

# ACCRUED SICK AND SAFE LEAVE ACT

OFFICIAL NOTICE (Post Where Employees Can Easily Read)

## ACCRUED SICK AND SAFE LEAVE ACT OF 2008

(This poster includes provisions of the Earned Sick and Safe Leave Amendment Act of 2013, effective February 22, 2014)

### REQUIRES EMPLOYERS IN THE DISTRICT OF COLUMBIA TO PROVIDE PAID LEAVE TO EMPLOYEES FOR ILLNESS AND FOR ABSENCES ASSOCIATED WITH DOMESTIC VIOLENCE OR SEXUAL ABUSE.

**EMPLOYERS REQUIRED TO COMPLY WITH THE ACT** Pursuant to the Accrued Sick and Safe Leave Act of 2008, all employers in the District of Columbia must provide paid leave to each employee, including employees of restaurants and bars and temporary and part time employees.

**ACCRAUAL START DATE** Paid leave accrues at the beginning of employment, provided that the accrual need not commence prior to November 13, 2008 and provided that an employer need not allow accrual of paid leave for tipped restaurant or bar employees prior to February 22, 2014.

Paid leave accrues on an employer's established pay period.

**ACCESSING PAID LEAVE** An employee must be allowed to use paid leave no later than after 90 days of service with the employer. An employee may use leave on short notice if the reason for leave is unforeseeable.

**NUMBER OF HOURS ACCRUED** Accrual of paid leave is determined by the type of business, the number of employees an employer has, and the number of hours an employee works. For tipped employees of restaurants or bars, regardless of the number of employees the employer has, each tipped employee must accrue at least one (1) hour per 43 hours worked, up to five (5) days per calendar year. For all other employers, use the following chart:

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

**UNUSED LEAVE** Under this Act, an employee's accrued paid sick leave carries over from year to year. Employers do not have to pay employees for unused paid sick leave upon termination or resignation of employment.

**EMPLOYEE PROTECTION** Under the Act, employees who assert their rights to receive paid sick leave or provide information or assistance to help enforce the Act are protected from retaliation.

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

**TO FILE A COMPLAINT OR FOR ADDITIONAL INFORMATION** To request full text of the Act, to obtain a copy of the rules associated with this Act, to receive the Act translated into other languages, or to file a complaint, visit [www.does.dc.gov](http://www.does.dc.gov), call the Office of Wage and Hour at (202) 671-1880, or visit at 4058 Minnesota Avenue, N.E., Suite 4300, Washington, D.C. 20019. Complaints shall be filed within three (3) years after the event on which the complaint is based unless the employer has failed to post notice of the Act.

REVISED February 22, 2014