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A BILL

25-134

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



To amend the Minimum Wage Act Revision Act of 1992 to clarify the District’s minimum wage and the circumstances under which an employer is required to pay the District’s minimum wage for all hours an employee works for the employer and to require employers to pay the District’s minimum wage for each hour an employee works in the District when an employee performs at least 2 hours of work in the District in one workweek for the same employer.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Minimum Wage Clarification Amendment Act of 2023”.

Sec 2. Section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraphs (1), (2), (3), and (4) are repealed.

(2) Paragraph (5)(A) is amended by striking the phrase “wage required to be paid to an employee by an employer shall” and inserting the phrase “wage shall” in its place.

(b) Subsection (b) is amended as follows:

(1) The lead-in language is amended to read as follows:

“(b) Except as provided in subsection (h) of this section, an employer shall pay the minimum wage established pursuant to subsection (a) of this section to an employee for all hours the employee works for the employer when:”.

29                   (2) Paragraph (1) is amended by striking the word “person” and inserting the word  
30 “employee” in its place.

31                   (3) Paragraph (2) is amended by striking the word “person’s” and inserting the  
32 word “employee’s” in its place.

33                   (c) A new subsection (b-1) is added to read as follows:

34                   “(b-1) Except as provided in subsection (h) of this section, an employee shall not be paid  
35 less than the District’s minimum wage for each hour worked in the District when an employee  
36 performs at least 2 hours of work in the District, for the same employer, within one workweek.”.

37                   Sec. 3. Fiscal impact statement.

38                   The Council adopts the fiscal impact statement in the committee report as the fiscal  
39 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
40 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

41                   Sec. 4. Effective date.

42                   This act shall take effect following approval by the Mayor (or in the event of veto by the  
43 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
44 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
45 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
46 Columbia Register.