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A BILL  
20-459

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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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 three 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 Executive 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) 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

1 shall be \$10.50 an hour, or the minimum wage set by the United States government pursuant to  
2 the Fair Labor Standards Act, plus \$1 whichever is greater.

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

7 ~~"(6) Except as provided in subsection (h) of this section, as of July 1, 2017 and no  
8 later than July 1 of each successive year, the minimum wage provided in this subsection shall be  
9 increased in proportion to the increase during the during the preceding twelve months, if any, in  
10 the Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical  
11 Area, as published by the Bureau of Labor Statistics of the United States Department of Labor."~~

12 "(6)(1) Except as provided in subsection (h) of this section, beginning on July 1,  
13 2017 and no later than July 1 of each successive year, the minimum wage provided in this  
14 subsection shall be increased in proportion to the annual average increase, if any, in the  
15 Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical Area  
16 published by the Bureau of Labor Statistics of the United States Department of Labor for the  
17 previous calendar year. Any increase under this paragraph shall be adjusted to the nearest  
18 multiple of \$.05."

19 "(2) The Mayor shall publish in the District of Columbia Register and make  
20 available to employers a bulletin announcing the adjusted minimum wage rate as provided in this

1 paragraph. The bulletin shall be published at least 30 days prior to the annual minimum wage  
2 rate adjustment”.

3 (b) Section 10(b) is amended by striking the phrase “on request”.

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

5 "Section 10a. Notice requirements for tipped wages.

6 “The Mayor shall create an internet-based portal for online wage reporting for all  
7 employers who employ an employee who are paid in accordance with section 4(f) of this act.

8 “(1) All employers shall submit a quarterly wage report certifying that all  
9 employees were paid a minimum wage.

10 “(A) Employers shall complete the quarterly wage report within 30 days  
11 of the end of each quarter.

12 “(B) An employer claiming a hardship for online reporting shall submit  
13 their quarterly reports in writing.

14 “(2) The Mayor shall provide reporting requirements training to employers to  
15 educate them about the reporting requirements and use of the internet-based portal.

16 “(3) The Mayor shall perform random reporting audits after each quarterly report  
17 deadline to ensure compliance. The Mayor shall, on an annual basis, submit a report to the  
18 Secretary to the Council of the District of Columbia of the compliance data collected.”.

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

1                   (1) By striking the phrase “sections 9 and 10” and inserting the phrase “sections 9,  
2 10, and 10a” in its place.

3                   (2) By striking the phrase “section 9” and inserting the phrase “sections 9 and  
4 10a” in its place.

5                   Sec. 3. Applicability.

6                   Sections 2(b)-(d) of the Minimum Wage Amendment Act of 2013, as introduced on  
7 September 17, 2013 (D.C. Bill 20-459), shall apply upon the inclusion of its fiscal effect in an  
8 approved budget and financial plan, as certified by the Chief Financial Officer to the Budget  
9 Director of the Council in a certification published by the Council in the District of Columbia  
10 Register.

11                  Sec. 4. Fiscal impact statement.

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

15                  Sec. 5. Effective date.

16                  This act shall take effect following approval by the Mayor (or in the event of veto by the  
17 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
18 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
19 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
20 Columbia Register.