

EMPLOYMENT LAW STATUTES OF LIMITATIONS REFERENCE: ORGANIZED BY NAME OF LAW

LAW	JURIS- DICTION	SOL	CITE
ADA (federal)	All	300 days	42 U.S.C. §12117
ADEA (federal)	All	300 days	29 U.S.C. § 626
Breach of contract (including failure to pay wages)	DC	3 years 12 years if “under seal”	D.C. Code § 12-301
Breach of contract (including failure to pay wages)	MD	3 years 12 years if “under seal”	Md. Code Ann., Cts. & Jud. Proc. §§ 5-101, 5-102
Breach of contract (including failure to pay wages)	VA	3 years (unwritten or implied) 5 years (signed contract)	Va. Code Ann. § 8.01-246
Discrimination - 42 U.S.C. §1983 (federal)	All	3 years	Gen'l statute of limitations for jurisdiction sued in applies (usually 3 years).
Discrimination - D.C. Human Rights Act (D.C. Gov't)	DC Gov't Workers	180 days	4 D.C.M.R. § 105.1
Discrimination - D.C. Human Rights Act (Private Employees)	DC	1 year	D.C. Code §§ 2-1403.04, 2-1403.16
Discrimination - IRCA (National Origin Discrimination) (federal)	All	180 days	8 U.S.C. §1324(b)
Discrimination – MD Human Rights Act	MD	6 months	Md. Code Ann., Art. 49B, §9A
Discrimination - Rehabilitation Act (disability)	Federal workers	45 calendar days	29 C.F.R. Part 1614.105, 1614.106
Discrimination - Title VII (federal)	All	300 days	42 U.S.C. §2000e-5
Discrimination – All EEO	Federal workers	45 days to EEO Counselor	20 C.F.R. Part 1614.105
Discrimination - VA Human Rights Act	VA	180 days	VA. Code Ann. § 2.2-2636
Discrimination - Virginians with Disabilities Act	VA	180 days	VA. Code Ann. §51.5-46(B)
Equal Pay Act (federal)	All	2 years (non-willful) 3 years (willful)	29 U.S.C. § 216; 29 U.S.C. §255
FMLA	DC	1 year	D.C. Code § 32-509
FMLA	All	2 years (not willful) 3 years (willful)	29 U.S.C. § 2617
OSHA	DC	60 days	D.C. Code §36-1216
OSHA (federal)	All	30 days	29 C.F.R. § 1977.15(d) (1991)
OSHA	MD	6 months Retaliation - 30 days	Md. Code Ann., Lab. & Empl. §5-604(c)(2)

Tort (including wrongful discharge)	DC	1 year (libel, slander, assault, battery) 3 years	D.C. Code § 12-301
Tort (including wrongful discharge)	MD	1 year (assault or defamation) 3 years (most all other)	Md. Code Ann., Cts. & Jud. Proc. § 5-105; § 5-101
Tort (including wrongful discharge)	VA	2 years (injury to person) 5 years (injury to property)	Va. Code Ann. § 8.01-243
Minimum Wage & Overtime	DC	3 years	D.C. Code § 32-1013
Minimum Wage & Overtime (federal)	All	2 years 3 years (willful)	29 U.S.C. §§ 216, 255
Minimum Wage & Overtime	MD	3 years	Md. Code, Cts. & Jud. Proc. § 5-101 (catch-all provision)
Wage & Hour (DC Govt)	DC gov't workers	Follow grievance procedures in collective bargaining agreement. If non-union, check w/ Agency Personnel Office.	
Worker's Compensation	Federal workers	30 days to notify	20 C.F.R. § 10.100(b)(1)
Worker's Compensation	MD	10 days to notify Death - 30 days 2 years to file claim	MD Code Ann., Lab. & Empl. § 9-704
Worker's Compensation	VA	60 days to notify 2 years to file claim	Code of VA §§ 65.2-600 - 601
Worker's Compensation (D.C. government employees)	DC gov't workers	30 days to notify 3 years to file claim	D.C. Code §§ 1-623.19 - 22
Worker's Compensation (private)	DC	30 days to notify 1 year to file claim	D.C. Code §§ 32-1513, 1514 7 DCMR § 206
Wrongful Termination Suspensions of more than 15 days, Demotions, Loss in Pay or Reduction in Force (RIF)	Federal workers	7 days to answer agency action; 30 days to appeal to MSPB; if worker chooses to use collective bargaining agreement, then follow deadlines in collective bargaining agreement.	5 U.S.C. §§ 7530, 1201.22
Wrongful Termination, Suspensions of more than 15 days, Demotions, Loss in Pay or Reduction in Force (RIF)	DC gov't workers	30 days	D.C. Code § 1-606.03