



# DOMESTIC WORKERS BILL OF RIGHTS: OVERVIEW OF PROVISIONS

## **Pay**

### *Overtime pay*

- Overtime pay of time-and-a-half of the worker's regular rate of pay for every hour over 40 hours worked in a week.

### *Annual cost of living adjustment*

- Domestic worker's salary must be annually adjusted by the amount of the increase in the Consumer Price Index, which measures inflation (averages about 3 to 4% a year).

## **Time Off**

### *One day of rest per week*

### *Paid time off for sick days, vacation, and holidays*

- 5 sick days per year, 5 personal days per year.
- Vacation ranges from 2 to 5 weeks, depending on the number of years working for the family.
- Holidays, including New Year's Day, MLK Jr. Day, President's Day, Memorial Day, Independence Day, Thanksgiving, Labor Day, Christmas Day, and one additional holiday of the worker's choosing.
- If the worker chooses to work on a holiday, she earns time-and-a-half (or double if it puts her over 40 hours worked in the week).

## **Termination Standards**

### *Advance notice of termination*

- 21 days' notice requirement.

### *Severance pay*

- One week's pay for each year she has worked for the employer.

## **Protection from Discrimination**

Domestic workers will be included in New York's employment discrimination law.

## **Health Care**

Employers must provide domestic worker employees with either: (1) health benefits substantially equivalent to those provided by the Healthy New York plan, OR (2) an amount no less than the lowest cost of a Healthy New York plan.

## **Enforcement**

Workers whose rights have been violated may sue their employers in court in order to collect the money they are owed, and in some cases, extra money as punishment against the employer (punitive damages). The Commissioner of Labor and the Attorney General may also bring lawsuits on behalf of domestic workers.

## **Application**

The domestic workers bill of rights only applies to the MTA region, which includes New York City and Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester counties.