



# WAGE AND HOUR LAW In Washington, D.C

## 1. What is the minimum wage in Washington, D.C.?

The **minimum wage** is the smallest amount that an employer can pay a worker per hour. If you work for a private company in Washington D.C., the minimum you can be paid is \$7.00.

If you work for the federal government, you are only entitled to the federal minimum wage, which is currently \$5.85 per hour. The federal minimum wage will increase to \$6.55 per hour on July 24, 2008 and to \$7.25 per hour on July 24, 2009, and in D.C. the minimum wage is always at least \$1.00 more per hour than the federal minimum wage. This means that on July 24, 2008, the D.C. minimum wage will automatically increase to \$7.55 per hour and on July 24, 2009, the D.C. minimum wage will automatically increase to \$8.25 per hour.

**All workers**, including day laborers, immigrants -- regardless of immigration status -- and house cleaners, have a right to be paid the minimum wage.

If you work for the D.C. government or if your job is for an employer on a contract with the D.C. government, you are entitled to receive a **living wage**. The current D.C. living wage is \$12.10 per hour. Workers on federal government contracts are also generally entitled to receive a **prevailing wage**, which is generally higher than the minimum wage.

## 2. What if I am paid less than minimum wage or not at all?

You have a right to be paid for every hour that you are on the job. If you are not paid for hours that you work, or you are paid less than the minimum wage, you can get the amount of money you are owed for up to three years (or generally two years if you are a government worker). It is important that you keep track of how much you are paid and how many hours you work to ensure that you are being paid the minimum wage.

## 3. What is overtime pay?

Any time you work more than **40** hours in one week, you should be paid overtime pay rates. Overtime is one and a half times regular pay. If your regular pay is \$7.00 per hour, overtime pay would be \$10.50 per hour ( $7.00 \times 1.5 = 10.50$ ). Even if you are paid a salary rather than hourly wage, you are still entitled to overtime pay for any hours over 40 that you work in a week. Some kinds of jobs do

not get overtime pay, including professionals, salesmen, and domestic workers who live with their employers.

#### **4. When I must be paid?**

You must be paid at least twice a month on regular paydays. If you are fired from your job, you must be paid wages owed to you the next working day. For example, if you were fired on a Friday, your employer must pay you any wages owed to you on the following Monday. If you quit your job, you must be paid on the next regular payday, or within 7 days, whichever is earlier.

#### **5. What if my company requires me to wear a uniform, or purchase specific tools for my job?**

If you are paid exactly the minimum wage and your company requires you to wear a uniform, your employer must give you the uniform or reimburse you for the cost of the uniform and pay the cost of cleaning your uniform. Your employer is also required to pay for any tools or other expenses you paid to do your job.

#### **6. What do I do if I am owed wages?**

If you believe your employer has violated any of these laws or that you may be owed unpaid wages, you may file a claim with the D.C. Office of Wage-Hour or file a lawsuit in D.C. Superior Court, Small Claims or Civil Division. The D.C. Office of Wage-Hour is located at 64 New York Avenue, NE, Room 3812, or you can call (202) 671-1880. Bilingual services are available, but you must request an interpreter. When you go to the D.C. Office of Wage-Hour, fill out Form WH-1, as well as two intake forms. **Be sure to have with you all the information about when you worked and what wages you are still owed.** A hearing will be scheduled for approximately two weeks from the date the claim is filed.

**If you are in a union, you must file a grievance with your union for unpaid wages.** The time for filing grievances is usually very short so consult your shop steward right away. If your employer retaliates against you for filing a claim for unpaid wages, that retaliation is illegal and should be reported to the D.C. Wage-Hour Office. For example, it is illegal for an employer to fire you, demote you, or give you worse work for filing a claim for unpaid overtime.

*For more information about your workplace rights come to one of the Workers' Rights Clinic run by the D.C. Employment Justice Center from 6:00 p.m. – 7:30 p.m. on Wednesdays at Bread for the City, NW (1525 7<sup>th</sup> Street, NW, between P and Q Streets, NW, near the Howard Univ/Shaw Metro stop on the Green Line) or from 3:00 p.m. – 4:30 p.m. on Mondays at Bread for the City, SE (1640 Good Hope Road, SE). No appointment is necessary, and you may call (202) 828-9675 for additional information about the clinic. You can also visit the D.C. Employment Justice Center website at [www.dcejc.org](http://www.dcejc.org).*

*This fact sheet is intended to provide accurate, general information regarding legal rights relating to employment in Washington, D.C. Because laws and procedures frequently change, the D.C. Employment Justice Center cannot ensure that the information in this fact sheet is current nor be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency about your legal rights.*

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