

District of Columbia Labor Law Posters



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DISTRICT OF COLUMBIA

EQUAL EMPLOYMENT OPPORTUNITY

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

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

If you believe that you have been discriminated against, you may contact:

Government of the District of Columbia
Office of Human Rights
441 4th Street, N.W., 570N
Washington, D.C. 20001
Telephone (202) 727-4559 or Fax (202) 727-9589
www.ohr.dc.gov
Adrian Fenty, Mayor

Employees’ Rights Under the District of Columbia

FAMILY AND MEDICAL LEAVE ACT OF 1990

The District of Columbia Family and Medical Leave Act of 1990, D.C. Law 8-181, requires, effective April 1, 1991, all employers of 20 or more employees in the District of Columbia to provide up to 16 weeks of unpaid family leave:

- for the birth of a child, adoption or foster care
- to care for a seriously ill family member

And up to 16 weeks of unpaid medical leave:

- to recover from a serious illness rendering the employee unable to work for a total of 32 weeks during a 24-month period.

During the period of leave, an employee shall not lose any employment benefits such as seniority or group health plan coverage.

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

The Act applies to employees who have worked for the employer for one year without a break in service and who have worked at least 1000 hours during the last 12 months. Employers may have leave policies which are more generous than those required by the Act.

A COMPLAINT CONCERNING A DENIAL OF RIGHTS UNDER THIS ACT MUST BE FILED WITHIN ONE YEAR OF THE OCCURRENCE OR DISCOVERY OF THE VIOLATION.

PARENTAL LEAVE ACT OF 1994

In accordance with District of Columbia Law 10-146, effective August 17, 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.

- “Parent” means natural mother or father of child;
- A person who has legal custody of a child;
- A person who acts as a guardian of a child regardless of legal appointment;
- An aunt, uncle, or grandparent of a child; or
- A person married to a person listed above.
- “School-related event” means an activity sponsored by either a school or an associated organization.

*The leave provided by this Act may consist of unpaid leave unless the parent elects to use any paid family, vacation, personal, compensatory, or leave bank leave that has been provided by the employer.

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

For answers to questions concerning the Act or to file a complaint under the Act, contact:

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
Adrian Fenty, Mayor

MINIMUM WAGE

DISTRICT OF COLUMBIA MINIMUM WAGE POSTER
(THIS SUMMARY MUST REMAIN IN A CONSPICUOUS PLACE WHERE EMPLOYEES MAY READ)

\$7.55 PER HOUR BEGINNING JULY 24, 2008 • \$8.25 PER HOUR BEGINNING JULY 24, 2009

MINIMUM WAGE EXCEPTIONS

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

- 1. Handicapped workers may be paid less only when the employer has received an authorizing certificate from U.S. Department of Labor.
- 2. Persons employed under provisions of the Workforce Investment 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. Adult Learners: Newly hired persons 18 years of age or older may be paid the minimum wage established by the United States government for a period not to exceed 90 calendar days.
- 6. Students employed by institutions of higher education may be paid the minimum wage established by the United States government.
- 7. Individuals under 18 years of age may be paid the minimum wage established by the United States government.
- 8. 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 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. As a companion for the aged or infirm in the private home of by whom employed;
- 4. 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;
- 5. As a seaman, by a railroad, as an attendant in a parking lot or parking garage or in newspaper home delivery;
- 6. By an air carrier who voluntarily exchanges workdays with another employee for the primary purpose of utilizing air travel benefits available to these employees;
- 7. As a salesperson, partsperson 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;
- 8. Primarily to wash automobiles by an employer whose annual dollar volume of sales is derived by more than 50% from washing automobiles, and for the employee s employment in excess of 160 hours over a period of four consecutive workweeks, the employee receives compensation at a rate of one and one-half times or more the regular rate at which employed.

PERSONS NOT ENTITLED TO OVERTIME PAY UNDER DISTRICT LAW MAY BE ENTITLED UNDER FEDERAL LAW. For information, call the U.S. Department of Labor, Wage-Hour Division.

TIPPED EMPLOYEES: Employers may pay a service rate of \$2.77 per hour to “tipped employees.” If an employee s hourly tip earnings (averaged weekly) added to the service rate do not equal the minimum wage, the employer must pay the balance.

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 hours or less of work, a maximum of one meal deduction is allowed. For over four hours of work, a maximum of two meal deductions is allowed. For live-in workers, a maximum of \$6.36 per day is allowed.

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.

OTHER LAWS ADMINISTERED BY THE OFFICE OF WAGE-HOUR

THE LIVING WAGE ACT OF 2006:

Recipients of contracts or government assistance shall pay affiliated employees no less than the current “living wage” per hour. The Department of Employment Services may adjust the living wage annually. Contact the Office of Wage-Hour -(202) 671-1880- for the current living wage rate and for exceptions to and exemptions from the “Living Wage Act of 2006.”

The requirement to pay a living wage applies to all recipients of contracts or government assistance in the amount of \$100,000 or more; and to all subcontractors of these recipients receiving \$15,000 or more from the funds received by the recipient from the District of Columbia.

All recipients and subcontractors shall retain payroll records created and maintained in the regular course of business under District of Columbia law for a period of at least 3 years.

ENHANCED PROFESSIONAL SECURITY AMENDMENT ACT OF 2008: An employer shall pay a security officer working in an office building in the District of Columbia wages, or any combination of wages and benefits, that are not less than the combined amount of the minimum wage and fringe benefit rate for guard 1 classification established by United States Secretary of Labor pursuant to the Service Contract Act of 1965, approved October 22, 1965 (79 Stat. 1034; 41 U.S.C. § 351), as amended. The term “office building” does not include libraries, museums, or universities.

WAGE PAYMENT AND WAGE COLLECTION LAW: Every employer shall pay all wages earned to employees at least twice during each calendar month, on regular paydays designated in advance by the employer. Not more than ten (10) working days may elapse between the end of the pay period covered and the regular payday. Whenever an employer discharges an employee, the employer shall pay the employee s wages not later than the working day following the discharge. In the instance of an employee who resigns, the employer shall pay the employee s wages the next regular payday or within seven days from the date of resigning, whichever is earlier.

WAGE GARNISHMENT ACT: No employer shall garnish the wages of an employee except pursuant to a court order.

ACCRUED SICK AND SAFE LEAVE ACT OF 2008: Requires employers in the District of Columbia to provide paid leave to employees for illness and for absences associated with domestic violence or sexual abuse.

- An employer with 100 or more employees shall provide for each employee not less than one hour of paid leave for every 37 hours worked, not to exceed 7 days per calendar year;
- An employer with at least 25, but not more than 99, employees shall provide for each employee not less than one hour of paid leave for every 43 hours worked, not to exceed 5 days per calendar year; and,
- An employer with 24 or fewer employees shall provide not less than one hour of paid leave for every 87 hours worked, not to exceed 3 days per calendar year.

The term “employee” shall not include an independent contractor, a student, health care workers who choose to participate in a premium pay program or restaurant wait staff and bartenders who work for a combination of wages and tips.



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

Department of Employment Services
Office of Wage-Hour (202) 671-1880
64 New York Avenue, N.E., Room 3105
Washington, D.C. 20002
www.does.dc.gov

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 One-Stop Career Centers listed below.

CVS/South Capitol Street One-Stop
Career Center
4049 South Capitol Street, S.W.
Washington, D.C. 20032
Phone: (202) 724-7000
Fax: (202) 645-5337
Monday-Friday 8:00 am to 3:30 pm

Franklin Street One-Stop
Career Center
1500 Franklin Street, N.E.
Washington, D.C. 20002
Phone: (202) 724-7000
Fax: (202) 576-3103
Monday-Friday 8:00 am to 3:30 pm

Naylor Road One-Stop
Career Center
2626 Naylor Road, S.E.
Washington, D.C. 20020
Phone: (202) 724-7000
Fax: (202) 645-5246
Monday-Friday 8:00 am to 3:30 pm

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

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

Government of the District of Columbia
Adrian M. Fenty, Mayor



Department of Employment Services
Summer Spencer, Director

WORKERS' COMPENSATION

DISTRICT OF COLUMBIA GOVERNMENT
DEPARTMENT OF EMPLOYMENT SERVICES
OFFICE OF WORKERS' COMPENSATION

PO BOX 56098 WASHINGTON, DC 20011 (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 it, you should 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 for information.
- 3. You may not sue your employer as a result of a work-connected 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 (1) year after the last payment of benefits.
- 5. If you desire information regarding your rights and obligations prescribed by law, you may call your employer first. If you need further information you may call the Office of Workers' Compensation at (202) 671-1000.
- 6. The law gives you the right to be represented if you so desire.

TO EMPLOYERS

- 1. You are required to have Workers' Compensation insurance coverage if you have 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, copy to the nearest claim office of your insurer, on all occupational injuries or disease, as soon as possible, but no later than 10 days after the date of knowledge thereof.
- 4. Your employee must file Form No. 7 DCWC, Employee's Notice of Accidental Injury or Occupational Disease. Please provide your employee with Form No. 7 DCWC and direct 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.
- 5. You are required to report to the Office of Workers' Compensation, and your insurer, and disability of more than 3 days which was not previously reported, as soon as possible, but no later than 10 days after the date of knowledge thereof.
- 6. You are required to furnish, or cause to be furnished, reasonable medical and hospital services, other remedial care or vocational rehabilitation, and various types of disability compensation, to an injured or disabled employee.
- 7. You are required to obtain from the insurer identified below a supply of all required Workers' Compensation Forms, or you may download the forms and notice mentioned above at our website <http://does.dc.gov>

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

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

NAME OF INSURANCE COMPANY

NAME OF EMPLOYER

BY _____

Employer ID Number
(if number unknown, employer to request from IRS)

THIS NOTICE IS TO BE POSTED CONSPICUOUSLY IN AND ABOUT EMPLOYER'S PLACE(S) OF BUSINESS
FORM NO. 1 DCWC

CHILD LABOR

NOTICE

PROVISIONS OF THE 1928 CHILD LABOR LAW—D.C. PUBLIC SCHOOLS
D.C. Code, Chapter 5 – Employment of Minors, Sect. 36-501 to 36-524

AGE REGULATIONS

No minor under 14 years of age shall be employed or permitted to work in any gainful occupation with the exception that minors 10 years and older may be employed outside of school hours in the distribution of newspapers and minors 12 years and over may be employed in the sale of newspapers. (Sec. 36-501)

No minor under 16 years of age shall be employed at any of the following occupations: (1) In the operation of any machinery operated by power other than hand or foot power; (2) In oiling, wiping, or cleaning machinery or assisting therein. (Section 36-504)

No minor under 18 years of age shall be employed: (1) At operating any freight or non-automatic elevator; (2) in any quarry, tunnel, or excavation. (Section 36-505)

No minor under 16 years of age shall be employed in the stuffing of newspapers, nor shall the work of any minor between 16 and 18 years of age employed as a newspaper inserter exceed 40 hours in any one week, nor shall they be so employed on more than one night in any one week. (Section 36-515)

No minor shall be employed, permitted or suffered to work in any place of employment, or at any employment, dangerous or prejudicial to the life, health, safety or welfare of such minor. The Board of Education shall have the power, jurisdiction and authority, after hearing duly held, to issue general or special orders prohibiting the employment of minors in any employment or at any place found to be dangerous or prejudicial to the life, health, safety or welfare of the minor. (Section 36-503)

No minor under the age of 18 may be employed in any establishment where alcoholic beverages are served or sold on the premises. (Board of Education Ruling, by authority of Section 36-503)

No minor under the age of 18 may be employed in any occupation found to be hazardous, or detrimental to their health and well-being, under the authority of the Fair Labor Standards Act. (Section 36-503)

Minors under the age of 18 who are employed in any professional theatrical production, musical, dance recital, concert, motion picture, television, radio or in a professional sports activity or circus must obtain a theatrical employment permit. (Section 36-506)

HOOR STANDARDS

No minor under 18 years of age shall be employed in connection with any gainful occupation more than 6 consecutive days in any one week, or more than 48 hours in any one week or more than 8 hours in any one day. (Section 36-502)

No minor under the age of 16 shall be employed before 7:00 AM or after 7:00 PM on any day except during the summer (June 1st through Labor Day) when they may work until 9:00 PM. (Section 36-502)

WORK PERMIT REQUIREMENTS

No minor under the age of 18 shall be employed in any gainful occupation unless the employer has obtained a Work Permit, or Vacation Permit. This permit must be kept on file and accessible to any person authorized to enforce this Act. (Section 36-507) No permit shall be valid except for the named minor and for the specific employer and occupation designated. (Section 36-508)

PENALTIES

Whoever employs any minor in violation of any of the provisions of the D.C. Child Labor Law or any order issued under the Act, shall be subject to prosecution. (Section 36-524)