



NOTICE OF HIRE – EMPLOYMENT STATUS AND ACKNOWLEDGEMENT OF WAGE RATE(S)

Notice of Hire (Check only one)

☐ At Hire ☐ Current Employee ☐ Annual–Current Date _____ ☐ Before a change in pay rate(s) or payday

Effective Date: ____/____/____

Section 1

Employer

Company Name: _____
DBA: _____
Permanent Address: _____
Street Line 2: _____
City: _____ State: _____
Zip Code: _____
Mailing Address: ☐ Same as Physical Address

Street Line 2: _____
City: _____ State: _____ Zip Code: _____
Phone: (____) _____ - _____

Employee

Employer Name: _____
DBA: _____
Physical Address: _____
City: _____ State: _____
Zip Code: _____

Preparer

Preparer's Name: _____
Preparer's Title: _____
Preparer's Signature: _____
Signature Date: _____
(Required under the hospitality industry wage order)

Section 2

Pay Frequency and Payday

Pay Frequency: _____ Designated Pay Day: _____
(Weekly, bi-weekly, semi-monthly, monthly, etc.) (Day of week when wages are payable/available)

Section 3

Allowances Taken Against Wages: ☐ None, or:

☐ Tips \$ _____ per hour
☐ Meals \$ _____ per meal
☐ Lodging \$ _____ per _____
☐ Other \$ _____ per _____

Section 4

Tipped Employees

Employer Must Read: If you have tipped employee(s) for whom tip credit is taken, this credit cannot exceed the tips they actually receive. Their hourly wage plus this credit must be at least equal to the minimum wage.

Employee Must Read: Specifically, if you do not receive enough tips over the course of a week to bring you up to the District of Columbia minimum wage hourly rate at \$9.50 per hour for the first 40 hours and \$14.25 per hour for hours over 40, you will be paid additional wages that week to make up the difference. All tips you receive must be retained by you, except for tips contributed to a valid tip pooling or tip sharing arrangement limited to employees who customarily and regularly receive tips.

Section 4

Basis of Wage Payment

☐ **Exempt**

Rate of Pay: _____

Pay Basis: _____ State if pay is based on an hourly, salary, day rate, piece rate, or other basis.

Section 5

☐ **Hourly**

Rate of Pay: _____ per hour

Overtime Rate of Pay* _____ per hour

☐ **Multiple Hourly Rates (for each type of work or shift)**

Rate of Pay: _____ per hour for _____

Rate of Pay: _____ per hour for _____

Rate of Pay: _____ per hour for _____

*Overtime must be at least 1 ½ times the weighted average of the multiple rates of pay for the week, with few exceptions. The weighted average is the total regular pay divided by the total hours worked in the week. The overtime rate may vary from week to week, depending on how many hours you worked at each rate of pay. The overtime rate may vary from week to week.

Section 6

☐ **Weekly or Salary for a Fixed Number of Hours (40 or fewer per week)**

Rate of Pay: _____ per _____

Overtime Rate of Pay: _____ per hour

Weekly Hours _____ (Specify the number of hours for which the weekly rate of salary will be paid.)

☐ **Salary for Varying Hours, Day Rate, Piece Rate, Flat Rate of Other Non-Hourly Pay**

Rate of Pay: _____

Per _____ (Specify the basis for the rate paid – salary for varying hours, day rate, etc.)

Section 7

☐ **Prevailing Rate or Other Jobs**

Prevailing Rate Jobs: Your rate of pay will be the posted rate for the occupations(s) of _____

Your overtime rate(s) are payable after 8 hours in a day and after 5 days in a week, or as noted in the applicable prevailing wage schedule. Overtime rates will be those posted for the occupation. Overtime for Prevailing Rate and Non-Prevailing Rate Jobs in the Same Week: For most employees in the District of Columbia the overtime rate will be 1 ½ times the regular pay rate for the work performed for hours over 40 hours per workweek. Regular rate of pay is the total weekly pay divided by the hours worked in the week. A very limited number of specific categories of employees must be paid overtime at a lower rate or not at all.

Section 8

Employee Acknowledgement: By signing below, I acknowledge that I have received the foregoing information regarding my pay and my Employer. I told my employer what my primary language is:

Check one:

English

☐ I have been given this pay notice in English.

Other Language

☐ _____. I have been given this pay notice in English only, because Office of Wage-Hour does not yet offer a pay notice form in my primary language.

Employee's Signature: _____ Date ____/____/____



The Department of Employment Services provides templates for several common types of pay agreements including dual language notices and acknowledgements in English and Spanish. If any other languages are needed, please contact the Office of Wage-Hour at 202-671-1880. Employers may create their notices, use or adapt the notice provided by The Department of Employment Services, as long as:

- The required information appears in English and the employee's primary language
- The employee receives a copy
- The employee signs an acknowledgment of receipt and identifies their primary language to the employer
- The employer keeps a copy of the notice and acknowledgement form

The Instructional Guide of how to complete this notice is found below:

Instructional Guide

Notice Given

Indicate the reason the form is being provided to the employee.

Note: Under the Wage Theft Prevention Amendment Act of 2014 (WTPAA), only pay decreases are required to have prior written notice and acknowledgement.

Section 1

Employer and Employee

Complete all fields.

Preparer

Note: Hospitality industry employer (e.g. restaurants and hotels) as defined under the hospitality wage must also sign the form.

Section 2

Pay Frequency and Pay Day

Indicate the frequency (e.g. – weekly, bi-weekly, etc.) for when regularly scheduled wage payments will be paid and also indicate the specific payday.

Note: The regular payday must be at least weekly for manual workers, at least twice a month for clerical and other workers, and at least monthly for commissioned salespeople.

Section 3

Allowances Taken Against Wages

Indicate any allowances claimed as a credit against the obligation to pay minimum wage such as tips, meals, and/or lodging.

Section 4

Tipped Employees

This section provides tipped employees the required notice under both District of Columbia law.

Note: Employers employing tipped employees are frequently targets of Office of Wage Hour and wage hour complaints due to the complex requirements.

Reminder Regarding Commissioned Sales Employees

Note: The WTPAA requires commission salesperson to receive and sign for a copy of their commission agreement. The agreement should be attached to this form and provided to the employee and a copy of each document kept by the client.

Exempt Employees

Completed this section if the employee from overtime pay under State regulations and the Federal Fair Labor Standards Act. Contact your Human Resources Business Partner if you need assistance determining whether the employee is an exempt employee.

Section 5

Hourly Rate Employees

Complete this section for hourly employees who are not exempt from coverage under the applicable District and Federal overtime provisions. For example, complete this section for an employee whose regular rate of pay is \$10 per hour and overtime rate is \$15.

Multiple Hourly Rate Employees

Complete this section for employees who are paid more than one rate for different types of work or different shifts. For example, complete this section for an employee who is paid \$10 per hour for work as a janitor and \$12 per hour for work as a landscaper, or an employee who is paid one rate for working the day shift and another rate for the night shift.

Section 6

Employees Paid on a Weekly Salary for a Fixed Number of Hours

Complete this section for nonexempt employees who received a weekly rate or a salary for a fixed number of hours (40 or fewer in a workweek).

The employee's regular rate is the weekly rate or salary divided by the number of hours it is intended to compensate

The overtime rate is 1.5 times the regular rate.

Note: Except in very limited circumstances, it is illegal to pay a fixed (unchanging) weekly rate for work weeks that vary over 40 hours. Even where there is a standard work week, there are usually occasions when work hours vary. For this reason, the Department of Employment Services has not provided a template for weekly rates for work weeks of over 40 hours. To avoid overtime violations, the Department strongly recommends that employers pay an hourly rate to overtime eligible employees whose standard workweek is over 40 hours. Employers in the Hospitality Industry may not pay a non-exempt employee a non-hourly rate, except for commissioned salespeople.

Employees Paid a Salary for Varying Hours, Day Rate, Piece Rate, Flat Rate, or Other Non-Hourly Pay

Complete this section for non-exempt employees who are paid a salary for varying hours of work, a daily rate, piece rates, flat rates, or any other pay that is not based on actual hours worked. In each overtime week, the employer must:

- Calculate the regular rate (total regular pay divided by total hours worked)
- Calculate the overtime premium (1/2 the regular rate)
- Multiply the overtime premium by the number of overtime hours and
- Pay the overtime premium in addition to the salary, day rate, piece rate, flat rate, or other pay

Note: Employers in the Hospitality Industry may not pay a non-exempt employee a non-hourly rate, except for commissioned salespeople.

Section 7

Employees Paid Based on Prevailing Rates or other Jobs.

Complete this section when the employee

- Works on public work projects (i.e. projects covered by the prevailing wage provisions in the District of Columbia and Federal Law) or,
- Does mixed prevailing rate and non-prevailing rate work

There is space on the form for the employer to enter the regular and overtime rates to be paid for the other (non-prevailing wage) work. The form explains to the employee that any premium due for working over 40 hours in the week.

General Statement Regarding Overtime Pay in the District of Columbia

Provides general guidelines on how overtime pay should be handled in the District of Columbia

Section 8

Employee Acknowledgement

The employee must acknowledge that they have disclosed their primary language by checking one of the two boxes and that the employee has received the form by signing and dating the form.

Note: Employees have a right to receive this notice in a language other than English but only for those languages for which the DOES Office of Wage-Hour has developed its own dual-language notice. Notices will be available from Office of Wage-Hour in English and Spanish. If you need the forms translated in other languages please contact our office at 202-671-1880.

If an employee refuses to sign the notice an employer should still give the notice to the employee and note the employee's refusal on its copy of the notice.