

DISTRICT OF COLUMBIA

LABOR LAW POSTER

DISTRICT OF COLUMBIA MINIMUM WAGE

GOVERNMENT OF THE DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR

DISTRICT OF COLUMBIA MINIMUM WAGE POSTER		
THIS SUMMARY MUST REMAIN IN A VISIBLE LOCATION WHERE EMPLOYEES MAY READ		
MINIMUM WAGE RATES		
Employees who do not receive gratuities	Employees who receive gratuities	
\$13.25 per hour beginning July 1, 2018	\$3.89 per hour beginning July 1, 2018	
\$14.00 per hour beginning July 1, 2019	\$4.45 per hour beginning July 1, 2019	
\$15.00 per hour beginning July 1, 2020	\$5.00 per hour beginning July 1, 2020	
\$15.20 per hour beginning July 1, 2021	\$5.05 per hour beginning July 1, 2021	
\$16.10 per hour beginning July 1, 2022	\$5.35 per hour beginning July 1, 2022	
\$17.00 per hour beginning July 1, 2023	\$6.00 per hour beginning May 1, 2023	
	\$8.00 per hour beginning July 1, 2023	

Beginning in 2021, the minimum wage will increase during each successive year 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:
1. Unaffiliated 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 employees 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 obtaining air travel benefits to alternate purchasers;
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 four-hour work week. Employees of 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.

DISTRICT OF COLUMBIA PAID FAMILY LEAVE

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF EMPLOYMENT SERVICES
DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR

NOTICE TO EMPLOYEES
Information on Paid Family Leave in the District of Columbia
Your employer is subject to the District of Columbia's Paid Family Leave Act, which provides covered employees paid time off from work for qualifying parental, family, medical, and prenatal events. For more information about the Paid Family Leave program, please visit the Office of Paid Family Leave's website at dcfamilyleave.dc.gov.
Covered Workers To receive benefits under the Paid Family Leave program, you must work for a covered employer in DC. To find out if you are a covered worker you can ask your employer or contact the Office of Paid Family Leave's website for more information below. Your employer is required to provide you with information about the Paid Family Leave program. Additionally, your employer is required to provide you information about the Paid Family Leave program at these three (3) times:
1. At the time you were hired;
2. At least once a year; and
3. If you ask your employer for leave that could qualify for benefits under the Paid Family Leave program.
Covered Events There are four (4) kinds of Paid Family Leave benefits:
1. Parental leave - receive benefits to bond with and care for up to 12 weeks in a year;
2. Family leave - receive benefits to care for a family member for up to 12 weeks in a year;
3. Medical leave - receive benefits for your own serious health condition for up to 12 weeks in a year; and
4. Prenatal leave - receive benefits for prenatal medical care for up to 2 weeks in a year.
Maximum Leave Entitled Employees have a right to file a complaint with OHR if they feel they have been retaliated against for requesting, applying for, or using paid leave.
For more information on OHR and job protections, please visit the following web page: ohr.dc.gov.
For more information about Paid Family Leave, please visit the Office of Paid Family Leave's website at dcfamilyleave.dc.gov, call 202-899-3700, or email oes@dcfamilyleave.dc.gov.

OPLE EE Rev. 10/2023

WAGE THEFT PREVENTION ACT

DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES | LABOR STANDARDS BUREAU OFFICE OF WAGE-HOUR

NOTICE
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 the employee's rate of pay and the basis of that rate, including: 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.

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.)

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 d. Including tip, meal, or lodging allowances
e. Overtime rate of pay or exemptions from overtime pay
f. Living wage or exemptions from the living wage
5) The employer's regular pay day designated by the employer
6) The Mayor shall make available 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's 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 employees 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.

BREASTFEEDING RIGHTS & GUIDELINES

OHR WORKPLACE POSTERS:

THE RIGHT TO BREASTFEED
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

WORKERS' COMPENSATION NOTICE

Department of Employment Services
LABOR STANDARDS BUREAU

OFFICE OF WORKERS' COMPENSATION
4058 MINNESOTA AVENUE, N.E. : WASHINGTON, DC 20019 : (202) 671-1000 : (202) 671-1929 (Fax)
WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of 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 employees must file Form No. 7 DCWC, Employee's Notice of Accidental Injury or Occupational Disease, 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 they 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>.

NAME OF INSURANCE COMPANY
Address:
Phone:
Employer ID Number (if number unknown employee 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

LABOR LAW CENTER.COM

1-800-745-9970 • Product ID: DC60

Please post in a conspicuous place. **Date Posted:** Labor laws change frequently. Contact your distributor to ensure that you are in full compliance with required State and Federal posting requirements at least once a year. © LaborLawCenter LLC All rights reserved.

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
• Credit Information
• Status as a victim or family member of a victim of Domestic Violence, Sexual Offense, or Stalking (DV/SOS)
• Homeless Status
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.
An employee is eligible under the Act if they have been employed by the employer for at least 12 consecutive or non-consecutive months in the seven years immediately preceding the start of the family or medical leave, and worked at least 1,000 hours during these 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
• 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 leave, vacation, personal or compensatory leave provided by the employer.

Office of Human Rights
DISTRICT OF COLUMBIA
ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 441 4th Street NW, Suite 570N, Washington, DC 20010

UNEMPLOYMENT COMPENSATION NOTICE

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.
You may also apply for benefits through the Internet at www.dcnetworks.org.
IMPORTANT: Employees must display this Notice To Employees prominently on the work premises. Additional notices may be furnished upon request by calling (202) 698-7550.
Rev. 02.01.2015

American Job Center – Headquarters
4058 Minnesota Avenue, N.E.
Washington, DC 20019
(202) 724-2337
American Job Center – Northwest
Frank D. Reeves Municipal Center
2000 14th Street, NW, 3rd Floor
Washington, DC 20009
(202) 442-4577
American Job Center – Northeast
CCDC - Bertie Backus Campus
5171 South Dakota Avenue, N.E., 2nd Floor
Washington, DC 20017
(202) 576-3092
American Job Center – Southeast
3702 Martin Luther King, Jr. Avenue, S.E.
Washington, DC 20032
(202) 741-7747
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.

PARENTAL LEAVE ACT & DC FAMILY AND MEDICAL 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
• a person married to 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.

Office of Human Rights
DISTRICT OF COLUMBIA
ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 441 4th Street NW, Suite 570N, Washington, DC 20010

* For family or medical leave that began prior to November 13, 2021, an employee is eligible under the Act if she or he was 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 did not need to have immediately preceded the request for leave.

PROTECTING PREGNANT WORKERS FAIRNESS ACT

- Know Your Rights in the District of Columbia -

Accommodations for Pregnancy, Childbirth and Breastfeeding
The Protecting Pregnant Workers Fairness Act (PPWF) requires District of Columbia employees 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 restructuring the employee's position to provide light duty or a modified work schedule;
• Purchasing or modifying work equipment, such as chairs;
• 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.
Prohibited Actions by Employers
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.

Office of Human Rights
DISTRICT OF COLUMBIA
ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 441 4th Street NW, Suite 570N, Washington, DC 20001

NON-DISCRIMINATION IN PUBLIC ACCOMMODATIONS

NOTICE OF NON-DISCRIMINATION

In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code Section 2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of actual or perceived:

Race	National Origin	Marital Status	Gender Identity or Expression	Matriculation	Disability	Color	Religion	Personal Appearance	Familial Status	Political Affiliation	Source of Income	Sex (Gender or sexual harassment)	Age	Sexual Orientation	Family Responsibilities	Genetic Information	Place of Residence or Business
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Sexual harassment is a form of sex discrimination which is prohibited by the Act. In addition, harassment based on any of the above categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action. The D.C. Human Rights Act of 1977, Section 2-1402.3(a) of the D.C. Code, prohibits acts performed wholly or partially for a discriminatory reason:
"To deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation..."
These prohibitions also apply to the denial of credit or insurance.

COMPLAINTS OF POSSIBLE VIOLATIONS OF THIS LAW MAY BE FILED WITH:
Government of the District of Columbia
Office of Human Rights
441 4th Street, N.W., 570N, Washington, D.C. 20001
Telephone (202) 727-4559 • Fax (202) 727-9589 • www.ohr.dc.gov

ACCURED SICK AND SAFE LEAVE ACT

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 ABUSES 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.
ACCRAULED START DATE
Paid leave starts accrue 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 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:
UNUSED LEAVE
Under this Act, an employee's accrued paid sick leave carries over from year to year. Employees do not have to pay employees for unused paid sick leave upon termination or resignation of employment.

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

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 and 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 4300, 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.

REVISED 01/03/19