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. • Retaliation for filing a charge, reasonably opposing • Employees (current and former), including managers discrimination, or participating in a discrimination

lawsuit, investigation, or proceeding

Interference, coercion, or threats related to exercising Job applicants Union members and applicants for membership in a union rights regarding disability discrimination or pregnancy What Organizations are Covered? What Employment Practices can be Challenged as Most private employers State and local governments (as employers) inatory? All aspects of employment, including: Educational institutions (as employers) • Harassment (including unwelcome verbal or Staffing agencies physical conduct) What Types of Employment Discrimination are Illegal? Hiring or promotion Under the EEOC's laws, an employer may not discriminate • Pay (unequal wages or compensation) against you, regardless of your immigration status, on the • Failure to provide reasonable accommodation for a bases of: disability; pregnancy, childbirth, or related medical

 Race Color condition; or a sincerely-held religious belief, Religion observance or practice National origin • Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity) Age (40 and older)

and temporary employees

services, or family medical history)

 Referral Obtaining or disclosing genetic information Genetic information (including employer requests for, of employees or purchase, use, or disclosure of genetic tests, genetic Requesting or disclosing medical information

promotion, discharge, pay, fringe benefits, job training, classification, referral, and other

disabilities at all levels of employment, including the executive level.

• 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) Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of enforces the nondiscrimination and affirmative action commitments of companies 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and doing business with the Federal Government. If you are applying for a job with, or are requires affirmative action to recruit, employ, and advance in employment, disabled

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 órientation, gender identity, or national origin, and requires 🔠 discrimination by Federal contractors under these Federal laws. Any person who believes affirmative action to ensure equality of opportunity in all aspects of employment. a contractor has violated its nondiscrimination or affirmative action obligations under Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, OFCCP's authorities should contact immediately: protects applicants and employees of Federal contractors from discrimination based on The Office of Federal Contract Compliance Programs (OFCCP) inquiring about, disclosing, or discussing their compensation or the compensation of U.S. Department of Labor other applicants or employees. Disability Section 503 of the Rehabilitation Act of 1973, 200 Constitution Avenue, N.W. as amended, protects qualified individuals with disabilities from discrimination in hiring,

1-800-397-6251 (toll-free) aspects of employment by Federal contractors. Disability discrimination includes not If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access 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 a question online to OFCCP's Help Desk at <a href="https://ofccphelpdesk.dol.gov/s/">https://ofccphelpdesk.dol.gov/s/</a>, or by undue hardship to the employer. Section 503 also requires that Federal contractors take calling an OFCCP regional or district office, listed in most telephone directories affirmative action to employ and advance in employment qualified individuals with 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 Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects ctivities receiving Federal financial assistance. Employment discrimination is covered by of employment against persons with disabilities who, with or without reasonable 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 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 Federa services under such programs. Title IX of the Education Amendments of 1972 prohibits financial assistance, you should immediately contact the Federal agency providing such imployment discrimination on the basis of sex in educational programs or activities assistance.

## 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** 

which receive Federal financial assistance.

**Employees who do not receive gratuities Employees who receive gratuities** \$3.89 per hour beginning July 1, 2018 \$13.25 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 \$6.00 per hour beginning May 1, 2023 \$17.00 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. The minimum wage provision does not apply in instances where other laws or Employers must pay the cost of purchase, maintenance, and cleaning of uniforms 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 governm 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 he 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; 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. ne 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,

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.

caregivers, and companions.

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. 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. 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.

Every employer shall make and keep for at least three (3) years accurate time and payrol 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 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 <a href="https://www.essp.does.dc.gov/">https://www.essp.does.dc.gov/</a>. 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. 5. 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 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 \*\*\* 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.

## YOU MAY NEED TO CHECK YOUR WITHHOLDING

Your itemized deductions?

WITHHOLDING STATUS

#### Your tax credits? If you can answer "YFS"...

Marry or divorce? Gain or lose a dependent? Change your name? Were there major changes to... Your nonwage income (interest, dividends, capital Your family wage income (you or your spouse started or ended a iob)?

Since you last filed form W-4 with your employer

To any of these questions or you owed extra tax when you filed your last return, you may need to file a new 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. Publication 213 (Rev. 8-2009) Cat. No. 11047F

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

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.

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

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

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

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

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

• 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

be fined:

than \$5,000.

or continued.

of Columbia.

or continued:

greater for each violation

any other investigation:

occurred or continued.

the following violations:

administrative penalties as follows:

## 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

Rules against Retaliation

ACCRUAL START DATE

written notice to each employee of the terms of their employment, and to maintain appropriate employment records. 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.) 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 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 into the Fund, and interest earned, shall not revert to the unrestricted fund balance

• 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

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. lotice of Complain

For any employer alleged to be in non-compliance with the Act, The Mayor shall

eliver two (2) notices to the employer. . Notice of Complaint that specifies o. Potential damages, penalties, and other cost

. Rights and obligations of the parties . Process for contesting the complain 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

Γhe 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 Vage Payment Penalties, D.C. Official Code § 32-1307; D.C. Official Code

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

Any employer who negligently fails to comply with the provisions of this Act or <a href="http://lims.dccouncil.us/Download/31203/B20-0671-SignedAct.pdf">http://lims.dccouncil.us/Download/31203/B20-0671-SignedAct.pdf</a>.

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

### ACCRUED SICK AND SAFE LEAVE ACT **OFFICIAL NOTICE** (Post Where Employees Can Easily Read)

Accrued Sick and Safe Leave Act of 2008

for leave is unforeseeable.

(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 ACCESSING PAID LEAVE** An employee must be allowed to use paid leave no later than after 90 days of Pursuant to the Accrued Sick and Safe Leave Act of 2008, all employers in the service with the employer. An employee may use leave on short notice if the reason District of Columbia must provide paid leave to each employee, including

NUMBER OF HOURS ACCRUED Accrual of paid leave is determined by the type of business, the number of Paid leave accrues at the beginning of employment, provided that the accrual employees an employer has, and the number of hours an employee works. For 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 Columbia's Minimum Wage. For all other employers, use the following chart:

Paid leave accrues on an employer's established pay period. If an employer has... **Employees accrue at least...** Not to exceed... 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 davs per calendar vear

**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

employees of restaurants, bars, temporary, staffing firms and part-time employees.

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 **EMPLOYEE PROTECTION** subsequent offenses. 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.

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.

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 The DC Department of Employment Services, Office of Wage and Hour can Act, to receive the Act translated into other languages, or to file a complaint, visit investigate possible violations, access employer records, enforce the paid sick www.does.dc.gov, call the Office of Wage Hour at (202) 671-1880, or visit at leave requirements, order reinstatement of employees who are terminated, as 4058 Minnesota Avenue, N.E., Suite 4300, Washington, D.C. 20019.

BREASTFEEDING RIGHTS & GUIDELINES

## OHR WORKPLACE POSTERS: THE RIGHT TO BREASTFEED

Under the District of Columbia Human Rights Act of 1977, as amended, hardship on the operations of the employe

 A woman has a right to breastfeed her child in any location, public or private, 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 where she has the right to be with her child, without respect to whether stall, where an employee can express her breast milk in privacy and security. the mother's breast or any part of it is uncovered during or incidental to the breastfeeding of her child. The employer must create a policy for breastfeeding mothers and must post An employer must provide reasonable daily unpaid break-time, as required 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 by an employee so she may express breast milk for her child to maintain milk 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. The break-time for expression of milk, if possible, may run concurrently with any break-time, paid or unpaid, already provided to the employee. • If the employee feels as if she is being discriminated against under the Act, she may contact An employer is not required to provide break-time if it would create an undue

> 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

### TIME OFF TO 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 ote Centers are open from 7:00 A.M. to 8:00 P.M 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

District of Columbia law (D.C. Official Code 1-1001.07a) allows you **Your Employer May Not:** upon your request to your employer, to take up to two hours paid interfere with, restrain, or deny any attempt you make to take paid eave from your scheduled working shift to vote: leave to vote under the applicable law; or • in an election held in the District if you are eligible to vote in the • in an election held in the jurisdiction in which you are eligible to vote

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

retaliate against you for taking paid leave to vote under the

## JSERRA – 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.

in connection with a proceeding under USERRA, even if that person has no You have the right to be reemployed in your civilian job if you leave that job to service connection. perform service in the uniformed service and: you ensure that your employer receives advance written or verbal notice of your · 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 • The U.S. Department of Labor, Veterans Employment and Training Service you would have attained if you had not been absent due to military service or, in some cases, a comparable job. IGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION If you: • are a past or present member of the uniformed service; • have applied

• 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., preexisting condition exclusions) except for service-connected illnesses or injuries. ENFORCEMENT (VETS) is authorized to investigate and resolve complaints of USERRA violations. contact VETS at 1-866-4-USA-DOL or visit its website at

· For assistance in filing a complaint, or for any other information on USERRA, https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor or membership in the uniformed service; or • are obligated to serve in the can be viewed at https://webapps.dol.gov/elaws/vets/userra uniformed service; then an employer may not deny you: • initial employment; • If you file a complaint with VETS and VETS is unable to resolve it, you may · reemployment; · retention in employment; · promotion; or · any benefit of request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. n addition, an employer may not retaliate against anyone assisting in the · You may also bypass the VETS process and bring a civil action against an enforcement of USERRA rights, including testifying or making a statement employer for violations of USERRA. Publication Date — May 2022 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 nay meet this requirement by displaying the text of this notice where they customarily place notices for employees.

## PAYDAY NOTICE

**Regular Paydays for Employees of** 

(Company Name) Shall be as follows: Bi-Weekly

## PROTECTING PREGNANT WORKERS FAIRNESS ACT

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

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

Employers must make all reasonable accommodations,\* including but not limited to: More frequent or Purchasing or modifying Having the employee longer breaks; work equipment, such refrain from heavy as chairs; from childbirth; Temporarily

 Relocating the restructuring the employee's work employee's position to area; or transferring the provide light duty or a Providing private (nonemployee to a modified work schedule less strenuous or bathroom) space for hazardous position expressing breast milk.

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 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

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 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

Ley de Protección de la Equidad para las Trabajadoras Embarazadas - Conozca sus derechos en el Distrito de Columbia -Adaptaciones para el embarazo, el parto y la lactancia

incluvendo, pero sin limitarse a:

descansos más

frecuentes o más

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.

adquirir o modificar

equipo de trabajo,

hacer que la

empleada se

prolongados; tal como las sillas; abstenga de levantar cosas pesadas; permiso para reestructurar • reubicar el área ausentarse y temporalmente de trabaio de la el puesto de la recuperarse del parto; empleada para empleada: u transferir • ofrecer un espacio asignarle labores temporalmente a la ligeras o un privado (que no sea e empleada a un puesto horario de trabajo baño) para sacarse la menos extenuante o modificado; 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; tomarmedidas en contrade una emplea da porsolicitar 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 v de la necesidad de recibir una adaptación razonable: v 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 • 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 n 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. ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 441 4th Street NW, Suite 570N, Washington, DC 20001

**PUBLIC ACCOMMODATIONS NOTICE OF NON-DISCRIMINATION** 

does not discriminate on the basis of actual or perceived: National Orio Personal Appearance Family Respon Color Religion **Sexual Orientation** Matriculation **Political Affiliation** Sex (Gender or sexual **Gender Identity or Expression** Marital Status **Genetic Information** harassment) Familial Status 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

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



Disabilit

or Business

Source of Income

Place of Residence

WORKERS' COMPENSATION NOTICE

**Department of Employment Services** LABOR STANDARDS BUREAU coes

WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant. NOTICE OF COMPLIANCE **TO EMPLOYERS** 

You are required by law to report promptly to your employer and the Office of Workers' Compensation an occupational injury or disease, even if you deem it to be minor. Form No. 7 DCWC, Notice of Accidental Injury or Occupational Disease, to be obtained from the employer or the Office of Workers Compensation, must be used for that purpose. After you have completed and signed the form, mail it to the Office of Workers' Compensation at the above address, and to your employer. You are entitled, if required to the services of a physician or hospital of your choice and lost wages. Call (202) 671-1000 or visit http://does.dc.gov for You may not sue your employer as a result of a work-related injury or disease by reason of your exclusive remedy under the Workers' Compensation Law. In order to preserve your right to benefits under the DC Workers' Compensation Law, you must file a written claim on Form No. 7A DCWC, Employee's Claim Application, within one (1) year after your injury, or within one (1) year after

the last payment of benefits. If you need information regarding your rights and obligations prescribed by law, you may call your employer first. If you require further information, you may call the Office of Workers' Compensation at (202) 671-1000 or visit http:// does.dc.gov The law gives you the right to legal representation if you so choose.

NOTICE: Violation of the various provisions of the Workers' Compensation law The undersigned employer hereby gives notice of compliance with all provisions NAME OF INSURANCE COMPANY

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

THIS NOTICE IS TO BE POSTED CONSPICUOUSLY IN AND ABOUT THE EMPLOYER'S PLACE(S) OF BUSINESS

#### UNEMPLOYMENT COMPENSATION NOTICE **NOTICE TO EMPLOYEES**

Your employer is subject to the District of Columbia Unemployment Compensation Act which establishes a system of protecting insured workers from complete wage loss when they become unemployed through no fault of their own and are seeking new jobs. To help finance the unemployment insurance system, a tax is levied against employers-- not workers. No deductions are made from your pay for this purpose. This program is administered by the District of Columbia's Department of Employment Services. If you should become unemployed or your hours are reduced, you may be entitled to receive nemployment 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

CCDC - Bertie Backus Campus

2nd Floor

Northeast

Washington, DC 20009 (202) 442-4577 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

American Job Center

Northwest

2000 14th Street, N.W.,

3rd Floor

nk D. Reeves Municipal Center

American Job Center

Headquarters

4058 Minnesota Avenue,N.E

Washington, DC 20019

(202) 724-2337

EMPLOYEE POLYGRAPH PROTECTION ACT EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers does not preempt any provision of any State or local law or any collective

the course of employment. any employee or job applicant to take a lie detector test, and from discharging. Examinees have a number of specific rights, including the right to a written disciplining, or discriminating against an employee or prospective employee for notice before testing, the right to refuse or discontinue a test, and the right not refusing to take a test or for exercising other rights under the Act. **EXEMPTIONS** Federal, State and local governments are not affected by the law. **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain Also, the law does not apply to tests given by the Federal Government to certain violations and assess civil penalties against violators. Employees or job applicants private individuals engaged in national security-related activities. The Act may also bring their own court actions. permits polygraph (a kind of lie detector) tests to be administered in the private

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE sector, subject to restrictions, to certain prospective employees of security

EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. 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,

mbezzlement, etc.) that resulted in economic loss to the employer. The law

from using lie detector tests either for pre-employment screening or during bargaining agreement which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to IBITIONS Employers are generally prohibited from requiring or requesting numerous strict standards concerning the conduct and length of the test. to have test results disclosed to unauthorized persons.

FMLA - FAMILY AND MEDICAL LEAVE ACT Your Employee Rights Under the Family and Medical Leave Act

(hat is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that provides information to your employer so they can determine whether the leave qualifies for ligible employees with job-protected leave for qualifying family and medical reasons. The FMLA protection. You must also inform your employer if FMLA leave was previously U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most taken or approved for the same reason when requesting additional leave. Your employees. Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month **employer <u>may</u> request certification** from a health care provider to verify medical leave

12 months, • You have at least 1,250 hours of service for your employer during the 12 investigation. After becoming aware that your need for leave is for a reason that may months before your leave, and • Your employer has at least 50 employees within 75 miles qualify under the FMLA, your employer must confirm whether you are eligible or not of your work location. Airline flight crew employees have different "hours of service" eligible for FMLA leave. If your employer determines that you are eligible, your employer equirements. You work for a covered employer if one of the following applies: • You must notify you in writing: • About your FMLA rights and responsibilities, and • How work for a private employer that had at least 50 employees during at least 20 workweeks much of your requested leave, if any, will be FMLA-protected leave. in the current or previous calendar year, • You work for an elementary or public or private Where can I find more infor SCAN ME secondary school, or • You work for a public agency, such as a local, state or federal Call 1-866-487-9243 or visit dol.gov/fmla to overnment agency. Most federal employees are covered by Title II of the FMLA, learn more. If you believe your rights under the FMLA have been violated, you may file a complaint

WH1420 REV 04/23

DISTRICT OF COLUMBIA PAID FAMILY LEAVE

NOTICE TO EMPLOYEES Information on Paid Family Leave in the District of Columbia **Expanded benefits available October 2022** 

Your employer is subject to the District of Columbia's Paid Family Leave law, which provides there is an exception for pregnant women who take prenatal leave. Pregnant women are overed employees paid time off from work for qualifying parental, family, medical, and eligible for 2 weeks of prenatal leave while pregnant and 12 weeks of parental leave after renatal events. For more information about the Paid Family Leave program, please visit giving birth, for a maximum of 14 weeks. the Office of Paid Family Leave's website at dcpaidfamilyleave.dc.gov plying for Benefits If you have experienced an event that may qualify for benefits, be **Covered Workers** To receive benefits under the Paid Family Leave program, you must work

. At the time you were hired: At least once a year; and If you ask your employer for leave that could qualify for benefits under the Paid Family Leave program

mployer or contact the Office of Paid Family Leave using the contact information below.

ossible. You do not have to share a medical diagnosis but must provide enough

vered Events There are four (4) kinds of Paid Family Leave benefits:

dministered by the Office of Personnel Management.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

dc paid 😯

OPFL EE Rev. 10/2022

or perceived):\*

notice when applicable.

Parental leave - receive benefits to bond with a new child for up to 12 weeks in a year; -amily leave - receive benefits to care for a family member for up to 12 weeks in a year; Medical leave - receive benefits for your own serious health condition for up to 12 weeks in a year; and Prenatal leave - receive benefits for prenatal medical care for up to 2 weeks in a year. timum Leave Entitlement Each kind of leave has its own eligibility rules and its own leave for any combination of parental, family, and medical leave is 12 weeks. However, ohr.dc.gov.

to provide notice of the following: 1. That retaliation by a covered employer against a covered employee for requesting, applying for, or using paid-leave benefits is prohibited; . That an employee who works for a covered employer with under 20 employees shall not retaliated against for requesting, applying for, or using paid leave.

limit on the length of time you can receive benefits in a year. The maximum amount of For more information on OHR and job protections, please visit the following web address: For more information about Paid Family Leave, please visit the Office of Paid Family Leave's website at dcpaidfamilyleave.dc.gov, call 202-899-3700, or email does.opfl@dc.gov.

Office of Paid Family Leave | 4058 Minnesota Avenue NE | Washington DC 20019

**EQUAL EMPLOYMENT OPPORTUNITY** 

**EOUAL 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 Family Responsibilities Credit Information • Status as a victim or family member of a Marital Status Matriculation Political Affiliation Personal Appearance

an attorney. Damages can be awarded if it is determined that a violation of the Act did occur. DC Family and Medical Leave Act DC Parental Leave Act employees to provide up to 16 weeks of unpaid family leave: • for the birth of a child, an adoption or foster care; or

It also allows up to 16 weeks of unpaid medical leave: • to recover from a serious illness that left the employee unable to work for a total of · person who acts as a guardian of a child; 32 weeks during a 24 month period. aunt, uncle, or grandparent of a child; or is During the period of leave, an employee should not lose benefits such as seniority or group a person married to a person listed above nealth plan coverage. The employer may require medical certification and reasonable prior A school-related event means an activity sponsored either by a school or an associated

An employee is eligible under the Act if they have been employed by the employer for at least Any employee shall notify the employer of the desire to leave at least 10 calendar days 12 consecutive or non-consecutive months in the seven years immediately preceding the prior to the event, unless the need to attend the school-related event cannot be start of the family or medical leave, and worked at least 1,000 hours during these 12 months. reasonably foreseen. Filing a Complaint of a Violation To file a complaint about a violation of these laws with the Office of Human Rights, visit:

Leave is unpaid unless the parent elects to use any paid family, vacation, personal or compensatory leave provided by the employer. ohr.dc.gov phone: (202) 727-4559 fax: (202) 727-9589 441 4th Street NW, Suite 570N, Washington, DC 20010

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

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 chool-related activities. School events include but are not limited to: parent-teacher conferences, concerts, plays, rehearsals, sporting events, and other activities where the child is a participant or the subject of the event, not a spectator.

school-related activity was not reasonably foreseeable. The leave can be unpaid or paid family, vacation, personal, compensatory or leave bank leave. The employer may deny the leave if granting the leave would disrupt the employer's usiness and make the achievement of production or service unusually difficult. **Definition of Parent or Guardian** An employee is considered a parent or guardian for purposes of this Act if he or she is:

a person married or in a domestic partnership to a person listed above **Employer Posting Requirements** The employer must post and maintain this notice in a conspicuous place. An employer day the employer fails to post the notice.

If you believe an employer has wrongfully denied you parental leave under this

· biological mother or father of a child;

apply in agricultural employment.

employer must make up the difference.

person who has legal custody of a child;

person who acts as a guardian of a child;

aunt, uncle, or grandparent of a child; or is

statute, you can file a complaint within one year of the incident with the Office of luman 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. uestions about the OHR process can also be answered by phone at (202) 727-4559.

birth each time the employee needs to express breast milk. Employers must provide a

place, other than a bathroom, that is shielded from view and free from intrusion from

orkers and the public, which may be used by the employee to express breast milk.

violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of

he minimum wage or overtime pay provisions of the law. Civil money penalties may also

**ENT** The Department has authority to recover back wages and an equa amount in liquidated damages in instances of minimum wage, overtime, and other

An employee is eligible under the Act if she or he has been employed by the employer for at least 12 consecutive or non-consecutive months in the seven years immediately preceding the start of the family or medical leave, and worked at least 1,000 hours during these 12 months. The District government is considered a single employer. The above eligibility requirements can be met by considering employment at more than one District agency. **Employer Posting Requirements** he employer must post and maintain this notice in a conspicuous place. An employer that willfully fails to post this notice may be ordered to pay a fine of up to \$100 for each 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.

> If you believe an employer has wrongfully denied you family or medical leave, or retaliated against you under this statute, you can file a complaint within one year of the incident with the Office of Human Rights (OHR). To file a complaint, visit: Online at ohr.dc.gov: 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.

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

For family or medical leave that began prior to November 13, 2021, an employee is eligible under the Act if she or he was employed by the employer for at least one year without a break in service, and vorked at least 1,000 hours during the 12 month period immediately preceding the requested leave. The one year of service requirement did not need to have immediately preceded the request for leave

FEDERAL MINIMUM WAGE

and reasonable prior notice when applicable.

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

The law requires employers to display this poster where employees can readily see it. be assessed for violations of the FLSA's child labor provisions. Heightened civil money OVERTIME PAY At least 1 ½ times your regular rate of pay for all hours worked over 40 HILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. discharging workers who file a complaint or participate in any proceeding under the FLSA. ouths 14 and 15 years old may work outside school hours in various non-manufacturing, on-mining, non-hazardous jobs with certain work hours restrictions. Different rules overtime pay provisions. P CREDIT Employers of "tipped employees" who meet certain conditions may claim a Northern Mariana Islands, and the Commonwealth of Puerto Rico. artial 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 Some state laws provide greater employee protections; employers must comply with their minimum wage obligation. If an employee's tips combined with the employer's Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the JMP AT WORK The FLSA requires employers to provide reasonable break time for a the two because employees (unless exempt) are entitled to the FLSA's minimum wage ırsing employee to express breast milk for their nursing child for one year after the child's nd overtime pay protections and correctly classified independent contractors are not.

1-866-487-9243



**Job Safety and Health** IT'S THE LAW!

## All workers have the right to:

A safe workplace.

 Raise a safety or health concern with related injury or illness, without being retaliated against.

Receive information and training on job hazards, including all hazardous substances in your workplace.

of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.

Request a confidential OSHA inspection

File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your

employer. Request copies of your medical records. tests that measure hazards in the

This poster is available free from OSHA.

Contact OSHA. We can help.

**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

 Comply with all applicable OSHA standards.

 Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.

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.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHAsupported consultation programs in every state.



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

## DC-0723-F04

period for: • The birth, adoption or foster placement of a child with you, • Your serious mental and may request certification of a qualifying exigency. The FMLA does not affect any or physical health condition that makes you unable to work, • To care for your spouse, child federal or state law prohibiting discrimination or supersede any state or local law or r parent with a serious mental or physical health condition, and • Certain qualifying reasons collective bargaining agreement that provides greater family or medical leave rights. related to the foreign deployment of your spouse, child or parent who is a military State employees may be subject to certain limitations in pursuit of direct lawsuits servicemember. An eligible employee who is the spouse, child, parent or next of kin of a regarding leave for their own serious health conditions. Most federal and certain overed servicemember with a serious injury or illness may take up to 26 workweeks of congressional employees are also covered by the law but are subject to the jurisdiction FMLA leave in a single 12-month period to care for the servicemember. You have the right to of the U.S. Office of Personnel Management or Congress. use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, What does my employer need to do? If you are eligible for FMLA leave, your employer rou may take FMLA leave intermittently in separate blocks of time, or on a reduced must: • Allow you to take job-protected time off work for a qualifying reason, • Continue chedule by working less hours each day or week. Read Fact Sheet #28M(c) for more your group health plan coverage while you are on leave on the same basis as if you had information. FMLA leave is not paid leave, but you may choose, or be required by your not taken leave, and • Allow you to return to the same job, or a virtually identical job with mployer, to use any employer-provided paid leave if your employer's paid leave policy the same pay, benefits and other working conditions, including shift and location, at the overs the reason for which you need FMLA leave. end of your leave. Your **employer** cannot interfere with your FMLA rights or threaten um I eligible to take FMLA leave? You are an eligible employee if all of the following or punish you for exercising your rights under the law. For example, your employer apply: • You work for a covered employer, • You have worked for your employer at least cannot retaliate against you for requesting FMLA leave or cooperating with a WHD

ow do I request FMLA leave? Generally, to request FMLA leave you must: • Follow with WHD or file a private lawsuit against your

your employer's normal policies for requesting leave, • Give notice at least 30 days before employer in court. Scan the QR code to learn WAGE ADDITIONAL CONTROLLING TO THE COLUMN TO TH rour need for FMLA leave, or • If advance notice is not possible, give notice as soon as about our WHD complaint process.

DEPARTMENT OF EMPLOYMENT SERVICES

sure to apply no more than 30 days after your event. You can learn more about applying for for a covered employer in DC. To find out if you are a covered worker, you can ask your benefits with the Office of Paid Family Léave at depaidfamilyleave.dc.gov. Benefit Amounts Paid Family Leave benefits are based on the wages your employer paid Your employer is required to tell you if you are covered by the Paid Family Leave program. Additionally, your employer is required to provide you information about the Paid Family Leave program at these three (3) times:

to you and reported to the Department of Employment Services. If you believe your wages were reported incorrectly, you have the right to provide proof of your correct wages. The current maximum weekly benefit amount is \$1,049. **Employee Protection** The Office of Paid Family Leave does not administer any job protections for District workers who take leave from work. However, some job protections may be available under laws and regulations administered by the District's Office of Human Rights (OHR). Under the Universal Paid Leave Act, the Office of Paid Family Leave is required

> be entitled to job protection if he or she decides to take paid leave pursuant to this act; and 3. That employees have a right to file a complaint with OHR if they feel they have been

victim of Domestic Violence, Sexual Sex (including pregnancy) Genetic Information Offense or Stalking (DVSOS) National Origin Sexual Orientation Religion Gender Identity or Expression Disability Homeless Status 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

The DC Family and Medical Leave Act of 1990 requires all employers with 20 or more 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: • to care for a seriously ill family member. · biological mother or father of a child; · person who has legal custody of a child;

organization

 Online at ohr.dc.gov; or • In-Person at 441 4th Street NW, Suite 570N, Washington, DC 20001 Questions can also be answered by phone at (202) 727-4559.

PARENTAL LEAVE ACT & DC FAMILY AND MEDICAL LEAVE ACT

DC FAMILY AND MEDICAL LEAVE ACT Workplace Poster Work Leave for Family or Medical Purposes

require employers to specifically pay for leave under DCFMLA, except that employees may use accrued leave (i.e., sick, annual, PTO, etc.) and where applicable, for private sector, payment under the Universal Paid Leave Act, and for DC government employees, The employee must notify the employer 10 days before the requested leave unless the payment under the Paid Family Leave Act. **Family Leave** Eligible circumstances for family leave under DCFMLA include the birth f a child, adopting a child, or caring for a child in foster care. Caring for a seriously ill family member is also eligible for family leave. <u>Medical Leave</u> Eligible circumstances for medical leave under DCFMLA includes recovering from a serious illness rendering the employee unable to work. Leave under DCFMLA may be taken in blocks of time, intermittently, and in certain

circumstances, at a reduced schedule. The employer may require medical certification

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 determined to be willful or repeated. The law also prohibits retaliating against or Certain occupations and establishments are exempt from the minimum wage, and/or Special provisions apply to workers in American Samoa, the Commonwealth of the

Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

your employer or OSHA, or report a work-

Participate (or have your representative)

See any OSHA citations issued to your

workplace, and the workplace injury and illness log.

shall order the employer to provide affirmative remedies including: compensatory § 32-1307(a) Section 7a – Wage Theft Prevention Fund

> 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

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

employment, because of this status.

Accommodations for Pregnancy, Childbirth and Breastfeeding process to determine the accommodations. Types of Accommodations

**Prohibited Actions by Employers** 

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.

NON-DISCRIMINATION IN PUBLIC ACCOMMODATIONS In 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

"To deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and

**OFFICE OF WORKERS' COMPENSATION** 4058 MINNESOTA AVENUE, N.E. • WASHINGTON, DC 20019 • (202) 671-1000 • (202) 671-1929 (Fax) 1. You are required to have Workers' Compensation insurance coverage if you have one (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 You must file an Employer's First Report of Injury or Occupational Disease Form No. 8 DCWC, with the Office of Workers' Compensation, send a copy to the nearest claim office of your insurer, for all occupational injuries or disease. as soon as possible, but no later than ten (10) working days after the date of knowledge thereof. 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

> 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. NAME OF EMPLOYER

and obligations by certified mail, return receipt requested.

Information on Unemployment Compensation in the District of Columbia

5171 South Dakota Avenue, N.E. Jr. Avenue, S.E. Washington, DC 20032 Washington, DC 20017 (202) 576-3092 (202) 741-7747

5. You are required to report to the Office of Workers' Compensation, and your insurer, any disability of more than three (3) days which was not previously reported, as soon as possible, but no later than ten (10) working days after the date of knowledge thereof. 6. You are required to furnish, or cause to be furnished, reasonable medical and

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

American Job Center American Job Centers Southeast **Hours of Operation:** 3720 Martin Luther King, 8:30 a.m. - 4:30 p.m. 9:30 a.m. - 4:30 p.m.

coes

1-866-487-9243

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

# 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 family leave and 16 weeks of medical leave during a 24-month period. However, the law does not