



VINCENT C. GRAY  
MAYOR

NOV 28 2014

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
1350 Pennsylvania Ave. N.W., Suite 504  
Washington, D.C. 20004

2014 NOV 28 AM 11:45  
OFFICE OF THE  
SFC/CLERK

Dear Chairman Mendelson:

Enclosed please find the “Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2014” and its accompanying declaration resolution and temporary legislation. This legislation, if enacted, would clarify and improve the laws prohibiting wage theft and the enforcement of those laws.

On September 19th, the Council enacts Bill 20-671, the “Wage Theft Prevention Act of 2014”, to ensure that workers in the District promptly receive the wages and leave to which they are entitled, by strengthening the laws that hold employers responsible for any failure to live up to their obligations. However, Bill 20-671 includes provisions that were legally objectionable, ambiguous, or otherwise problematic based on Office of Attorney General Legal Division. The bills attached would clarify when certain provisions shall take effect; who may bring an action on behalf of an employee, amend criminal penalties, clarify when amounts in the Wage Theft Prevention Fund may be spent, authorize the Mayor to issue rules, and clarify how the Mayor shall make certain information available to manufacturers.


These changes will enhance the ability of the District to enforce laws prohibiting wage theft, thus protecting victims of employers who fail to perform the basic obligation of paying employees for work completed. Also, the rules would further assisted in the implementation of the law.

I urge prompt and favorable consideration of this legislation. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Vincent C. Gray". The signature is fluid and cursive, with the first name being the most prominent.

Vincent C. Gray

  
Chairman Phil Mendelson at  
the request of the Mayor

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6 A PROPOSED RESOLUTION  
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10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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14 To declare the existence of an emergency with respect to the need to clarify and improve the  
15 laws prohibiting wage theft and the enforcement of those laws.  
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17 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
18 resolution may be cited as the “Wage Theft Prevention Correction and Clarification Emergency  
19 Declaration Resolution of 2014” .

20 Sec. 2. (a) There exists a need to amend the “Wage Theft Prevention Act of  
21 2014”, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157), to clarify when  
22 certain provisions shall take effect, who may bring an action on behalf of an employee, amend  
23 criminal penalties, clarify when amounts in the Wage Theft Prevention Fund may be spent,  
24 authorize the Mayor to issue rules, and clarify how the Mayor shall make certain information  
25 available to manufacturers.

26 (b) These changes will enhance the ability of the District to enforce laws prohibiting  
27 wage theft, thus protecting victims of employers who fail to perform the basic obligation of  
28 paying employees for work completed.

29 Sec. 3. The Council of the District of Columbia determines that the circumstances  
30 enumerated in section 2 constitute emergency circumstances making it necessary that the Wage

1 Theft Prevention Correction and Clarification Emergency Amendment Act of 2014 be adopted  
2 after a single reading.

3 Sec. 4. This resolution shall take effect immediately.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of the Attorney General



Legal Counsel Division

**MEMORANDUM**

**TO:** Deborah George Johnson  
Policy Analyst  
Office of Policy and Legislative Affairs

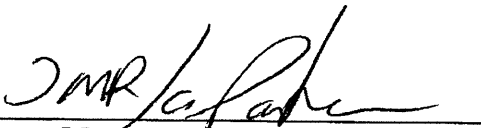
**FROM:** Janet M. Robins  
Deputy Attorney General  
Legal Counsel Division

**DATE:** November 26, 2014

**SUBJECT:** Legal Sufficiency Review of the "Wage Theft Prevention Correction  
and Clarification Emergency Amendment Act of 2014" and  
Accompanying Temporary Bill  
(AE-14-563-C)

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**This is to Certify that** this Office has reviewed the above-referenced emergency and temporary bills and found them to be legally unobjectionable. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

  
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Janet M. Robins