

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Minimum Wage Act Revision Act of 1992 to increase the minimum wage in the District of Columbia to \$11.50 an hour in 3 steps, to require the minimum wage during each successive year to increase in proportion to the increase in the Consumer Price Index, to require the Mayor to provide employers copies or summaries of the District's minimum wage law, and to require employers who employ tipped employees to certify on a quarterly basis that their employees earn a minimum wage.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Minimum Wage Amendment Act of 2013".

Sec. 2. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

(a) Section 4(a) (D.C. Official Code § 32-1003(a)) is amended by adding paragraphs (3), (4), (5), and (6) to read as follows:

"(3) Except as provided in subsection (h) of this section, as of July 1, 2014, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$9.50 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act, plus \$1, whichever is greater.

"(4) Except as provided in subsection (h) of this section, as of July 1, 2015, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$10.50 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act, plus \$1, whichever is greater.

"(5) Except as provided in subsection (h) of this section, as of July 1, 2016, the minimum wage required to be paid to any employee by any employer in the District of Columbia shall be \$11.50 an hour, or the minimum wage set by the United States government pursuant to the Fair Labor Standards Act, plus \$1, whichever is greater.

"(6)(1) Except as provided in subsection (h) of this section, beginning on July 1, 2017 and no later than July 1 of each successive year, the minimum wage provided in this subsection shall be increased in proportion to the annual average increase, if any, in the Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor for the

previous calendar year. Any increase under this paragraph shall be adjusted to the nearest multiple of \$.05.

“(2) The Mayor shall publish in the District of Columbia Register and make available to employers a bulletin announcing the adjusted minimum wage rate as provided in this paragraph. The bulletin shall be published at least 30 days before the annual minimum wage rate adjustment.”.

(b) Section 10(b) (D.C. Official Code § 32-1009(b)) is amended by striking the phrase “on request”.

(c) A new section 10a is added to read as follows:

"Sec. 10a. Notice requirements for tipped wages.

“(a) An employer who employs an employee who is paid in accordance with section 4(f) 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.

“(b)(1) The Mayor shall create an Internet-based portal for online reporting of the quarterly wage reports required by subsection (a) of this section.

“(2) An employer shall submit its quarterly wage reports online unless the employer claims that online reporting creates a hardship, in which case the employer shall submit its reports in hard-copy form.

“(3) The Mayor shall provide reporting requirements training to educate employers about the reporting requirements and use of the Internet-based portal.

“(c) The Mayor shall:

“(1) Perform random reporting audits after each quarterly report deadline to ensure compliance; and

“(2) Submit an annual report to the Secretary to the Council of the compliance data collected.”.

(d) Section 11(2) (D.C. Official Code § 32-1010(2)) is amended as follows:

(1) Strike the phrase “sections 9 and 10” and insert the phrase “sections 9, 10, and 10a” in its place.

(2) Strike the phrase “section 9” and insert the phrase “sections 9 and 10a” in its place.

Sec. 3. Applicability.

Section 2(b)-(d) of this act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

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Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia