefits
If you have experienced an event that may qualify for parental, family, or medical leave benefits, you can learn more about applying for benefits with the Office of Paid Family Leave at dcpaidfamilyleave.dc.gov.

Benefit Amounts
Paid Family Leave benefits are based on the wages your employer paid to you and reported to the Department of Employment Services. If you believe your wages were reported incorrectly, you have the right to provide proof of your correct wages. Effective July 1, 2020 through October 1, 2021, the maximum weekly benefit amount is $1,000.

Employee Protection
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 were taken because you applied for or claimed Paid Family Leave benefits. When these harmful actions were taken because you applied for or claimed Paid Family Leave benefits, they are known as “retribution.” If you believe you have been retaliated against, you may file a complaint with the DC Office of Human Rights (OHR), which receives complaints at the following web 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 dcpaidfamilyleave.dc.gov, call 202-899-3700, or email does.opfl@dc.gov.
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 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 applicant.

NOTICE OF COMPLIANCE

TO EMPLOYEES
1. 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 your employer.
2. 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.
3. 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.
4. 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.
5. 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
6. The law gives you the right to legal representation if you so choose.

TO EMPLOYERS
1. You are required to have Workers’ Compensation insurance coverage if you have one (1) or more employees.
2. You are required to display this poster at each worksite so that it will be of the greatest possible benefit to your employees.
3. 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.
4. 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 him 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.
5. 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.
6. 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.
7. 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 http://does.dc.gov.

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

The undersigned employer hereby gives notice of compliance with all provisions of the Workers’ Compensation Law and Administrative Regulations.

NAME OF INSURANCE COMPANY

Address: ________________________________

Phone: ________________________________

NAME OF EMPLOYER

Address: ________________________________ Phone: ________________________________

Employer Representative: ________________________________

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
Revised March, 2017
NOTICE TO EMPLOYEES

Information on Unemployment Compensation
in the District of Columbia

Your employer is subject to the District of Columbia Unemployment Compensation Act which establishes a system of protecting insured workers from complete wage loss when they become unemployed 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.

If you should become unemployed or your hours are reduced, you may be entitled to receive unemployment compensation benefits. To apply for benefits, please call and make an appointment to visit one of the American Job Centers listed below.

<table>
<thead>
<tr>
<th>American Job Center – Headquarters</th>
<th>American Job Center – Northeast</th>
</tr>
</thead>
<tbody>
<tr>
<td>4058 Minnesota Avenue, N.E.</td>
<td>CCDC - Bertie Backus Campus</td>
</tr>
<tr>
<td>Washington, DC 20019</td>
<td>5171 South Dakota Avenue, N.E., 2nd Floor</td>
</tr>
<tr>
<td>(202) 724-2337</td>
<td>Washington, DC 20017</td>
</tr>
<tr>
<td></td>
<td>(202) 576-3092</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>American Job Center – Northwest</th>
<th>American Job Center – Southeast</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frank D. Reeves Municipal Center</td>
<td>3720 Martin Luther King, Jr. Avenue, S.E.</td>
</tr>
<tr>
<td>2000 14th Street, N.W., 3rd Floor</td>
<td>Washington, DC 20032</td>
</tr>
<tr>
<td>Washington, DC 20009</td>
<td>(202) 741-7747</td>
</tr>
<tr>
<td>(202) 442-4577</td>
<td></td>
</tr>
</tbody>
</table>

American Job Centers Hours of Operation:
Monday - Thursday 8:30 a.m. - 4:30 p.m.
Friday 9:30 a.m. - 4:30 p.m.

You may also apply for benefits through the Internet at www.dcnetworks.org.

IMPORTANT: Employers must display this Notice To Employees prominently on the work premises. Additional copies may be furnished upon request by calling (202) 698-7550.
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 her 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.

- 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
Equal Employment Opportunity  
- Know Your Rights in the District of Columbia -

DC Human Rights Act

In accordance with the District of Columbia Human Rights Act of 1977, as amended, the District of Columbia and employers cannot discriminate on the basis of (actual or perceived):*

• Race
• Color
• Sex (including pregnancy)
• National Origin
• Religion
• Age
• Marital Status
• Personal Appearance
• Sexual Orientation
• Gender Identity or Expression
• Family Responsibilities
• Matriculation
• Political Affiliation
• Genetic Information
• Disability

Sexual harassment and harassment based on other protected categories is prohibited by the Act.

If you believe a violation of the Act has occurred, you can file a complaint with the District of Columbia Office of 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 weeks of unpaid family leave:

• for the birth of a child, an adoption or foster care; or
• to care for a seriously ill family member.

It 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 month period.

During the period of leave, an employee should not lose benefits such as seniority or group health plan coverage. The employer may require medical certification and reasonable prior notice when applicable.

The Act applies to employees who have worked for the employer for one year without a break in service and have worked at least 1000 hours during the last 12 months.

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.

A parent is defined as the:

• biological mother or father of a child;
• person who has legal custody of a child;
• person who acts as a guardian of a child;
• aunt, uncle, or grandparent of a child; or is
• a person married to a person listed above.

A school-related event means an activity sponsored either by a school or an associated organization.

Any employee shall notify the employer of the desire to leave at least 10 calendar days prior to the event, unless the need to attend the school-related event cannot be reasonably foreseen.

Filing a Complaint of a Violation

To file a complaint about a violation of these laws with the Office of Human Rights, visit:

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

Questions can also be answered by phone at (202) 727-4559.

* 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 the employer.
Parental Leave Act
- Know Your Rights in the District of Columbia -

Work Leave for Parenting Purposes

The District of Columbia Parental Leave Act allows employees who are parents or guardians to take 24 hours of leave (paid or unpaid) during a 12 month period to attend school-related activities. School events include but are not limited to: parent-teacher conferences, concerts, plays, rehearsals, sporting events, and other activities where the child is a participant or the subject of the event, not a spectator.

The employee must notify the employer 10 days before the requested leave unless the school-related activity was not reasonably foreseeable. The leave can be unpaid or paid family, vacation, personal, compensatory or leave bank leave.

The employer may deny the leave if granting the leave would disrupt the employer’s business and make the achievement of production or service unusually difficult.

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;
- 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.

Employer Posting Requirements

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

Filing a Complaint of a Violation

If you believe an employer has wrongfully denied you 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.
Work Leave for Family or Medical Purposes

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

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

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

Leave under DCFMLA may be taken in blocks of time, intermittently, and in certain circumstances, at a reduced schedule. Employees can also use any accrued time instead of unpaid leave.

The employer may require medical certification and reasonable prior notice when applicable.

Employee Eligibility

An employee is eligible under the Act if she or he has been employed by the employer for at least one year without 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 Requirements

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

Filing a Complaint of a Violation

If you believe an employer has wrongfully denied you family or medical leave, or retaliated against you under this 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.
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, childbirth, 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

Employers must make all reasonable accommodations,* including but not limited to:

- More frequent or longer breaks;
- Time off to recover from childbirth;
- Temporarily transferring the employee to a less strenuous or hazardous position;
- Purchasing or modifying work equipment, such as chairs;
- Temporarily restructuring the employee's position to provide light duty or a modified work schedule;
- Having the employee refrain from heavy lifting;
- Relocating the employee's work area; or
- Providing private (non-bathroom) space for expressing breast milk.

Prohibited Actions by Employers

Employers may not:

- Refuse an accommodation unless it would cause significant hardship or expense to the business;
- Take adverse action against an employee for requesting an accommodation;
- Deny employment opportunities to the employee because of the request or need for an accommodation;
- Require an employee to take leave if a reasonable accommodation can be provided; or
- Require employees to accept an accommodation unless it's necessary for the employee to perform her job duties.

Certification from Health Care Provider

The 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

If 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:

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

OHR will perform the initial mediation and investigation. If probable cause exists, administrative law judges 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.
Ley de Protección de la Equidad para las Trabajadoras Embarazadas

- Conozca sus derechos en el Distrito de Columbia -

Adaptaciones para el embarazo, el parto y la lactancia

La ley de Protección de la Equidad para las Trabajadoras Embarazadas (PPW, por sus siglas en inglés) exige que los empleadores del Distrito de Columbia proporcionen adaptaciones razonables en el trabajo para las empleadas cuya capacidad de desempeñar sus labores en el trabajo se vea limitada por motivo de un embarazo, el parto, la lactancia o una afección relacionada.

El empleador debe participar de buena fe en un proceso oportuno e interactivo para determinar dichas adaptaciones.

Tipos de adaptaciones

Los empleadores deben realizar toda adaptación razonable,* incluyendo, pero sin limitarse a:

- descansos más frecuentes o más prolongados;
- permiso para ausentarse y recuperarse del parto;
- transferir temporalmente a la empleada a un puesto menos extenuante o peligroso;
- adquirir o modificar equipo de trabajo, tal como las sillas;
- reestructurar temporalmente el puesto de la empleada para asignarle labores ligeras o un horario de trabajo modificado;
- hacer que la empleada se abstenga de levantar cosas pesadas;
- reubicar el área de trabajo de la empleada; u
- ofrecer un espacio privado (que no sea el baño) para sacarse la leche materna.

Actos que tienen prohibido realizar los empleadores

Los empleadores no pueden:

- denegar una adaptación, a menos que ocasione dificultades o gastos significativos para el negocio;
- tomar medidas en contra de una empleada por solicitar una adaptación;
- denegarle oportunidades laborales a la empleada por solicitar o necesitar una adaptación;
- exigirle a una empleada que se ausente con permiso si se puede proporcionar una adaptación razonable; ni
- exigirle a las empleadas aceptar una adaptación, a menos que sea necesaria para que cumpla con sus deberes en el trabajo.

Constancia de un prestador de servicios de salud

El empleador puede exigir que la empleada proporcione la constancia de un prestador de servicios de salud indicando que se recomienda hacer una adaptación razonable. La constancia debe incluir: 1) la fecha en que la adaptación se hizo o se hará médicamente recomendable; 2) una explicación de la afección y de la necesidad de recibir una adaptación razonable; y 3) la duración probable por la cual deberá proporcionarse la adaptación.

Cómo presentar una queja por alguna violación a esta ley

Si cree que un empleador le ha negado injustamente una adaptación razonable o que la ha discriminado debido a su embarazo, el parto, a la necesidad de amamantar o a una afección médica relacionada, usted tiene un año para presentar una queja ante la Oficina de Derechos Humanos del Distrito de Columbia (OHR,

- en línea, ohr.dc.gov; o
- en persona, el 441 de la calle 4 noroeste, oficina 570N, en Washington, DC 20001.

La Oficina de Derechos Humanos realizará la mediación y la investigación inicial. Si existe una causa probable, los jueces administrativos en la Comisión de Derechos Humanos tomarán una decisión final.

* Una “adaptación razonable” es aquella que no ocasione gastos considerables ni dificultades significativas para el funcionamiento de la empresa del empleador, teniendo en consideración factores tales como el tamaño de la empresa y sus recursos financieros, así como su naturaleza y estructura.
PROVISIONS OF THE D.C. CHILD LABOR LAW

(EMPLOYMENT OF MINORS, D.C. CODE, TITLE 36,
CHAPTER 5, SECTION 36-501 THROUGH 36-524, JUNE 15, 1976)

NO MINOR UNDER 14 YEARS OF AGE SHALL BE EMPLOYED* IN ANY
GAINTUL occupation with the exception that minors 10 years of age and over may be
employed outside of school hours in the distribution of newspapers and minors 12 years of
age and over may be employed in the sale of newspapers.

No minor under 12 years of age shall distribute, sell or expose or offer for sale any
newspapers, magazines, periodicals or any other article of merchandise of any disposition
or any description or distribute handbills or circulars in any street or public place; except
minors 10 years of age and over may engage in the distribution of newspapers, magazines
or periodicals on fixed routes. This section does not apply to the distribution or circulation
of political literature or petitions or such other materials for which the minor receives no
pay.

No minor under 16 years of age shall be employed at any of the following
occupations: (1) in the operation of any machinery operated by power other than hand or
foot power; (2) in oiling, wiping or cleaning machinery or assisting therein. This section
does not apply to any duly approved vocational education program or training under the
auspices of the D.C. Board of Education or the Trustees of the University of The District of
Columbia.

No minor under 18 years of age shall be employed: (1) at operating any freight or
non-automatic elevator; (2) in any quarry, tunnel or excavation.

No minor under 16 years of age shall be employed in the stuffing of newspapers
(inserters), nor shall work of any minor 16 or 17 years of age employed stuffing
newspapers exceed 40 hours in any one week nor shall such minor be employed on more
than one night in any one week.

No minor under 18 years of age shall be employed in connection with any gainful
occupation more than six (6) consecutive days in any one week or more than 48 hours in
any one week or more than 8 hours in any one day.

No minor 16 or 17 years of age shall be employed before the hour of 6:00 AM nor
after the hour of 10:00 PM, and no minor 14 or 15 years of age shall be employed before
the hours of 7:00 AM nor after the hour of 7:00 PM, except during the summer (June 1
through Labor Day) when the evening hour shall be 9:00 PM.
No minor between the ages of 14 and 18 years of age shall be employed in any gainful occupation unless he/she has obtained a work permit. The employer shall keep the work permit on file and accessible to any person authorized to enforce this Act.

No minor between 12 and 18 years of age shall be employed in the sale of newspapers, magazines, or any other articles or merchandise, in any street or public place unless he/she has procured and is wearing in plain sight a street trades badge issued by the Work Permits Unit.

No permit or badge shall be valid except for the employer named thereon and for the specific occupation designated.

**EXCEPTION:** MINORS BETWEEN 14 AND 18 YEARS OF AGE MAY BE EMPLOYED WITHOUT A WORK 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.

**PENALTIES**

Whoever employs any minor in violation of any of the provisions of the D.C. Child Labor Law or any order issued under the Act or interferes with or obstructs or hinders the enforcement of the D.C. Child Labor Law and whoever having under his/her control or custody any minor permits him/her to be employed in violation of the provisions of this Act, shall for the first offense be punished by a fine of not less than $25.00 nor more than $100.00 or imprisonment of not less than 10 days nor more than 30 days or by both upon the discretion of the court.

**NOTE:** THE TERM "EMPLOYED" WHEREVER USED SHALL INCLUDE EMPLOYED, PERMITTED OR SUFFERED TO WORK.
OFFICIAL NOTICE
(Post Where Employees Can Easily Read)

Accrued Sick and Safe Leave Act of 2008
(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 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:

<table>
<thead>
<tr>
<th>If an employer has…</th>
<th>Employees accrue at least…</th>
<th>Not to Exceed…</th>
</tr>
</thead>
<tbody>
<tr>
<td>100 or more employees</td>
<td>1 hour per 37 hours worked</td>
<td>7 days per calendar year</td>
</tr>
<tr>
<td>25 to 99 employees</td>
<td>1 hour per 43 hours worked</td>
<td>5 days per calendar year</td>
</tr>
<tr>
<td>Less than 25 employees</td>
<td>1 hour per 87 hours worked</td>
<td>3 days per calendar year</td>
</tr>
</tbody>
</table>

UNUSED LEAVE
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
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.

ENFORCEMENT
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
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 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.
NOTICE

DISTRICT OF COLUMBIA

DEPARTMENT OF EMPLOYMENT SERVICES

Labor Standards Bureau

Office of Wage-Hour

The Wage Theft Prevention Amendment Act of 2014

The Wage Theft Prevention Amendment Act of 2014 (WTPAA) has an effective date of February 26, 2015. The law includes provisions to enhance applicable remedies, fines, and administrative penalties when an employer fails to pay earned wages, to provide for suspension of business licenses of employers that are delinquent in paying wage judgments or agreements, to clarify administrative procedures and legal standards for adjudicating wage disputes, to require the employer to provide written notice to each employee of the terms of their employment, and to maintain appropriate employment records.

Requirements

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 furnished to employees that are signed and dated by the employer and by the employee acknowledging receipt of the notice. (There are additional requirements for temporary staffing firms.)

This notice must include:

1) The name of the employer and any “doing business as” (DBA) names used by the employer
2) The physical address of the employer’s main office or principal place of business, and a mailing address if different
3) The telephone number of the employer
4) The employee’s rate of pay and the basis of that rate, including:
   a. Rate by the hour, shift, day, or week (whichever is applicable)
   b. Salary, Piece Rate, or commission (whichever is applicable)
   c. Any allowances claimed as part of the minimum wage, including tip, meal, or lodging allowances
   d. Overtime rate of pay or exemptions from overtime pay
   e. Living wage or exemptions from the living wage
   f. Any applicable prevailing wages
5) The employee’s regular payday designated by the employer
The Mayor shall make available for employers a sample template of the notice within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014. (Immediate Notice to new employees is required 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 Accrued Sick and Safe Leave Act.

- 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 Sick and Safe Leave Act to the employee and to the District.

- Every employer shall pay wages earned to his employees on regular paydays designated in advance by the employer and at least twice during each calendar month.

**Notice of Complaint**

For any employer alleged to be in non-compliance with the Act, The Mayor shall deliver two (2) notices to the employer.

1. Notice of Complaint that specifies:
   a. The alleged violation
   b. Potential damages, penalties, and other cost
   c. Rights and obligations of the parties
   d. Process for contesting the complaint

2. Notice of Investigation that must be posted for all employees to see for a period of at least 30 days that specifies:
   a. An investigation is being conducted
   b. Information for employees on how they may participate

**Rules against Retaliation**

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

**Procedural Options**

- Wage-Hour Investigation
- Administrative Law Judge Hearing
Potential Penalties

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 and, upon conviction, shall be fined:
  - For the first offense, an amount per affected employee 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 and, upon conviction, shall be fined:
  - 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 penalties as follows:

- 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.

The Mayor shall collect administrative penalties in the amounts set forth below for the following violations:

- Five hundred dollars for failure to provide notice of investigation to employees
- Five hundred dollars for failure to post notice of violations to the public

Accrued Sick and Safe Leave Act or the Minimum Wage Revision Act.

- No administrative penalty may be collected unless the Mayor has provided any person alleged to have violated any of the provisions of this section notification of the violation, notification of the amount of the administrative penalty to be imposed, and an opportunity to request a formal hearing held pursuant to the 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 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 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.

**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, or both.
- No person shall be imprisoned under this section except for an offense committed willfully after the conviction of that person for a prior offense under this section.
- 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 as follows:
  1. 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;
  2. 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;
  3. $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 violation;
  4. $500 for each failure to allow the Mayor to inspect payroll records or perform any other investigation;
  5. $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
  6. $100 for each day that the employer fails to post notice as required under section 10(a).

**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 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, and additional damages as provided in the law. The administrative fines and penalties collected under this section shall be deposited in the Wage Theft Prevention Fund.