

For Immediate Release
June 1, 2015

Media Contact: Anovia Daniels
Anovia.Daniels@dc.gov
202-727-8991

Office of the District of Columbia Auditor Releases Audit on the Sick and Safe Leave Act

Washington D.C. – Last week, the Office of the District of Columbia Auditor (ODCA) released the audit [“Effects of the District’s Sick and Safe Leave Act.”](#)

The Accrued Sick and Safe Leave Act was passed by the District Council in 2008 and requires that all employers in the District provide paid sick leave to their employees to care for themselves or family members and access to paid leave for work absence associated with domestic violence or abuse. When this law was passed in 2008, the District was only one of a handful of jurisdictions in the country with such a mandate.

The Act assigns responsibility for administering the law to the Department of Employment Services (DOES). DOES is responsible for hearing complaints brought under the law and handing down rulings based on these complaints. In addition, DOES sends information to every District employer about the Act and a poster to display in their place of business.

The District Council instructed ODCA to conduct an annual audit to determine the economic impact of the law on the private sector. From our survey work, we found that the Sick and Safe Leave Act is having minimal impact on employers. Very few businesses have reported a negative effect on their bottom line and some have even reported a positive effect. Our survey of District businesses showed that fewer than 10 percent of survey respondents reported a negative impact on their profitability. More than 50 percent reported that it had no impact or actually improved profitability.

In our on-site survey of District businesses, we found a very poor rate of compliance with the requirement that they display information about the Act where employees could see. This may mean that DOES should make greater efforts to educate District businesses about this requirement and also to increase their efforts at monitoring and enforcement.

In our 2013 audit, we discovered that District government intermittent employees, also called “When Actually Employed” (WAE) employees, were not accruing sick leave as required by the Act. As part of the 2013 audit, we recommended that the District of Columbia Department of Human Resources (DCHR) establish an accrual system to allow for the tracking and awarding of sick leave and to provide retroactive sick leave to these employees. During our audit, DCHR has been unable to provide a clear or consistent answer about who will be provided back leave owed and when it will be provided.

Both DOES and DCHR have demonstrated progress in implementing the recommendations we made in our 2013 report entitled [“Audit of the Accrued Sick and Safe Leave Act of 2008.”](#) However, work remains to be

done for both to demonstrate that these recommendations have been fully implemented and that both agencies are now fully in compliance with the requirements of the Act.

Visit dcauditor.org or call 202-727-3600 for more information the Office of the District of Columbia Auditor.