



**UNITED STATES MISSION TO THE UNITED NATIONS
NEW YORK**

July 25, 2014

HC-91-14

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 circular diplomatic note HC-59-14 dated June 6, 2014 (available at:

http://usun.state.gov/about/host_aff/129277.htm) regarding the employment of domestic workers who are in the United States in nonimmigrant G-5 status. The Permanent Missions and Observer Offices will note that for all hours worked, such domestic workers must be paid the greater of the minimum wage under U.S. federal or state law or the prevailing wage in the specific location (City and State) of the residence where the domestic worker is employed.

The United States Mission wishes to inform the Permanent Missions and Observer Offices that the Department of Labor's prevailing wage statistics for domestic workers have been updated for the period until June 2015. 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.flcdatacenter.com/>) by using the Search Wizard and selecting the applicable State or Territory then Occupation "37-2012 Maids and Housekeeping Cleaners".

The Level One prevailing hourly wage for "Maids and Housekeeping Cleaners" is \$10.02 per hour in the New York City area. This amount exceeds the federal minimum wage of \$7.25 per hour and the New York state minimum wage of \$8.00.

Therefore, domestic workers employed in residences in the New York City metropolitan area must be paid in accordance with the prevailing wage rates noted above. In addition, all new contracts between domestic workers and their employers must reflect the updated wage amounts and all existing contracts already in effect must be amended to reflect the updated wage amounts, with the changes initialed by both the domestic worker and the employer.

The United States Mission also wishes to remind the Permanent Missions and Observer Offices that the Department of State has determined that providing meals and housing to domestic workers is for the benefit of the employer and, thus has advised the Permanent Missions and Observer Offices that it is not permissible for the employer to withhold any amount for meals and housing from the domestic worker's wages. Further, the United States Mission 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 recommends that mission and observer personnel be advised that if they have entered into contracts and/or payment practices with domestic workers that provide for deductions from wages, such contracts and/or practices must immediately be amended.

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.