

Changes to Paid Leave Policy Go into Effect for District of Columbia Employers

9 Apr 2019

[Erica L. Litovitz](#)

Employers in Washington, D.C. have been waiting for the Universal Paid Leave Amendments Act of 2016 (the Act) to go into effect. Much to the chagrin of many small employers, that time is here.

The Act creates a mandatory, employer-funded, paid leave program, which provides up to eight weeks of paid leave to covered employees working in the District of Columbia who experience a “qualifying leave event.” For purposes of the Act, a qualifying leave event includes parental leave, family leave, personal medical leave, and similar events.

Although employees are not eligible to use leave under the Act until July 2020, the District of Columbia will begin taxing employers on July 1, 2019. The tax will be imposed on all private employers in the District, regardless of their size. Specifically, each employer must make quarterly payments in an amount equal to 0.62 percent of the wages of its covered employees and provide the District with quarterly wage reports. The first quarterly wage report is due on July 1, 2019, which means employers should have started recording their employees wages no later than April 1st.

July 1, 2019 marks the beginning of many obligations for employers under the Act. In addition to being the deadline for employers to make their first tax payments and file their first quarterly wage reports, July 1, 2019 is the date by which employers must publish notices informing their employees about the Act. Specifically, each employer must post a government-issued notice about the Act at every work site in the District in a conspicuous location that is clearly visible to all employees. Employers must also provide a written copy of the notice to all newly hired employees within thirty days of their hire date and to all employees on an annual basis. In addition, employers must provide notice to any individual employee at the time the employer is notified by such employee that he or she needs to take leave for a qualifying event.

As employers have the burden of proving compliance with the notice requirements, employers should require all employees to sign acknowledgement forms upon receipt of the notice. For every type of notice required under the Act, it is imperative that employers maintain detailed records to demonstrate their compliance with the Act’s notice requirements.

Beginning July 1, 2020, eligible employees will have the right to file claims for paid leave benefits if they experience a qualifying leave event. The District of Columbia will determine whether the employee is entitled to receive paid leave benefits, and payments will be made from the District of Columbia’s fund. Although a system to monitor the amount of leave used by each employee and determine benefits eligibility will be maintained by the District of Columbia, employers are responsible for maintaining detailed records regarding the dates of any leave taken by their employees. Employers that do not have paid leave programs – or that have paid leave programs with benefits that are less generous than those provided for by the Act – may need to update their employee handbooks to reflect the change in policy. This is a great opportunity for employers to review their employee handbooks and make sure that all of the policies are up-to-date and accurately reflect the employer’s practices.

This Universal Paid Leave Amendments Act of 2016 summary is not intended to contain legal advice or to be an exhaustive review. Jackson & Campbell, P.C.’s [Business Law](#) and [Employment Law](#) Practice Groups regularly advise their business clients on a broad range of employment law issues. Please contact [Erica Litovitz](#) at elitovitz@jackscamp.com for further information or to schedule a review of your company’s policies to ensure

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compliance with the Universal Paid Leave Amendments Act of 2016.

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TAGGED: District of Columbia, Universal Paid Leave Amendments Act of 2016, qualifying leave event, private employers