

DISTRICT OF COLUMBIA MINIMUM WAGE POSTER

(THIS SUMMARY MUST REMAIN IN A CONSPICUOUS PLACE WHERE EMPLOYEES MAY READ)

MINIMUM WAGE RATES

\$9.50 per hour beginning July 1, 2014

\$10.50 per hour beginning July 1, 2015

\$11.50 per hour beginning July 1, 2016

(Beginning July 1, 2017, the District's minimum wage will be increased in proportion to the annual average increase in the Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical Area for the preceding 12 months. Visit the Department of Employment Services website at www.does.dc.gov for 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 Investment Act shall be paid pursuant to that Act.
3. Persons employed under provisions of the Youth Employment Act shall be paid pursuant to that Act.
4. Persons employed under provisions of the Older Americans Act shall be paid pursuant to that Act.
5. Students employed by institutions of higher education may be paid the minimum wage established by the United States government.
6. Individuals under 20 years of age may be paid the minimum wage established by the United States government for the first 90 consecutive calendar days of employment.
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.

NOTE: "Wage Theft Prevention Amendment Act of 2014," effective February 26, 2015 removed adult learners as a minimum wage exception. Newly hired persons 20 years of age or older must be paid the established District of Columbia minimum wage immediately upon hire.

OVERTIME PAY

At least 1 ½ 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: "Car Wash Employee Overtime Amendment Act of 2012", effective May 31, 2012, removed the overtime exception for employees of a car wash. Car wash employees are entitled to overtime for all hours worked over a forty-hour workweek. The United States Department of Labor's Home Care Rule, effective November 12, 2015, became applicable to direct care workers employed by agencies and other third-party employers. Direct care workers are workers who provide home care services, such as certified nursing assistants, home health aides, personal care aides, caregivers, and companions.

PERSONS NOT ENTITLED TO OVERTIME PAY UNDER DISTRICT LAW MAY BE ENTITLED UNDER FEDERAL LAW

For information, call the U.S. Department of Labor, Wage-Hour Division, or visit www.dol.gov/whd/.

TIPPED EMPLOYEES

Employers must pay a service rate of \$2.77 per hour to "tipped employees." If an employee's hourly tip earnings (averaged weekly) added to the service rate do not equal the minimum wage, the employer must pay the difference.

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.

OTHER LAWS ADMINISTERED BY THE OFFICE OF WAGE- HOUR

WAGE PAYMENT AND WAGE COLLECTION LAW: Every employer shall pay all wages earned to employees at least twice during each calendar month, on regular paydays designated in advance by the employer. Not more than 10 working days may elapse between the end of the pay period covered and the regular payday. Whenever an employer discharges an employee, the employer shall pay the employee's wages not later than the working day following the discharge. In the instance of an employee who resigns, the employer shall pay the employee's wages the next regular payday or within seven (7) days from the date of resigning, whichever is earlier.

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

LIVING WAGE ACT OF 2006: Contractors and recipients of District of Columbia government contracts or government assistance of \$100,000 or more shall pay affiliated employees no less than the current "Living Wage" rate per hour. This also applies to subcontractors receiving \$15,000 or more and subcontractors of recipients of government assistance receiving \$50,000 or more. The Department of Employment Services may adjust the living wage annually. Contact the Office of Wage - Hour on (202) 671-1880 for the current Living Wage rate.

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

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

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, and tipped employees working in restaurants and bars regardless of employee count	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



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