

### Minimum Wage

Department of Employment Services, Office of Wage-Hour

#### Minimum Wage Poster

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**MURIEL BOWSER, MAYOR**  
**DISTRICT OF COLUMBIA MINIMUM WAGE POSTER**

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

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	\$6.00 per hour beginning July 1, 2022
\$17.00 per hour beginning July 1, 2023	\$6.00 per hour beginning July 1, 2023

Beginning in 2021, the minimum wage will increase during each successive year in proportion to the Consumer Price Index for both employees who do not receive gratuities and employees who receive gratuities. Visit the Department of Employment Services website at [www.doeshr.gov](http://www.doeshr.gov) for the yearly minimum wage rates.

### MINIMUM WAGE EXEMPTIONS

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

- Handicapped persons may be paid less only when the employer has obtained 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.
- Students employed by institutions of higher education may be paid the minimum wage established by the United States government.
- The Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015, removed adult learners as a 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.

The minimum wage provision does not apply to persons:

- employed in a bona fide executive, administrative, professional, computer, or outside sales capacity; or
- 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:

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

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

All labor laws enforced within the District of Columbia can be found on [www.doeshr.gov](http://www.doeshr.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.doeshr.gov**

**DOES** DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES

**WE ARE WASHINGTON DC** GOVERNMENT OF THE DISTRICT OF COLUMBIA

**MURIEL BOWSER, MAYOR**

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

**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 he or she 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 from other DC District agencies.

**Parental Leave Act**  
Office of Human Rights  
**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 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 unreasonably 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 or in a domestic partnership to a person listed above.

**Office of Human Rights**  
**Parental Leave Act**  
District of Columbia

**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 your 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](http://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.

**Breastfeeding Rights**  
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 restriction as to whether the mother's breast is any part of it uncovered during or incident to the breastfeeding of her child.
- An employer must provide reasonable daily unpaid break-time, as required by an employee who may express breast milk to be able to maintain milk supply and comfort.
- The break-time for expression of milk, if possible, may be taken 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 in other locations to other employees to use to work area, other than a bathroom or toilet stall, when an employee expresses breast milk in privacy and security.

**Office of Human Rights**  
**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 outlines these requirements.
- The employer must file within one (1) year of the occurrence or discovery of the violation of the Act. An employer of the District of Columbia government must file within 180 days of the occurrence or discovery of the Act, she may contact:

**THE DISTRICT OF COLUMBIA OFFICE OF HUMAN RIGHTS**  
**441 4th Street NW, Suite 570N**  
**Washington, DC 20001**  
**(202) 727-4559**  
**on ohr.dc.gov**

**Office of Human Rights**  
**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 outlines these requirements.
- The employer must file within one (1) year of the occurrence or discovery of the violation of the Act. An employer of the District of Columbia government must file within 180 days of the occurrence or discovery of the Act, she may contact:

**THE DISTRICT OF COLUMBIA OFFICE OF HUMAN RIGHTS**  
**441 4th Street NW, Suite 570N**  
**Washington, DC 20001**  
**(202) 727-4559**  
**on ohr.dc.gov**

**Workers' Comp.** 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**

- 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.
- 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://doeshr.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 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 <http://doeshr.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'S BUSINESS (or NUMBER AND ADDRESS, 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

**TO EMPLOYEES**

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

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

If an employer has...	Employees accrue at least...	Not to Exceed...
100 or more employees	1 hour per 27 hours worked	5 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 28 hours worked	5 days per calendar year

(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 EMPLOYERS FOR THEIR OWN OR FAMILY MEMBERS' ILLNESSES OR MEDICAL APPOINTMENTS AND FOR ASSEKES 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 is required not allow accrual of paid leave for rest termination or employee 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 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**  
Accrued 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 an employer has, each tipped employee must accrue at least one (1) hour per 43 hours worked, and in the (5) day per calendar year and be paid at the full District of Columbia's Minimum Wage. For all other employees, use the following chart:

**UNUSED LEAVE**  
Under this Act, an employer'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.

**EMPLOYEE PROTECTION**  
An employee who asserts 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. Forfeited 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 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 file a complaint, visit [www.doeshr.gov](http://www.doeshr.gov), call the Office of Wage Hour at (202) 671-1880, or visit at 4058 Minnesota Avenue, N.E., Suite 3600, Washington, DC 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 -

**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 he or she 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 from other DC District agencies.

**Office of Human Rights**  
**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 employers to provide reasonable 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;
- Temporarily restructuring the employee's position to provide light duty or a modified work schedule;
- Temporarily transferring the employee to a less strenuous or hazardous position;
- Purchasing or modifying work equipment, such as chairs or changing workstations (e.g. 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 employee to accept an accommodation unless it's necessary for the employee to perform her job duties.

\* A "reasonable accommodation" is one that does not require significant difficulty in the operation of the employer's business and the nature and structure of the business.

**Office of Human Rights**  
**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](http://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.

**Office of Human Rights**  
**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 employers to provide reasonable 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;
- Temporarily restructuring the employee's position to provide light duty or a modified work schedule;
- Temporarily transferring the employee to a less strenuous or hazardous position;
- Purchasing or modifying work equipment, such as chairs or changing workstations (e.g. 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 employee to accept an accommodation unless it's necessary for the employee to perform her job duties.

\* A "reasonable accommodation" is one that does not require significant difficulty in the operation of the employer's business and the nature and structure of the business.

**Office of Human Rights**  
**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](http://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.

**Office of Human Rights**  
**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 employers to provide reasonable 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;
- Temporarily restructuring the employee's position to provide light duty or a modified work schedule;
- Temporarily transferring the employee to a less strenuous or hazardous position;
- Purchasing or modifying work equipment, such as chairs or changing workstations (e.g. 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 employee to accept an accommodation unless it's necessary for the employee to perform her job duties.

\* A "reasonable accommodation" is one that does not require significant difficulty in the operation of the employer's business and the nature and structure of the business.

**Office of Human Rights**  
**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](http://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.

**Child Labor** Title 32, Chapter 2  
**Employment of Minors**

- Perform on the stage of a licensed theatre within the District of Columbia in a professional theatrical production;
- Perform in a musical or dance recital or concert;
- Participate in a radio or television program;
- Participate in a motion picture;
- Appear as a fashion model; or
- 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 shall be required 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 5 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 with a pediatric nursing practicum, 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 the following:

- An infant under the age of 6 months may be permitted to remain at the place of employment for a maximum of 2 hours, which shall consist of not more than 20 minutes of work.
- A minor between the ages of 6 months and 30 months may be permitted at the place of employment for a maximum of 4 hours, which shall consist of not more than 2 hours of work, with the balance of the 4-hour period being rest or recreation.
- A minor between the ages of 30 months and 7 years may be permitted at the place of employment for a maximum of 6 hours, which shall consist of not more than 3 hours of work, with the balance of the 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 section for monetary remuneration, a gift, or other form of valuable consideration.

**\$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, or in connection with any general occupation, except in agricultural work or housework as specified in § 32-201, unless the employer procures and keeps on file and accessible to any attendance officer, inspector or other person authorized to enforce this subchapter a work or vacation permit issued in accordance with the authority of the Fair Labor Standards Act as particularly hazardous for minors under 18 years of age or detrimental to their health and well-being.

**\$32-204. Employment of minors under 16 years of age in certain occupations prohibited; exception**  
(a) No minor under 16 years of age shall be employed, permitted, or suffered to work at any of the following occupations:  
(1) In the operation of any machinery operated by power other than hand or foot power; or  
(2) In oiling, winding, or cleaning machinery or assisting therein.

This section does not apply to any daily approved vocational education program or training 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 prohibited**  
No minor under 18 years of age shall be employed, permitted, or suffered to work at operating any freight or passenger elevator, or any quarry, tunnel, or excavation.

**\$32-206. Theatrical permits for minors under 18 years of age for performances and professional sports activities**  
(a) An employer who issues a theatrical employment permit to a minor under 18 years of age permitting the minor to:

- Perform on the stage of a licensed theatre within the District of Columbia in a professional theatrical production;
- Perform in a musical or dance recital or concert;
- Participate in a radio or television program;
- Participate in a motion picture;
- Appear as a fashion model; or
- Participate in a professional sports activity or circus.

**Wage Theft** 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

The Wage Theft Prevention Amendment Act of 2014 (WTAPA) has an effective date of February 26, 2015. The law includes provisions that enforce 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 engaged in ongoing wage judgments or agreements, to clarify administrative procedure, and legal standards for adjudicating wage disputes, to require the employer to provide written notice of the amount of the penalty within 15 days following notification.

**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 WTAPA, 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 notices furnished by employees until an signed and dated by the employer by 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) names used by the employer
- The physical address of the employer's main office or principal place of business, and a mailing address if different
- 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 applicable)
  - Salary, Piece Rate, or commission (whichever is applicable)
  - Any allowance claimed as part of the minimum wage including tip, meal, or lodging allowances.
- Overtime pay or penalties upon overtime pay
  - Living wage or exemptions from the living wage
  - Any applicable exemptions
- The employer's regular payroll designated by the employer

The Mayor shall make available for employer's 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 provided.)

**Wage Payment Liability:**

- When an employer is a subcontractor and has failed to pay an employee any wages earned by the subcontractor and the general contractor is 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, and 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 by its employees or regular payees designated in advance by the employer and its last two working days:
  - Five hundred dollars (\$500) for each day that the violation occurred or continued.
  - For the first offense, an amount per affected employee of not more than \$2,500 for any subsequent offenses.
  - Any employee 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 of not more than \$5,000 or imprisoned not more than 30 days; or both; for any subsequent offenses, an amount of not more than \$10,000, or imprisoned not more than 90 days; or both.

**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.

- Notice of Complaint that specifies:
  - The alleged violation;
  - Potential damages, penalties, and other cost

**Information on OHR and job protections, please visit the following website:**

- Five hundred dollars (\$500) for each day that the violation occurred or continued.
- For the first offense, an amount per affected employee of not more than \$2,500 for any subsequent offenses.
- Any employee 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 of not more than \$5,000 or imprisoned not more than 30 days; or both; for any subsequent offenses, an amount of 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, \$500 for each employee or person whose rights under this Act are violated for each day that the violation occurred or continued.
- For any subsequent offenses, \$100 for each employee or person whose rights under this Act are violated for each day that the violation occurred or continued.
- 5000 for each failure to maintain payroll records or to retain payroll records for three (3) years or whatever the greater length standard is, whichever is greater for each violation.
- 5000 for each failure to allow the Mayor to inspect payroll records or to perform any other investigation.
- 5000 for each failure to provide each employee an itemized wage statement as required by the Act, or to provide written notices under (i); and (ii); and
- 5100 for each day that the employer fails to post as required as specified under section 10(a).

**ASSLA Penalties D.C. Official Code § 32-131.12**  
An employee who willfully violates the requirements of this Act shall be subject to a civil penalty for each violation of \$1,000 for the first 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 provisions included in the Mayor shall under the employee to provide alternative remedies including: compensatory damages, punitive damages, and additional damages as provided in the Act. The administrative fines and penalties shall be assessed and collected by the Mayor's Office of Wage Theft Prevention. For the complete text of the Wage Theft Prevention Amendment Act of 2014, go to <http://www.dcofficialcode.gov/Download/112533303-6671-509e2d1.pdf>.

**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 assessed, and an opportunity to request a formal hearing held pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (DC Stat 1303, C.F.R. Official Code § 5-501 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 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 exceed the current fiscal balance of the General Fund of the District of Columbia at the end of each 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 imprisoned not more than 30 months, or both.
- No person shall be imprisoned under this section except after an offense committed willfully after the conviction of that person for a prior offense under this section.
- Prosecution 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:
  - For the first violation, \$500 for each employee or person whose rights under this Act are violated for each day that the violation occurred or continued.
  - For any subsequent offenses, \$100 for each employee or person whose rights under this Act are violated for each day that the violation occurred or continued.
  - 5000 for each failure to maintain payroll records or to retain payroll records for three (3) years or whatever the greater length standard is, whichever is greater for each violation.
  - 5000 for each failure to allow the Mayor to inspect payroll records or to perform any other investigation.
  - 5000 for each failure to provide each employee an itemized wage statement as required by the Act, or to provide written notices under (i); and (ii); and
  - 5100 for each day that the employer fails to post as required as specified under section 10(a).

**Minimum Work Week** Department of Employment Services  
**Building Service Employees Minimum Work**