



Bill de Blasio
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Consumer
Affairs

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Commissioner

NOTICE OF EMPLOYEE RIGHTS FOR NANNIES, HOUSE CLEANERS, AND OTHER DOMESTIC WORKERS

Under New York City’s Earned Safe and Sick Time Act (Paid Safe and Sick Leave Law), domestic workers have a right to safe and sick leave. Go to nyc.gov/PaidSickLeave to learn more about the law.

Domestic workers who work directly for individual household employers must receive this written notice from their employer when they begin employment or by June 4, 2018, whichever is later.

YOU HAVE A RIGHT TO SAFE LEAVE, which you can use to seek assistance or take other safety measures if you or a family member may be the victim of any act or threat of domestic violence or unwanted sexual contact, stalking, or human trafficking.

YOU HAVE A RIGHT TO SICK LEAVE, which you can use for the care and treatment of yourself or a family member.

DOMESTIC WORKERS COVERED/NOT COVERED BY THE LAW:

Covered	Not Covered
<p>You <i>are</i> a domestic worker covered by the law if you are employed directly by a household or a family and you:</p> <ul style="list-style-type: none"> Care for children Provide care for an elderly, ill, disabled, or convalescent person Perform services related to housekeeping such as cooking and cleaning 	<p>You are <i>not</i> considered a “domestic worker” under the law and, therefore, not covered if you perform the duties described in column 1 for a household through an agency employer.</p> <p>Workers employed by agencies may be entitled to up to 40 hours of paid safe and sick leave as an employee under the law. Go to nyc.gov/PaidSickLeave to learn more about which employees are covered under the law. You may be considered a “domestic worker” for purposes of New York State laws and entitled to additional protections.</p>

AMOUNT OF SAFE AND SICK LEAVE:

- After one year of employment, your employer must provide two days of paid safe and sick leave each year. City leave is in addition to the three days of paid rest you may be entitled to under New York State Law. For more information about your rights under State law, go to labor.ny.gov and search “Domestic Workers’ Bill of Rights.”

DATE SAFE AND SICK LEAVE IS AVAILABLE FOR USE:

- You could begin using sick leave on April 1, 2015 or one year after you begin employment, whichever is later.
- You could begin using safe leave on May 5, 2018 or one year after you begin employment, whichever is later.

ACCEPTABLE REASONS TO USE SAFE AND SICK LEAVE:

You can use safe and sick leave to take time off from work when:

- You have a mental or physical illness, injury, or health condition; you need to get a medical diagnosis, care, or treatment of your mental or physical illness, injury, or condition; you need to get preventive medical care.
- You must care for a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or who needs preventive medical care.
- Your employer’s business closes due to a public health emergency or you need to care for a child whose school or child care provider closed due to a public health emergency.
- You or a family member may be the victim of any act or threat of domestic violence or unwanted sexual contact, stalking, or human trafficking and you need to take actions necessary to restore the physical, psychological, or economic health or safety of you or your family members or to protect those who associate or work with you, including to:
 - Obtain services from a domestic violence shelter, rape crisis center, or other services program.
 - Participate in safety planning, relocate, or take other actions to protect your safety or that of your family members, including enrolling children in a new school.

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- Meet with an attorney or social service provider to obtain information and advice related to custody; visitation; matrimonial issues; orders of protection; immigration; housing; discrimination in employment, housing, or consumer credit.
- File a domestic incident report with law enforcement or meet with a district attorney's office.

FAMILY MEMBERS:

The law recognizes the following individuals as "family members:"

- Any individual whose close association with the employee is the equivalent of family
- Child (biological, adopted, or foster child; legal ward; child of an employee standing *in loco parentis*)
- Grandchild
- Spouse
- Domestic Partner
- Parent
- Grandparent
- Child or Parent of an employee's spouse or domestic partner
- Sibling (including a half, adopted, or step sibling)
- Any other individual related by blood to the employee

ADVANCE NOTICE:

If the need is foreseeable, your employer can require up to seven days advance notice of your intention to use safe or sick leave. If the need is unforeseeable, your employer may require you to give notice as soon as practicable.

DOCUMENTATION:

Your employer can require documentation if you use more than three consecutive workdays as safe or sick leave. The Paid Safe and Sick Leave Law prohibits employers from requiring the health care provider to specify the medical reason for sick leave or requiring safe leave documentation to specify the details of any act or threat of domestic violence or unwanted sexual contact, stalking, or human trafficking. Disclosure may be required by other laws.

YOU HAVE A RIGHT TO BE FREE FROM RETALIATION FROM YOUR EMPLOYER FOR USING SAFE AND SICK LEAVE.

Your employer cannot retaliate against you for:

- Requesting and using safe and sick leave.
- Filing a complaint for alleged violations of the law with DCA.
- Communicating with any person, including coworkers, about any violation of the law.
- Participating in a court proceeding regarding an alleged violation of the law.
- Informing another person of that person's potential rights.

Retaliation includes any threat, discipline, discharge, demotion, suspension, or reduction in your hours, or any other adverse employment action against you for exercising or attempting to exercise any right guaranteed under the law.

YOU HAVE A RIGHT TO FILE A COMPLAINT.

You can file a complaint with DCA. To get the complaint form, go online to nyc.gov/PaidSickLeave or contact 311 (212-NEW-YORK outside NYC).

DCA will conduct an investigation and try to resolve your complaint. DCA will keep your identity confidential unless disclosure is necessary to conduct the investigation, resolve the complaint, or is required by law.

Keep a copy of this notice and all documents that show your amount of safe and sick leave accrual and use.

Note: The Earned Safe and Sick Time Act sets the minimum requirements for safe and sick leave. Your employer's leave policies may already meet or exceed the requirements of the law.

You have a right to be given this notice in English and, if available on the DCA website, your primary language.

For more information, including Frequently Asked Questions, go to nyc.gov/PaidSickLeave or call **311** and ask for information about Paid Safe and Sick Leave.