DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA & FEDERAL LABOR LAW POSTER

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EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

Know Your Rights: **Workplace Discrimination is Illegal**

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?
- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

What Organizations are Covered?
- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal? Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:
- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Employment Practices can be Challenged as Discriminatory? All aspects of employment, including:
- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding
- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: *https://publicportal.eeoc.gov/Portal/Login.aspx*

Call 1–800–669–4000 (toll free)
1–800–669–6820 (TTY)
1–844–234–5122 (ASL video phone)

Visit an EEOC field office (information at *www.eeoc.gov/field-office*)

E-Mail *info@eeoc.gov*

Additional information about the EEOC, including information about filing a charge of discrimination, is available at *www.eeoc.gov*.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases: **Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin** Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment. **Asking About, Disclosing, or Discussing Pay** Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. **Disability** 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 by Federal contractors. 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 of employment, including the executive level.

Protected Veteran Status 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 by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
1–800–397–6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at *https://ofccphelpdesk.dol.gov/s/*, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at *https://www.dol.gov/agencies/ofccp/contact*.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

(Revised 6/27/2023)

DISTRICT OF COLUMBIA MINIMUM WAGE

GOVERNMENT OF THE DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR

DISTRICT OF COLUMBIA MINIMUM WAGE POSTER

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

MINIMUM WAGE RATES

Employees who do not receive gratuities	Employees who receive gratuities
$13.25 per hour beginning July 1, 2018	$3.89 per hour beginning July 1, 2018
$14.00 per hour beginning July 1, 2019	$4.45 per hour beginning July 1, 2019
$15.00 per hour beginning July 1, 2020	$5.00 per hour beginning July 1, 2020
$15.20 per hour beginning July 1, 2021	$5.05 per hour beginning July 1, 2021
$16.10 per hour beginning July 1, 2022	$5.35 per hour beginning July 1, 2022
$17.00 per hour beginning July 1, 2023	$6.00 per hour beginning May 1, 2023 $8.00 per hour beginning July 1, 2023

Beginning in 2021, the minimum wage will increase during each successive year in proportion to the Consumer Price Index for both employees who do not receive gratuities and employees who receive gratuities. Visit the Department of Employment Services website at **www.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 employer has received an authorizing certificate from the U.S. Department of Labor.
2. Persons employed under provisions of the Workforce Innovation and Opportunity Act shall be paid pursuant to that Act.
3. Persons employed under provisions of the Youth Employment Act shall be paid pursuant to that Act.
4. Persons employed under provisions of the Older Americans Act shall be paid pursuant to that Act.
5. Students employed by institutions of higher education may be paid the minimum wage established by the United States government.
6. The Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015, removed adult learners as a minimum wage exception. Newly hired persons 18 years of age or older must be paid the established District of Columbia minimum wage immediately upon hire.
7. The minimum wage provision does not apply to persons:
   a. employed in a bona fide executive, administrative, professional, computer, or outside sales capacity; or
   b. engaged in the delivery of newspapers to the home of the consumer.

OVERTIME PAY
At least 1 1/2 times the regular rate of pay for all hours worked over 40 hours in a workweek.

OVERTIME EXCEPTIONS
The overtime provision shall not apply to persons employed:
1. In a bona fide executive, administrative, professional, computer, or outside sales capacity;
2. As a private household worker who lives on the premises of the employer;
3. In a retail or service establishment and whose regular rate of pay is in excess of one and one-half times the minimum hourly rate applicable under the Act, and more than one-half of the employee's compensation for a representative period (not less than one month) represents commissions on goods and services;
4. As a seaman, by a railroad, as an attendant in a parking lot or parking garage, or in newspaper home delivery;
5. By an air carrier who voluntarily exchanges workdays with another employee for the primary purpose of 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 UNDERFEDERAL LAW
For more information, call the U.S. Department of Labor, Wage-Hour Division, or visit **www.dol.gov/whd**.

UNIFORMS
Employers must pay the cost of purchase, maintenance, and cleaning of uniforms and protective clothing required by employer or by law or pay the employee 15 cents per hour in addition to the minimum wage (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 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 quarterly wage reports and it is located at **https://www.essp.does.dc.gov/**.
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 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**.

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**

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

ANTI-DISCRIMINATION NOTICE

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 did you...
- Marry or divorce?
- Gain or lose a dependent?
- Change your name?

Were there major changes to...
- Your nonwage income (interest, dividends, capital gains, etc.)?
- Your family wage income (you or your spouse started or ended a job)?
- Your itemized deductions?
- Your tax credits?

If you can answer "YES"...
To any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4.
See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676.
Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at ***www.irs.gov/individuals*** on the IRS web site.

Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

IRS Department of the Treasury Internal Revenue Service www.irs.gov

Publication 213
(Rev. 8-2009)
Cat. No. 11047P

WAGE THEFT PREVENTION ACT

NOTICE

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

The Wage Theft Prevention Amendment Act of 2014

The Wage Theft Prevention Amendment Act of 2014 (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

Written Employment Notice:
As an employer of the District of Columbia, upon hire, you are required to provide a notice to employees of their employment. Also, within 90 days of the effective date of WTPAA, every employer shall furnish each employee with an updated written notice containing the information required. As proof of compliance, every employer shall retain copies of the written notice furnished to employees that are signed and dated by the employer and by the employee acknowledging receipt of the notice. (*There are additional requirements for temporary staffing firms.*)

This notice must include:
1) The name of the employer and any " doing business as " (DBA) names used by the employer
2) The physical address of the employer's main office or principal place of business, and a mailing address if different
3) The telephone number of the employer
4) The employee's rate of pay and the basis of that rate, including:
   a. Rate by the hour, shift , day , or week (whichever is applicable)
   b. Salary, Piece Rate, or commission (whichever is applicable)
   c. Any allowances claimed as part of the minimum wage, 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

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

Notice of Complaint
For any employer alleged to be in non-compliance with the Act, The Mayor shall deliver two (2) notices to the employer.
1. 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
2. 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
The WTPAA extends the protection and it also gives the Mayor power to enforce this law.
- 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
Wage Payment Penalties, D.C. Official Code § 32-1307; D.C. Official Code § 32-1307(a) Section 7a – Wage Theft Prevention Fund
- Any employer who negligently fails to comply with the provisions of this Act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:
  - For the first offense, an amount per affected employee of not more than $2,500; for any subsequent offense, an amount per affected employee of not more than $5,000.
- Any employer who willfully fails to comply with the provisions of this Act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:
  - For the first offense, an amount not more than $5,000 or imprisoned not more than 30 days, or both; for any subsequent offense, an amount not more than $10,000, or imprisoned not more than 90 days, or both.

In addition to and apart from any other penalties or remedies provided for in this Act or the Living Wage Act, the Mayor shall assess and collect administrative penalties as follows:
- For the first offense, $50 for each employee or person whose rights under this Act or the Living Wage Act are violated for each day the violation occurred or continued.
- For any subsequent offense, $100 for each employee or person whose rights under this Act or the Living Wage Act are violated for each day the violation occurred or continued.

The Mayor shall collect administrative penalties in the amounts set forth below for the following violations:
- Five hundred dollars for failure to provide notice of investigation to employees
- 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.
- 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 (82 Stat 1203, D.C. Official Code § 2-501 et seq).
- The Mayor shall issue a final order following the hearing, containing a finding that a violation has or has not occurred. If a hearing is not requested, the person to whom notification of violation was provided shall transmit to the Mayor the amount of the penalty within 15 days following notification.

There is established 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 other time.

Minimum Wage Penalties D.C. Official Code § 32-1011
- Any person who willfully or negligently violates any of the provisions of §32-1010 shall, upon conviction, be subject to a fine of not more than $10,000, or to imprisonment of not more than six (6) months, or both.
- No person shall be imprisoned under this section except for an offense committed willfully after the conviction of that person for a prior offense under this section.
- 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 of Columbia.
- In addition to and apart from the penalties or remedies provided for in this section, the Mayor shall assess and collect administrative penalties as follows:
  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 rights under this Act are violated for each day that the violation occurred or continued;
  3. $500 for each failure to maintain payroll records or to retain payroll records for three (3)years or whatever the prevailing federal standard is, whichever is greater for each violation;
  4. $500 for each failure to allow the Mayor to inspect payroll records or perform any other investigation;
  5. $500 for each failure to provide each employee an itemized wage statement or the written notice as required by section 9(b) and (c); and
  6. $100 for each day that the employer fails to post notice as required under section 10(a).

ASSLA Penalties D.C. Official Code § 32-131.12
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 the Wage Theft Prevention Fund.

For the complete text of the Wage Theft Prevention Amendment Act of 2014, go to **http://lims.dccouncil.us/Download/31203/B20-0671-SignedAct.pdf**.

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 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.

ACCRUAL START DATE
Paid leave accrues at the beginning of employment, provided that the accrual need not commence prior to November 13, 2008 and provided that an employer 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.

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

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 and Hour can investigate possible violations, access employer records, enforce the paid sick leave requirements, order reinstatement of employees who are terminated, as a result of asserting rights to paid sick leave, order payment of paid sick leave unlawfully withheld, and impose penalties. An employer who willfully violates the requirements of the Act shall be assessed a civil penalty in the amount of one thousand dollars ($1,000) for the first offense, fifteen hundred dollars ($1,500) for the second offense, and two thousand dollars ($2,000) for the third and any subsequent offenses.

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 employers, use the following chart:

TO FILE A COMPLAINT OR FOR ADDITIONAL INFORMATION
To request full text of the Act, to obtain a copy of the rules associated with this Act, to receive the Act translated into other languages, or to file a complaint, visit **www.does.dc.gov**, call the Office of Wage Hour at (202) 671-1880, or visit at 4058 Minnesota Avenue, N.E., Suite 4300, Washington, D.C. 20019.

Complaints shall be filed within three (3) years after the event on which the complaint is based unless the employer has failed to post notice of the Act.

BREASTFEEDING RIGHTS & GUIDELINES

OHR WORKPLACE POSTERS: THE RIGHT TO BREASTFEED

Under the District of Columbia Human Rights Act of 1977, as amended,
- A woman has a right to breastfeed her child in any location, public or private, where she has the right to be with her child, without respect to whether the mother's breast or any part of it is uncovered during or incidental to the breastfeeding of her child.
- An employer must provide reasonable daily unpaid break-time, as required by an employee so she may express breast milk for her child to maintain milk supply and comfort.
- The break-time for expression of milk, if possible, may run concurrently with any break-time, paid or unpaid, already provided to the employee.
- An employer is not required to provide break-time if it would create an undue hardship on the operations of the employer.
- An employer shall make reasonable efforts to provide a sanitary room or other location in close proximity to the work area, other than a bathroom or toilet stall, where an employee can express her breast milk in privacy and security.
- The employer must create a policy for breastfeeding mothers and must post and maintain a poster in a conspicuous place that sets forth these requirements.
- The employee must file within one (1) year of the occurrence or discovery of the violation of the Act. An employee of the District of Columbia government must file within 180 days of the occurrence or discovery of the violation.
- If the employee feels as if she is being discriminated against under the Act, she may contact:

THE DISTRICT OF COLUMBIA OFFICE OF HUMAN RIGHTS
441 4th Street, NW : Suite 570 North : Washington, DC 20001 : [202] 727 - 4559 or ohr.dc.gov

Office of Human Rights DISTRICT OF COLUMBIA

TIME OFF TO VOTE

TIME OFF TO VOTE
READY SET VOTE!

EMPLOYEES: Time Off to Vote in the November 8, 2022 General Election

District of Columbia law requires employers to post this notice, which advises employees of provisions for taking paid administrative leave to vote in elections held in the District of Columbia and in other places where their employees are eligible to vote. This notice must be posted conspicuously at all sites where employees report to work and on the employers' website, if applicable.

Dates and Times of Voting:
EARLY VOTING: Monday, October 31, 2022 through Sunday, November 6, 2022
Vote Centers are open from 8:30 A.M. to 7:00 P.M.

ELECTION DAY: Tuesday, November 8, 2022
Vote Centers are open from 7:00 A.M. to 8:00 P.M.

Your Rights:
District of Columbia law (D.C. Official Code 1-1001.07a) allows you, upon your request to your employer, to take up to two hours paid leave from your scheduled working shift to vote:
- in an election held in the District if you are eligible to vote in the District; or
- in an election held in the jurisdiction in which you are eligible to vote

Your Employer May:
- require you to submit your request for paid leave to vote a reasonable time in advance of the date you wish to vote; and
- specify the hours during which you may take paid leave to vote, including requiring you to:
- vote during the early voting period instead of on Election Day; or
- vote at the beginning or end of your working shift, whether during early voting or on Election Day

Your Employer May Not:
- interfere with, restrain, or deny any attempt you make to take paid leave to vote under the applicable law; or
- retaliate against you for taking paid leave to vote under the applicable law

For more information, call the DC Board of Elections at (202) 727-2194

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

YOUR RIGHTS UNDER USERRA
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 applicants to the uniformed services.

REEMPLOYMENT RIGHTS
You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:
- you ensure that your employer receives advance written or verbal notice of your service;
- you 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.

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 some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
If you: • are a past or present member of the uniformed service; • have applied for 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 in connection with a proceeding under USERRA, 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 service-connected 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 **https://www.dol.gov/agencies/vets/**. An interactive online USERRA Advisor can be viewed at **https://webapps.dol.gov/elaws/vets/userra**
- 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.

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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: **https://www.dol.gov/agencies/vets/programs/userra/poster**. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet 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 · U.S. Department of Justice · Office of Special Counsel · U.S. Department of Labor 1-866-487-2365

PAYDAY NOTICE

Regular Paydays for Employees of

_____
(Company Name)
Shall be as follows:

☐ *Weekly* ☐ *Bi-Weekly* ☐ *Monthly* ☐ *Other* _____

By: _____ *Title:* _____

PROTECTING PREGNANT WORKERS FAIRNESS ACT

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

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

Accommodations for Pregnancy, Childbirth and Breastfeeding

The Protecting Pregnant Workers Fairness Act (PPW) requires District of Columbia employers to provide reasonable workplace accommodations for employees whose ability to perform job duties is limited because of pregnancy, childbirth, breastfeeding, or a related medical condition.

The employer must engage in good faith and in a timely and interactive process to determine the accommodations.

Types of Accommodations

Employers must make all reasonable accommodations,* including but not limited to:
- More frequent or longer breaks;
- Time off to recover from childbirth;
- Temporarily transferring the employee to a less strenuous or hazardous position;
- Purchasing or modifying work equipment, such as chairs;
- Temporarily restructuring the employee's position to provide light duty or a modified work schedule;
- Having the employee refrain from heavy lifting;
- Relocating the employee's work area; or
- Providing private (non-bathroom) space for expressing breast milk.

Prohibited Actions by Employers

Employers may not:
- Refuse an accommodation unless it would cause significant hardship or expense to the business;
- Take adverse action against an employee for requesting an accommodation;
- Deny employment opportunities to the employee because of the request or need for an accommodation;
- Require an employee to take leave if a reasonable accommodation can be provided; or
- Require employees to accept an accommodation unless it's necessary for the employee to perform her job duties.

Certification from Health Care Provider

The employer may require an employee to provide certification from a health care provider indicating a reasonable accommodation is advisable. The certification must include: (1) the date the accommodation became or will become medically advisable; (2) an explanation of the medical condition and need for a reasonable accommodation; and (3) the probable length of time the accommodation should be provided.

Filing a Complaint of a Violation

If you believe an employer has wrongfully denied you a reasonable accommodation or has discriminated against you because of your pregnancy, childbirth, need to breastfeed or a related medical condition, you can file a complaint within one year with the DC Office of Human Rights (OHR). To file a complaint, visit:
- **Online** at ohr.dc.gov; or
- **In-Person** at 441 4th Street NW, Suite 570N, Washington, DC 20001.

OHR will perform the initial mediation and investigation. If probable cause exists, administrative law judges at the Commission on Human Rights will make a final determination.

* A "reasonable accommodation" is one that does not require significant difficulty in the operation of the employer's business or significant expense for the employer, with consideration to factors such as the size of the business, its financial resources and the nature and structure of the business.

Adaptaciones para el embarazo, el parto y la lactancia

La ley de Protección de la Equidad para las Trabajadoras Embarazadas (PPW, por sus siglas en inglés) exige que los empleadores del Distrito de Columbia proporcionen adaptaciones razonables en el trabajo para las empleadas 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.

El empleador debe participar de buena fe en un proceso oportuno e interactivo para determinar dichas adaptaciones.

Tipos de adaptaciones

Los empleadores deben realizar toda adaptación razonable,* incluyendo, pero sin limitarse a:
- descansos más frecuentes o más prolongados;
- permiso para ausentarse y recuperarse del parto;
- transferir temporalmente a la empleada a un puesto menos extenuante o peligroso;
- adquirir o modificar equipo de trabajo, tal como las sillas;
- reestructurar temporalmente el puesto de la empleada para asignarle labores ligeras o un horario de trabajo modificado;
- hacer que la empleada se abstenga de levantar cosas pesadas;
- reubicar el área de trabajo de la empleada; u
- ofrecer un espacio privado (que no sea el baño) para sacarse la leche materna.

Actos que tienen prohibido realizar los empleadores

Los empleadores no pueden:
- denegar una adaptación, a menos que ocasione dificultades o gastos significativos para el negocio;
- tomar medidas en contra de 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 adaptación se hizo o se hará médicamente recomendable; 2) una explicación de la afección y de la necesidad de recibir una adaptación razonable; y 3) la duración probable por la cual deberá proporcionarse la adaptación.

Cómo presentar una queja sobre una violación

Si cree que un empleador le ha negado erróneamente una adaptación razonable o le ha discriminado debido a su embarazo, parto, necesidad de amamantar o una afección médica relacionada, puede presentar una queja en el plazo de un año ante la Oficina de Derechos Humanos de DC (OHR). Para presentar una queja, visite:
- **En línea** ean ohr.dc.gov; o
- **Personalmente** en el 441 4th Street NW, Suite 570N, Washington, DC 20001.

La OHR realizará la mediación inicial y la investigación. Si existe una causa probable, los jueces de derecho administrativo de la Comisión de Derechos Humanos tomarán una decisión final.

* Una "adaptación razonable" es aquella que no ocasiona gastos considerables ni dificultades significativas para el funcionamiento de la empresa del empleador, teniendo en consideración factores tales como el tamaño de la empres