



## Important Employment Law Update

---

### Dear Clients and Colleagues,

We write to inform you that the NYS Domestic Workers Bill of Rights, a new law providing domestic workers in New York with labor rights and protections, went into effect on November 29, 2010.

Among other things, under the new law, employers of domestic workers must:

- Notify new hires in writing, at the time of hire, of a) their rate of pay (which must be at least the minimum wage rate of \$7.25), b) their overtime rate, c) their regular pay day, and d) the employer's policy on sick, vacation, personal time and holiday leave;
- Pay employees on a weekly basis, within 7 calendar days of the conclusion of the workweek;
- Pay employees overtime (1.5 times the regular rate of pay) for all time worked after 40 hours in a week, or 44 hours for those who live in their employers' homes;
- Provide employees with 1 day (24 hours) of rest every 7 days, or overtime pay if the employee agrees to work on that day;
- Provide employees with at least 3 paid days of rest annually after 1 year of employment;
- Provide employees with a statement showing their gross wages, deductions and net wages;
- Maintain detailed payroll and time records of the hours worked, wages paid, and any deductions made from wages;
- Provide disability benefits to employees for off-the-job injuries or illnesses;
- Provide workers' compensation coverage for employees who work more than 40 hours per week for the same employer;
- Make quarterly unemployment insurance contributions for employees who earn more than \$500 in a quarter.

Further, domestic workers are protected from sexual harassment and harassment by employers based on gender, race or national origin under the NYS Human Rights law.

The new law applies to nannies, housekeepers and companions to the sick and elderly, but excludes casual workers, such as occasional house cleaners and babysitters, relatives and those working for outside agencies or providing services through government programs.

Please contact our office for additional information.

Sincerely,

*Simi Mir*

Partner  
Katona & Mir LLP  
Employment & Corporate Law \* Litigation \* Immigration  
49 West 37 Street, 7th Floor  
New York, NY 10018  
Tel: 212-944-1529  
Fax: 212-553-7370  
Email: [smir@katonamir.com](mailto:smir@katonamir.com)  
Website: [www.katonamir.com](http://www.katonamir.com)

Attorney Advertising. Prior results do not guarantee similar results. This publication is designed to provide information on the subject matters addressed. It is distributed with the understanding that the publication is not intended to render legal or professional advice. If such expert advice is needed, readers are encouraged to consult with an attorney to secure a formal opinion. Neither the publisher nor its contributors are responsible for any damages resulting from any error, inaccuracy, or omission contained herein.

To remove your name from our mailing list, please [click here](#). Questions or comments? E-mail us at [inquiry@katonamir.com](mailto:inquiry@katonamir.com) or call 212-944-1529.