



# District Of Columbia State Labor Law Postings

## UNEMPLOYMENT INSURANCE



### 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 with 2 columns: Location (American Job Center - Headquarters, Northwest, Southeast) and Contact Information (Address, Phone).

You may also apply for benefits through the Internet at [www.dcnetworks.org](http://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.



Rev. 02.01.2015

## Right to Breastfeed

### OHR WORKPLACE POSTERS:

The Right to Breastfeed



Office of Human Rights DISTRICT OF COLUMBIA

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 ohrcdcd.gov

## Workers' Compensation



### 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

- You are required by law to report promptly to your employer and the Office of Workers' Compensation an occupational injury or illness, even if you deem it to be minor. From the date of a DCWC Notice of Accidental Injury or Occupational Disease, you must 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://does.dc.gov> for information.
You may not sue your employer as a result of a work-related injury or disease by reason of your exclusive remedy under the Workers' Compensation Law.
In order to preserve your right to benefits under the DC Workers' Compensation Law, you must file a written claim on Form No. 7A DCWC, Employer's Claim Application, within one (1) year after your injury, or within one (1) year after the last payment of benefits.
If you need information regarding your rights and obligations prescribed by law, you may call your employer first. If you require further information, you may call the Office of Workers' Compensation at (202) 671-1000 or visit <http://does.dc.gov>. If you require the law gives you the right to legal representation if you so choose.

##### TO EMPLOYERS

- You are required to have Workers' Compensation insurance coverage if you have one (1) or more employees.
You are required to display this poster in plain view so that it will be of the greatest possible benefit to your employees.
You must file an Employer's First Report of Injury or Occupational Disease, Form No. 8 DCWC, with the Office of Workers' Compensation, send a copy to the nearest claim office of your insurer, for all occupational injuries or disease, as soon as possible, but no later than ten (10) working days after the date of knowledge thereof.
Your employee must file Form No. 7 DCWC, Employee's Notice of Accidental Injury or Occupational Disease. Please provide your employee with Form No. 7 DCWC and direct them to complete it and return it to you and the Office of Workers' Compensation. Once you have received notice from the employee, you are required to send the employee a notice of his/her rights and obligations by certified mail, return receipt requested.
You are required to report to the Office of Workers' Compensation, and your insurer, any disability of more than three (3) days which was not previously reported, as soon as possible, but no later than ten (10) working days after the date of knowledge thereof.
You are required to furnish, or cause to be furnished, reasonable medical and hospital services, other remedial care or vocational rehabilitation, and various types of disability compensation, to an injured or disabled employee.
You are required to obtain from the insurer identified below a supply of all required Workers' Compensation Forms, or you may download the forms and notice mentioned above at our website <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

## Minimum Wage



### DISTRICT OF COLUMBIA MINIMUM WAGE POSTER

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

#### MINIMUM WAGE RATES

Table with 2 columns: Employees who do not receive gratuities and Employees who receive gratuities. Rows show hourly rates for years 2018 through 2022.

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 establishing 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. 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;
3. As a seaman, by a railroad, as an attendant in a parking lot or parking garage, or in newspaper home delivery;
4. 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](http://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 employer'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.

- The Mayor has created an Internet-based portal for online reporting of the quarterly wage reports and it is located at <https://www.esrp.does.dc.gov/>.
An employer shall submit its quarterly wage reports online unless the employer claims that online reporting creates a hardship, in which case the employer shall submit its reports in hard-copy form.
The Mayor shall provide reporting requirements training to educate employers about the reporting requirements and use of the Internet-based portal.

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

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



## Accrued Sick and Safe Leave

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.

#### ACCURAL 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 employees, use the following chart:

Table with 3 columns: If an employer has..., Employees accrue at least..., Not to Exceed... Rows show accrual rates for 100+ employees, 25-99 employees, and less than 25 employees.

#### 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](http://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.

## Family And Medical Leave Act And Parental Leave Act

### 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 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](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.

### 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](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.