BREASTFEEDING RIGHTS & GUIDELINES

EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW **EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW**

PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS and labor organizations are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, GENETICS Title II of the Genetic Information Nondiscrimination Act of 2008 protects

as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accomm religious practices where the accommodation does not impose undue hardship.

DISABILITY Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable odation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. AGE The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in niring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. **SEX (WAGES)** In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs

applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants employees, or their family members. RETALIATION All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination

proceeding, or otherwise opposes an unlawful employment practice. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimatel need to, you should contact EEOC promptly when discrimination is suspected: The U.S Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) of 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS rnment contract or subcontract are protected under Federal law from discrimination on the following bases Applicants to and employees of companies with a Federal go of employment, including the executive level

RACE, COLOR, RELIGION, SEX. SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL **DRIGIN** Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and equires affirmative action to ensure equality of opportunity in all aspects of employment. PAY SECRECY Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. NDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels

hat require equal skill, effort, and responsibility, under similar working conditions, in the

same establishment.

PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974 as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans recently separated veterans (i.e., within three years of discharge or release from active duty) active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. RETALIATION Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately: The Office of Federal Contract Compliance Progran (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office listed in most telephone directories under U.S. Government, Department of Labor.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the which receive Federal financial assistance.

Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as prohibits discrimination on the basis of race, color or national origin in programs or amended, prohibits employment discrimination on the basis of disability in any program activities receiving Federal financial assistance. Employment discrimination is covered or activity which receives Federal financial assistance. Discrimination is prohibited in al by Title VI if the primary objective of the financial assistance is provision of employment, aspects of employment against persons with disabilities who, with or without reasonable or where employment discrimination causes or may cause discrimination in providing accommodation, can perform the essential functions of the job. If you believe you have services under such programs. Title IX of the Education Amendments of 1972 prohibits been discriminated against in a program of any institution which receives Federal financial employment discrimination on the basis of sex in educational programs or activities assistance, you should immediately contact the Federal agency providing such assistance. EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov.

Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poste

DISTRICT OF COLUMBIA MINIMUM WAGE POSTER THIS SUMMARY MUST REMAIN IN A VISIBLE LOCATION WHERE EMPLOYEES MAY READ

DISTRICT OF COLUMBIA MINIMUM WAGE

MINIMUM WAGE RATES

Employees who do not receive gratuities	Employees who receive gratuities
\$11.50 per hour beginning July 1, 2016	\$2.77 per hour beginning January 1, 200
\$12.50 per hour beginning July 1, 2017	\$3.33 per hour beginning July 1, 2017
\$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

ceive 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. Handicapped workers may be paid less only when the em

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:

computer, or outside sales capacity; or b) engaged in the delivery of newspapers to the home of the consumer **OVERTIME PAY**

a) employed in a bona fide executive, administrative, professional,

At least 1 $\frac{1}{2}$ times the regular rate of pay for all hours worked over 40 hours in a **OVERTIME EXCEPTIONS**

The overtime provision shall not apply to persons employed: 1. In a bona fide executive, administrative, professional, computer, or outside sales capacity:

services:

2. As a private household worker who lives on the premises of the employer; 3. In a retail or service establishment and whose regular rate of pay is in excess of one and one-half times the minimum hourly rate applicable under the Act. and more than one-half of the employee's compensation for a representative period (not less than one month) represents commissions on goods and

4. As a seaman, by a railroad, as an attendant in a parking lot or parking garage, or in newspaper home delivery; 5. By an air carrier who voluntarily exchanges workdays with another employee for the primary purpose of utilizing air travel benefits available to these emplovees: or

6. As a salesperson, parts salesperson, or mechanic primarily engaged in selling or servicing automobiles, trailers, or trucks if employed by a nonmanufacturing 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 NTITLED UNDER FEDERAL LAW For more information, call the U.S. Department of Labor, Wage-Hour Division, or visit www.dol.gov/whd/.

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.

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.

Additional wages are due to employees for split shifts, travel expenses, and tools. Other deductions may be taken for lodging provided by the employer. 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 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 **TIPPED EMPLOYEES**

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

INTERNET-BASED TIP PORTAL FOR ONLINE REPORTING OF THE QUARTERLY WAGE REPORT An employer who employs an employee who receives gratuities shall submit a quarterly wage report within 30 days of the end of each quarter to the Mayor certifying that the employee was paid the required minimum wage. 1. The Mayor has created an Internet-based portal for online reporting of the

hour-compliance 2. An employer shall submit its quarterly wage reports online unless the employer claims that online reporting creates a hardship, in which case the employer shall submit its reports in hard-copy form. 3. The Mayor shall provide reporting requirements training to educate

employers about the reporting requirements and use of the Internet-based

quarterly wage reports and it is located at www.does.dc.gov/service/wage-

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

www.does.dc.gov. FOR A COMPLETE TEXT OF EACH LAW OR TO FILE A COMPLAINT CONTACT

Department of Employment Services Office of Labor Law and Enforcement 4058 Minnesota Avenue, N.E., Washington, D.C. 20019 (202) 671-1880

ANTI-DISCRIMINATION NOTICE

www.does.dc.gov

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination. For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING Since you last filed form W-4 with your employer Withholding?, or use the Withholding Calculator at Your itemized deductions? www.irs.gov/individuals on the IRS web site. Your tax credits?

Marry or divorce? Gain or lose a dependent? Change your name? Were there major changes to...

gains, etc.)?

Your nonwage income (interest, dividends, capital Your family wage income (you or your spouse started or ended a iob)?

If you can answer "YES".. Employer: Please post or publish this Bulletin Board To any of these questions or you owed extra tax when Poster so that your employees will see it. Please indicate you filed your last return, you may need to file a new where they can get forms and information on this subject. orm W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. (Rev. 8-2009) Now is the time to check your withholding. For more Cat. No. 110471

the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall

For the first offense, an amount per affected employee of not more than \$2.500;

Any employer who willfully fails to comply with the provisions of this Act or the Living

For the first offense, an amount not more than \$5,000 or imprisoned not more

than 30 days, or both: for any subsequent offense, an amount not more than

Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:

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

• For the first offense, \$50 for each employee or person whose rights under

this Act or the Living Wage Act are violated for each day the violation occurred

• For any subsequent offense, \$100 for each employee or person whose right

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

• Five hundred dollars for failure to provide notice of investigation to employees

• No administrative penalty may be collected unless the Mayor has provided any

person alleged to have violated any of the provisions of this section notification

of the violation, notification of the amount of the administrative penalty to be

imposed, and an opportunity to request a formal hearing held pursuant to the

District of Columbia Administrative Procedure Act, approved October 21, 1968

• The Mayor shall issue a final order following the hearing, containing a finding

person to whom notification of violation was provided shall transmit to the

There is established as a special fund the Wage Theft Prevention Fund ("Fund")

which shall be administered by the Department of Employment Services. The Fund

shall be used to enforce the provisions of this Act, the Minimum Wage Revision Act

the Accrued Sick and Safe Leave Act, and the Living Wage Act. The money deposited

into the Fund, and interest earned, shall not revert to the unrestricted fund balance

of the General Fund of the District of Columbia at the end of a fiscal year, or at any

• Any person who willfully or negligently violates any of the provisions of

No person shall be imprisoned under this section except for an offense

§32-1010 shall, upon conviction, be subject to a fine of not more than \$10,000, or

committed willfully after the conviction of that person for a prior offense under

Prosecutions for violations of this subchapter shall be in the Superior Court of the

District of Columbia and shall be conducted by the Attorney General of the District

• In addition to and apart from the penalties or remedies provided for in this

section, the Mayor shall assess and collect administrative penalties as follows:

1. For the first violation, \$50 for each employee or person whose rights under

this Act are violated for each day that the violation occurred or continued;

2. For any subsequent violations, \$100 for each employee or person whose

3. \$500 for each failure to maintain payroll records or to retain payroll records

4. \$500 for each failure to allow the Mayor to inspect payroll records or perform

5. \$500 for each failure to provide each employee an itemized wage statement

6. \$100 for each day that the employer fails to post notice as required under

An employer who willfully violates the requirements of this Act shall be subject to

a civil penalty for each affected employee of \$1,000 for the 1st offense, \$1,500 for

the 2nd offense, and \$2,000 for the 3rd and each subsequent offense. If the Mayor

determines that an employer has violated any provision of this Act, the Mayor

shall order the employer to provide affirmative remedies including: compensatory

damages, punitive damages, and additional damages as provided in the law. The

administrative fines and penalties collected under this section shall be deposited in

or the written notice as required by section 9(b) and (c); and

for three (3)years or whatever the prevailing federal standard is, whichever is

rights under this Act are violated for each day that the violation occurred

that a violation has or has not occurred. If a hearing is not requested, the

Mayor the amount of the penalty within 15 days following notification.

• Five hundred dollars for failure to post notice of violations to the public

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

(82 Stat 1203, D.C. Official Code § 2-501 et seq).

Minimum Wage Penalties D.C. Official Code § 32-1011

to imprisonment of not more than six (6) months, or both.

under this Act or the Living Wage Act are violated for each day the violation

\$10,000, or imprisoned not more than 90 days, or both.

for any subsequent offense, an amount per affected employee of not more

WAGE THEFT PREVENTION ACT

details, get Publication 919, How Do I Adjust My Tax

NOTICE

DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES | LABOR STANDARDS BUREAU OFFICE OF WAGE-HOUR The Wage Theft Prevention Amendment Act of 2014

than \$5,000.

administrative penalties as follows:

occurred or continued.

the following violations

of Columbia.

ACCRUED 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 EMPLOYEESFOR ILLNESS

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

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

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

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

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

Employees accrue at least...

1 hour per 37 hours worked

1 hour per 43 hours worked

1 hour per 87 hours worked

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

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

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

translated into other languages, or to file a complaint, visit www.does.dc.gov, call the Office of Wage and 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

(\$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

greater for each violation:

any other investigation;

ASSLA Penalties D.C. Official Code § 32-131.12

Not to exceed..

7 days per calendar year

5 days per calendar year

3 days per calendar year

REVISED February 22, 2014

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

Requirements As an employer of the District of Columbia, upon hire, you are required to provide a

notice to employees of their employment. Also, within 90 days of the effective date of WTPAA, every employer shall furnish each employee with an updated written notice containing the information required. As proof of compliance, every employer shall retain copies of the written notice furnished to employees that are signed and dated by the employer and by the employee acknowledging receipt of the notice. (There are additional requirements for temporary staffing firms.) This notice must include: 1) The name of the employer and any "doing business as "(DBA) names used by

2) The physical address of the employer's main office or principal place of business, and a mailing address if different 3) The telephone number of the employer

4) The employee's rate of pay and the basis of that rate, including: a. Rate by the hour, shift, day, or week (whichever is applicable b. Salary, Piece Rate, or commission (whichever is applicable)

c. Any allowances claimed as part of the minimum wage, including tip, meal, or lodging allowances d. Overtime rate of pay or exemptions from overtime pay e. Living wage or exemptions from the living wage

f. Any applicable prevailing wages 5) The employee's regular pay day designated by the employer

Living Wage Act, and the Accrued Sick and Safe Leave Act.

he Mayor shall make available for employers a sample template of the notice within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014. Immediate Notice to new employees is required regardless of the template release date.)

Wage Payment Liability: When the employer is a subcontractor and has failed to pay an employee any wages earned, the subcontractor and the general contractor shall be jointly and

severally liable to the subcontractor's employees for violations of this Act, the

When a temporary staffing firm employs an employee who performs work on behalf of or to the benefit of another employer pursuant to a temporary staffing arrangement or contract for services, both the temporary staffing firm and the employer shall be jointly and severally liable for violations of this Act, the Living Wage Act, and the Accrued Sick and Safe Leave Act to the employee and to the District.

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

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:

a. The alleged violation b. Potential damages, penalties, and other cost c. Rights and obligations of the parties

 d. Process for contesting the complaint . Notice of Investigation that must be posted for all employees to see for a period of at least 30 days that specifies:

a. An investigation is being conducted b. Information for employees on how they may participate Rules against Retaliation

he WTPAA extends the protection and it also gives the Mayor power to enforce • Threats are now included as a form of retaliation.

• It is illegal for any person to retaliate. • This law protects employees even if their employer incorrectly believes they made a complaint. Procedural Options

 Wage-Hour Investigation Administrative Law Judge Hearing Civil Court Proceedings Potential Penalties

Paid leave accrues on an employer's established pay period.

If an employer has...

25 to 99 employees

100 or more employees

Less than 25 employees

notice if the reason for leave is unforeseeable

upon termination or resignation of employment.

protected from retaliation.

the Wage Theft Prevention Fund. Wage Payment Penalties, D.C. Official Code § 32-1307; D.C. Official Code § 32-1307(a) Section 7a – Wage Theft Prevention Fund For the complete text of the Wage Theft Prevention Amendment Act of 2014, go to • Any employer who negligently fails to comply with the provisions of this Act or http://lims.dccouncil.us/Download/31203/B20-0671-SignedAct.pdf

paid leave to each employee, including employees of restaurants and bars and temporary and part time employees.

(1) hour per 43 hours worked, up to five (5) days per calendar year. For all other employers, use the following chart:

that an employer need not allow accrual of paid leave for tipped restaurant or bar employees prior to February 22, 2014



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

> 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

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and

You have the right to be reemployed in your civilian job if you leave that job to erform service in the uniformed service and: you ensure that your employer receives advance written or verbal notice of ou have five years or less of cumulative service in the uniformed services while with that particular employer; you return to work or apply for reemployment in a timely manner after conclusion of service; and · you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

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:

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION If you: • are a past or present member of the uniformed service; • have applied membership in the uniformed service; or • are obligated to serve in the uniformed service; then an employer may not deny you: • initial employment; reemployment;
 retention in employment;
 promotion;
 or
 any benefit of employment, because of this status. In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement n connection with a proceeding under USERRÁ, even if that person has no

service connection

HEALTH INSURANCE PROTECTION · If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for serviceconnected illnesses or injuries. **ENFORCEMENT**

•The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm. • If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. · You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA

Publication Date — April 2017 The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may t this requirement by displaying the text of this notice where they customarily place notices for employees Employer Support Of The Guard And Reserve 1-800-336-4590

PAYDAY NOTICE

Regular Paydays for Employees of

(Company Name) Shall be as follows:

Having the employee

refrain from heavy

Relocating the

area; or

employee's work

Providing private

breast milk.

space for expressing

PROTECTING PREGNANT WORKERS FAIRNESS ACT

Protecting Pregnant Workers Fairness Act - Know Your Rights in the District of Columbia

Employers must make all reasonable accommodations.* including but

Purchasing or modifying

work equipment, such

as chairs:

Temporarily

restructuring the

employee's position to

provide light duty or a

modified work schedule;

Take adverse action against an employee for requesting an

Deny employment opportunities to the employee because of the

Require an employee to take leave if a reasonable accommodation

Require employees to accept an accommodation unless it's necessary

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 case can also be initiated through the Department of Employment Services

DOES) Office of Wage and Hour Compliance by calling (202) 671-1880.

All cases must be filed and investigated by OHR. Once OHR issues a decision,

a DOES administrative law judge will decide if a violation of the statute

occurred. The DOES decision may be appealed to the DC Office of

* 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

• In-Person at 441 4th Street NW, Suite 570N, Washington, DC 20001

process to determine the accommodations.

Types of Accommodations

not limited to:

More frequent or

Time off to recover

from childbirth:

transferring the

employee to a

less strenuous or

Employers may not:

accommodation;

can be provided: or

complaint, visit:

• Online at ohr.dc.gov; or

hazardous position;

Prohibited Actions by Employers

or expense to the business:

request or need for an accommodation;

for the employee to perform her job duties.

Certification from Health Care Provider

Temporarily

longer breaks;



Ley de Protección de la Equidad para las **Trabajadoras Embarazadas** Conozca sus derechos en el Distrito de Columbia

Accommodations for Pregnancy, Childbirth and Breastfeeding Adaptaciones para el embarazo, el parto y la lactancia The Protecting Pregnant Workers Fairness Act (PPW) requires District of La lev de Protección de la Equidad para las Trabaiadoras Embarazadas (PPW Columbia employers to provide reasonable workplace accommodations por sus siglas en inglés) exige que los empleadores del Distrito de Columbia for employees whose ability to perform job duties is limited because of proporcionen adaptaciones razonables en el trabajo para las empleadas pregnancy, childbirth, breastfeeding, or a related medical condition. cuya capacidad de desempeñar sus labores en el trabajo se vea limitada por motivo de un embarazo, el parto, la lactancia o una afección relacionada. The employer must engage in good faith and in a timely and interactive

> interactivo para determinar dichas adaptaciones. Tipos de adaptaciones Los empleadores deben realizar toda adaptación razonable,* incluyendo, pero sin limitarse a:

> El empleador debe participar de buena fe en un proceso oportuno e

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

Actos que tienen prohibido realizar los empleadores Los empleadores no pueden Refuse an accommodation unless it would cause significant hardship

 denegar una adaptación, a menos que ocasione dificultades o gastos significativos para el negocio; tomarmedidas en contrade una empleada por solicitar una adaptación; · denegarle oportunidades laborales a la empleada por solicitar o necesitar una adaptación:

 exigirle a una empleada que se ausente con permiso si se puede proporcionar una adaptación razonable; ni exigirles a las empleadas aceptar una adaptación, a menos que sea necesaria para que cumpla con sus deberes en el trabajo. Constancia de un prestador de servicios de salud El empleador puede exigir que la empleada proporcione la constancia de un prestador de servicios de salud indicando que se recomienda hacer

una adaptación razonable. La constancia debe incluir: 1) la fecha en que la adaptaciónsehizooseharámédicamenterecomendable:2)unaexplicación de la afección y de la necesidad de recibir una adaptación razonable; y 3) la duración probable por la cual deberá proporcionarse la adaptación. Filing a Complaint of a Violation Si cree que un empleador le ha negado injustamente una adaptación razonable o que la ha discriminado debido a su embarazo, al parto, a la

necesidad de amamantar o a una afección médica relacionada, usted tiene un

año para presentar una queja ante la Oficina de Derechos Humanos del Distrito

de Columbia (OHR, por sus siglas en inglés). Para presentar una queja, visite:

• en línea, ohr.dc.gov; o enpersona, el 441 de la calle 4 noro este, oficina 570 N, en Washington, DC 2000 1 También puede abrirse un caso a través de la Oficina de Cumplimiento de Salarios y Horarios Laborales del Departamento de Servicios de Empleo (DOES, por sus siglas en inglés) llamando al (202) 671-1880. La OHR debe entablar e investigar todos los casos. Una vez que la OHR llegue a una decisión, un juez contencioso-administrativo del DOES decidirá si se contravino la ley o no. La decisión del DOES puede apelarse ante la Oficina de Audiencias Administrativas del Distrito de Columbia.

* Una "adaptación razonable" es aquella que no ocasiona gastos considerables n

Disability

Source of Income

Place of Residence

Office of Human Rights

dificultades significativas para el funcionamiento de la empresa del empleador, teniendo en consideración factores tales como el tamaño de la empresa y sus recursos financieros, así como su naturaleza y estructura.

Family Responsibilities

ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 441 4th Street NW, Suite 570N, Washington, DC 20010 NON-DISCRIMINATION IN PUBLIC ACCOMMODATIONS

PUBLIC ACCOMMODATIONS DISTRICT OF COLUMBIA **NOTICE OF NON-DISCRIMINATION**

n 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 **National Origin** Personal Appearance Religion Sexual Orientation Sex (Gender or sexual

soon as possible, but no later than 10 days after the date of knowledge thereof.

Gender Identity or Expression Political Affiliation 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 2-1402.31(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

WORKERS' COMPENSATION NOTICE **DISTRICT OF COLUMBIA GOVERNMENT**

DEPARTMENT OF EMPLOYMENT SERVICES 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. Penalities

include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by

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 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 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.

. 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. The law gives you the right to be represented if you so desire. TO EMPLOYERS

l. You are required to have Workers' Compensation insurance coverage if you have 1 or more employees 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

. 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

. 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

NAME OF INSURANCE COMPANY NAME OF EMPLOYER

Employer ID Number (if number unknown, employer to request from IRS) FORM NO. 1 DCWC THIS NOTICE IS TO BE POSTED CONSPICUOUSLY IN AND ABOUT EMPLOYER'S PLACE(S) OF BUSINESS

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

American Job Centei

Northwestnk D. Reeves Municipal Center

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 f 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

American Job Center

 Northeast CCDC - Bertie Backus Campus

2000 14th Street, N.W., 5171 South Dakota Avenue, N.E., Jr. Avenue, S.E. Washington, DC 20032 3rd Floor 2nd Floor Washington, DC 20009 Washington, DC 20017 (202) 741-7747 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.

> Rev. 02.01.2015 EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT The Employee Polygraph Protection Act prohibits most private employers that resulted in economic loss to the employer. The law does not from using lie detector tests either for pre-employment screening or preempt any provision of any State or local law or any collective bargaining

during the course of employment. from discharging, disciplining, or discriminating against an employee rights under the Act.

Headquarters
 4058 Minnesota Avenue, N.E.

EXEMPTIONS Federal, State and local governments are not affected by Government to certain private individuals engaged in national securitybe administered in the private sector, subject to restrictions, to certain EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.)

agreement which is more restrictive with respect to lie detector tests. PROHIBITIONS Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee from discharging disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other and the right not to have test results disclosed to unauthorized persons. **ENFORCEMENT** The Secretary of Labor may bring court actions to the law. Also, the law does not apply to tests given by the Federal restrain violations and assess civil penalties against violators. Employees related activities. The Act permits polygraph (a kind of lie detector) tests to

American Job Center

Southeast3720 Martin Luther King,

American Job Centers

Hours of Operation: Monday - Thursday

8:30 a.m. - 4:30 p.m.

9:30 a.m. - 4:30 p.m.

ooes

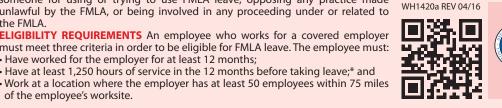


FMLA - FAMILY AND MEDICAL LEAVE ACT

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures. Employees do not have to share a medical diagnosis, but must provide enough protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified. provide a written notice indicating what additional information is required.

the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If if so, how much leave will be designated as FMLA leave. **ENFORCEMENT** Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to



1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 WWW.WAGEHOUR.DOL.GOV U.S. Department of Labor | Wage and Hour Division

EQUAL EMPLOYMENT OPPORTUNITY

- Know Your Rights in the District of Columbia

n 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): Sex (including pregnancy) Marital Status National Origin

• The birth of a child or placement of a child for adoption or foster care;

employee unable to perform the employee's job;

to care for the servicemember with a serious injury or illness.

Have worked for the employer for at least 12 months;

It also allows up to 16 weeks of unpaid medical leave:

total of 32 weeks during a 24 month period.

continue health insurance coverage as if the employees were not on leave.

Have at least 1,250 hours of service in the 12 months before taking leave;* and

Work at a location where the employer has at least 50 employees within 75 miles

who is the employee's spouse, child, or parent.

health condition:

terms and conditions

of the employee's worksite.

 Personal Appearance 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 n 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 biological mother or father of a child;

• to recover from a serious illness that left the employee unable to work for a

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

 Genetic Information Disability

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:

• person who has legal custody of a child • person who acts as a quardian of a child: aunt, uncle, or grandparent of a child; or is · a person married to a person listed above. A school-related event means an activity sponsored either by a school or an associated organization.

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

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 about the OHR process can also be answered by phone at (202) 727-4559.

Additional categories protected from discrimination but not in the area of employment include: familial status, source of income, place of residence or business, and status as a victim of an intrafamily offense. Leave is unpaid unless the parent elects to use any paid family, vacation, personal or compensatory leave provided by the employer.

PARENTAL LEAVE ACT & DC FAMILY AND MEDICAL LEAVE ACT

ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 441 4th Street NW, Suite 570N, Washington, DC 20010

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 quardians 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

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 biological mother or father of a child:

· person who has legal custody of a child;

person who acts as a guardian of a child;

a spectator

 aunt, uncle, or grandparent of a child; or is a person married or in a domestic partnership to a person listed above. <u>Employer Posting Requirements</u> 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

Filing a Complaint of a Violation If you believe an employer has wrongfully denied you parental leave under this tatute, you can file a complaint within one year of the incident with the Office of luman Rights (OHR). To file a complaint, visit:

to \$100 for each day the employer fails to post the notice.

• Online at ohr.dc.gov; or • 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.

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: • 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.

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

OVERTIME PAY At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek. CHILD LABOR An employee must be at least 16 years old to work in most nonn various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment. TP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or

The law requires employers to display this poster where employees can repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be farm jobs and at least 18 to work in non-farm jobs declared hazardous by the willful or repeated. The law also prohibits retaliating against or discharging

ADDITIONAL INFORMATION Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must comply with both. IURSING MOTHERS The FLSA requires employers to provide reasonable

Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled break time for a nursing mother employee who is subject to the FLSA's to the FLSA's minimum wage and overtime pay protections and correctly overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a classified independent contractors are not. need to express breast milk. Employers are also required to provide a place, Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special

1-866-487-9243 TTY: 1-877-889-5627

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT



Job Safety and Health IT'S THE LAW!

All workers have the right to:

A safe workplace.

 Raise a safety or health concern with your employer or OSHA, or report a

job hazards, including all hazardous substances in your workplace.

 Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep vour name confidential. You have the right to have a representative contact OSHA on your behalf.

participate) in an OSHA inspection and speak in private to the inspector.

days (by phone, online or by mail) if you have been retaliated against for using your rights. See any OSHA citations issued to your

 Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

employer.

Employers must:

 Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.

 Comply with all applicable OSHA standards.

 Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.

Provide required training to all workers

in a language and vocabulary they can

understand. Prominently display this poster in the workplace.

 Post OSHA citations at or near the place of the alleged violations. FREE ASSISTANCE to identify and correct

hazards is available to small and mediumsized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION LEAVE ENTITLEMENTS Eligible employees who work for a covered employer can *Special "hours of service" requirements apply to airline flight crew employees. take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the REQUESTING LEAVE Generally, employees must give 30-days' advance notice of

• To bond with a child (leave must be taken within 1 year of the child's birth or To care for the employee's spouse, child, or parent who has a qualifying serious information to the employer so it can determine if the leave qualifies for FMLA For the employee's own qualifying serious health condition that makes the For qualifying exigencies related to the foreign deployment of a military member An eligible employee who is a covered servicemember's spouse, child, parent, or Employers can require a certification or periodic recertification supporting the need next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period for leave. If the employer determines that the certification is incomp<mark>lete</mark>, it must An employee does not need to use leave in one block. When it is medically **EMPLOYER RESPONSIBILITIES** Once an employer becomes aware that an necessary or otherwise permitted, employees may take leave intermittently or on a employee's need for leave is for a reason that may qualify under the FMLA, Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA the employee is not eligible, the employer must provide a reason for ineligibility. leave, the employee must comply with the employer's normal paid Employers must notify its employees if leave will be designated as FMLA leave, and BENEFITS & PROTECTIONS While employees are on FMLA leave, employers must Upon return from FMLA leave, most employees must be restored to the same job or an employer. one nearly identical to it with equivalent pay, benefits, and other employment An employer may not interfere with an individual's FMLA rights or retaliate against greater family or medical leave rights.

For additional information or to file a complaint:

EQUAL EMPLOYMENT OPPORTUNITY

 Sexual Orientation Political Affiliation Gender Identity or Expression

Family Responsibilities

DC FAMILY AND MEDICAL LEAVE ACT

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. <u>Family Leave</u> 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

The employer may require medical certification and reasonable prior notice when applicable. 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 District government is considered a single employer. The above eligibility requirements can be met by considering employment at more than one District agency.

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.

ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 441 4th Street NW, Suite 570N, Washington, DC 20010

FEDERAL MINIMUM WAGE \$7,25 PER HOUR BEGINNING JULY 24, 2009



work-related injury or illness, without being retaliated against. Receive information and training on

Participate (or have your representative)

• File a complaint with OSHA within 30

DC-0417-A2-F02

This poster is available free from OSHA. Contact OSHA. We can help.

seriously ill family member is also eligible for family leave. Medical Leave Eligible circumstances for medical leave under DCFMLA includes The employee must notify the employer 10 days before the requested leave unless recovering from a serious illness rendering the employee unable to work. the school-related activity was not reasonably foreseeable. The leave can be 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 one year of service requirement does not need to have immediately preceded the request for leave. **Employer Posting Requirements** The employer must post and maintain this notice in a conspicuous place. An

Secretary of Labor. Youths 14 and 15 years old may work outside school hours workers who file a complaint or participate in any proceeding under the FLSA.

certificates issued by the Department of Labor. WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

