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Councilmember Anita Bonds

**AMENDMENT**

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**IN THE COUNCIL OF THE DISTRICT OF COLUMBIA**

**DATE:** December 18, 2023

**OFFERED BY:** Councilmember Anita Bonds

**TO:** B25-0194, “Wage Transparency Omnibus Amendment Act of 2023”

**VERSION:** Engrossed version

**Amendment:**

(a) Amend section 2(a) [line 31, page 2] by adding a new paragraph (3) to read as follows:

“(3) Paragraph (2) is amended to read as follows:

“(2) Employer means an individual, firm, association, or corporation that employs at least one employee in the District, except that the term “employer” does not include:

“(A) The District government; or

“(B) The Federal government.”.

(b) Amend section 2(c), adding a new section 4a to the Wage Transparency Act of 2014, effective March 11, 2015 (D.C. Law 22-19; D.C. Official Code § 32-1451(a)(2)), [line 72, page 4] by striking the phrase “to applicants for a job, promotion, or transfer opportunity the schedule of benefits, including bonuses, healthcare and other wellness benefits, stocks, bonds, options, equity, and nonmonetary remuneration” and inserting the phrase “to prospective employees the existence of healthcare benefits” in its place.

## **Rationale**

This amendment seeks to amend the definition of employer to cover all employers with at least one employee in the District. An employee is an individual who works under the supervision or control of an employer, an employee works in the service of the employer under an express or implied contract of hire that gives the employer the right to dictate the employee's work duties. This definition is intended to cover traditional employer/employee relationships and would exempt independent contractors from coverage, for example, when homeowners seek to contract with another individual from household tasks.

This amendment also protects employers from the requirement that they disclose a full schedule of benefits during the first interview. Instead, this amendment simply requires employers to disclose the existence of healthcare benefits. This change is necessary because many growing small businesses are unable to provide detailed information regarding the schedule of benefits without more knowledge of their staffing capabilities.