



UNITED STATES MISSION TO THE UNITED NATIONS
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The United States Mission to the United Nations presents its compliments to the Permanent Missions and Observer Offices to the United Nations and has the honor to refer to its diplomatic circular HC-128-11 dated September 28, 2011 (available for download at: http://usun.state.gov/about/host_aff/129277.htm) regarding the employment by Permanent Mission and Observer Office members of personal servants, attendants and domestic workers who are in the United States in nonimmigrant G-5 visa status. The Permanent Missions and Observer Offices should note that for all hours worked, such domestic workers must be paid the greater of the minimum wage under United States federal or state law or the prevailing wage in the location where they are employed.

The United States Mission to the United Nations wishes to inform the Permanent Missions and Observer Offices that the United States Department of Labor's prevailing wage statistics for domestic workers have been updated. The Level One prevailing hourly wage for "Maids and Housekeeping Cleaners" is now \$10.32 per hour in the New York City metropolitan area. This amount exceeds the federal minimum wage of \$7.25 per hour, as well as the respective state minimum wages. Therefore, effective as of the date of this note, all domestic workers must be paid according to the prevailing wage of \$10.32 per hour as rate noted above. In addition, all new contracts between domestic workers and their

employers must reflect the updated amount and all contracts already in effect should be amended and initialed by both the domestic worker and the employer to reflect that this new rate is in effect.

The current prevailing wage rates for domestic workers in the United States can be found online at the Foreign Labor Certification Data Center website: (<http://www.flcdatcenter.com/>).

The Department of State and the United States Mission also wish to remind the Permanent Missions and Observer Offices that, according to circular note HC-128-11 dated September 28, 2011, it has been determined that providing meals and housing to domestic workers is for the benefit of the employer and, thus, that it is not permissible for the employer to withhold from the domestic worker's wages any amount for meals and housing. Further, the Department of State does not allow deductions from wages for any other expenses, such as the provision of medical care, medical insurance, or travel. The United States Mission therefore suggests that mission personnel be advised that if they have entered into contracts and/or payment practices with regard to domestic workers that provide for deductions from wages, such contracts and/or practices should be amended accordingly.

The United States Mission to the United Nations avails itself of this opportunity to renew to the Permanent Missions and Observer Offices to the United Nations the assurances of its highest consideration.