



8 April 2020

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**Information circular\***

To: Members of the staff at Headquarters  
From: The Assistant Secretary-General for Human Resources  
Subject: **Employment of household employees on G-5 visas**

1. The purpose of this circular is to inform staff members of the United Nations holding a G-4 visa who employ a household employee to whom a G-5 visa has been granted of four diplomatic notes received from the United States Mission to the United Nations (see annexes). The diplomatic notes contain a reminder of the policies regarding employment of domestic workers, including new requirements, the upcoming commencement of the In-Person Registration Program for domestic workers employed by United Nations staff members and updated minimum wages for domestic workers on a G-5 visa in the States of Connecticut, New Jersey and New York.

*Compliance with requirements of the Domestic Worker Program*

2. The diplomatic notes in annexes I and II remind the United Nations Secretariat of the legal requirements and Department of State policies on the employment of domestic workers and requests that staff members be informed of those requirements and the importance of abiding by them through participation in the Domestic Worker Program.
3. The employment of non-immigrant domestic workers by United Nations staff members is designated as a benefit under the Foreign Missions Act. Therefore, any staff member who sponsors a domestic worker under a G-5 visa must abide by all the Domestic Worker Program requirements, including the new requirements contained in annex I. Pursuant to the requirements set forth in the diplomatic notes in annexes I and II, staff members sponsoring a domestic worker on a G-5 visa must cover the medical expenses of the domestic worker. Staff members are responsible for providing adequate medical insurance and covering any medical expenses of the domestic worker. Staff members shall furnish the United Nations, annually and/or upon request, with proof that they have purchased adequate medical insurance for their domestic workers to cover extraordinary medical costs. The United Nations shall not be responsible, financially or otherwise, for medical expenses and/or costs arising from injury or illness of a domestic worker.
4. In addition, domestic workers on a G-5 visa sponsored by staff members of the United Nations are expected not to be accompanied by a dependent.
5. Staff members participating in the Domestic Worker Program are required to use form P.210 AA to enter into, amend and/or renew existing employment contracts with a domestic worker on a G-5 visa.

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\* The present circular will be in effect until further notice and complements [ST/IC/2017/32](#), [ST/IC/2014/19](#), [ST/IC/2012/7](#) and [ST/IC/2009/42](#). [ST/IC/2019/21](#) is superseded.



*In-Person Registration Program for G-5 visa holders*

6. The diplomatic note in annex III announces the commencement of the In-Person Registration Program for domestic workers employed by personnel of Permanent Missions and Observer Offices to the United Nations and indicates that the programme will be expanded at a future date to include domestic workers employed by staff members of the United Nations.

*Hourly wage for household employees on G-5 visas*

7. The diplomatic note in annex IV concerns the minimum hourly wage to be paid to domestic workers on G-5 visas in the States of Connecticut, New Jersey and New York.

**Annex I****Diplomatic note dated 28 November 2018 from the United States Mission to the United Nations addressed to the Secretariat**

The United States Mission to the United Nations presents its compliments to the United Nations Secretariat and has the honour to refer to its previous circular diplomatic note HC-59-(S)-14 dated 6 June 2014 that set forth the legal requirements and Department of State policies regarding the employment of foreign domestic workers by United Nations staff members.

The United States Mission wishes to remind the United Nations Secretariat of these requirements and to request that all staff members of the United Nations again be apprised of the Department of State's requirements relating to the hiring of domestic workers and the importance of all the staff members of the United Nations abiding by them through participation in the Department's Domestic Worker Program.

The Department of State has emphasized to the United Nations Secretariat that it places a high priority on the fair and equitable treatment of domestic workers, and that the Department looks to the United Nations Secretariat to provide oversight of staff members who employ these workers.

The United States Mission wishes to inform that the employment of non-immigrant domestic workers by staff members of the United Nations has been designated a benefit under the Foreign Missions Act. This benefit shall be provided on such terms and conditions as the Department of State may approve. As before, any staff member of the United Nations who sponsors a domestic worker must abide by all programme requirements, including new requirements (see enclosure). From this date forward, if such requirements are not fully met, the Department may suspend participation in the programme by declining to accept pre-notification requests of upcoming domestic workers, or for all staff members if warranted by the circumstances.

Please note that the attached designation does not impair the authority of the Secretary of State to suspend, in appropriate circumstances, the issuance of G-5 visas to domestic workers seeking to work for officers or employees of an international organization under the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.

Please contact [UNDomesticWorkers@state.gov](mailto:UNDomesticWorkers@state.gov) for any questions.

**Enclosure****Domestic Worker Program Requirements**

Foreign mission members and international organization personnel who employ a foreign domestic worker (“employers”) must abide by all requirements of the Domestic Worker Program and must respect all applicable United States federal, state, and local laws and regulations.

In addition, the Office of the Chief of Protocol requires that employers accept and comply with the following Domestic Worker Program requirements:<sup>1</sup>

- Facilitation of their domestic workers’ participation in the forthcoming Domestic Worker In-Person Registration Program;
- Provision of assistance, as needed, to the domestic worker to establish a bank account in the United States in his/her name only;
- After the first 30 days of employment in the United States, payment of salary made exclusively by check or electronic funds transfer to the domestic worker’s bank account in the United States;
- Provision of a payslip at the time of wage payment to the domestic worker noting the hourly wage, overtime wage, and the number of hours worked in the pay period and any required deductions to fulfil tax and social security obligations. No other deductions are permitted;
- Maintenance of contemporaneous timekeeping and payment records and the retention of such records for three years after employment ends, as well as provision of copies of the records to the Department of State upon request;
- Establishment of employment contracts that include all Department required terms, in English and if the domestic worker does not understand English, in a language the domestic worker understands;
- Timely request, through the employer’s foreign mission or international organization, of extensions of G-5 status for the domestic worker prior to expiration of the domestic worker’s authorized period of stay in the United States, such that there is sufficient time to allow such requests to be processed before the expiration of the domestic worker’s authorized period of stay;
- Prohibition of all salary deductions, except as required by law;
- Exclusive employment of the domestic worker by the employer who signed the contract; and,
- Provision of at least 35 hours a week of compensated employment.

The following are new, additional Domestic Worker Program requirements:

- Employers may not be related to the domestic worker they employ (exceptions may be made on a case-by-case basis, e.g., for the care of a disabled family member);
- Employers or the employer’s foreign mission or international organization must cover the medical expenses of domestic workers while they are in the United States;
- Employers under investigation for abuse or exploitation of a domestic worker or a pattern of repeated domestic worker terminations will not be eligible to participate in the Domestic Worker Program unless and until the matter is resolved;

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<sup>1</sup> Not all of these requirements are in the required contract terms.

- The Secretary-General, Assistant- and Under-Secretaries-General may generally sponsor only two domestic workers. Other qualified employers may generally sponsor only one domestic worker. Members of the support and service staff may generally not sponsor any; and,
- Missions and international organizations that wish to participate in the Domestic Workers Program must agree that if any of their personnel request that a domestic worker be accompanied by a dependent, the mission/international organization will submit a Dependent Protection and Oversight Plan signed by the Chief of Mission/senior international organization official to accompany the pre-notification request. The Plan must include regular monitoring of the dependent's welfare and living conditions, with increased oversight for minors, and written semi-annual certification by the employee, the employer, and the employer's mission/international organization that the dependent is not working in the United States.

While these are the current Domestic Worker Program requirements, we anticipate that this framework will evolve in the future based on changing circumstances. The United Nations Secretariat will be provided reasonable notice of changes.

## Annex II

### **Diplomatic note dated 23 January 2020 from the United States Mission to the United Nations addressed to the Secretariat**

The United States Mission to the United Nations presents its compliments to the United Nations Secretariat and has the honour to refer to its previous circular diplomatic notes HC-59-(S)-14 dated 6 June 2014 and HC-88-(S)-18 dated 28 November 2018 that set forth the legal requirements and Department of State policies regarding the employment of foreign domestic workers by United Nations staff members and to provide a point of contact for the Domestic Worker Program.

The United States Mission wishes to remind the United Nations Secretariat of these requirements and to request that all staff members of the United Nations again be apprised of the Department of State's requirements relating to the hiring of domestic workers and the importance of all the staff members of the United Nations abiding by them through participation in the Department's Domestic Worker Program.

The Department of State has emphasized to the United Nations Secretariat that it places a high priority on the fair and equitable treatment of domestic workers, and that the Department looks to the United Nations Secretariat to provide oversight of staff members who employ these workers.

The United States Mission wishes to inform that the employment of non-immigrant domestic workers by staff members of the United Nations has been designated a benefit under the Foreign Missions Act. This benefit shall be provided on such terms and conditions as the Department of State may approve. As before, any staff member of the United Nations who sponsors a domestic worker must abide by all programme requirements, including new requirements (please see enclosure). From this date forward, if such requirements are not fully met, the Department may suspend participation in the program by declining to accept pre-notification requests of upcoming domestic workers, or for all staff members if warranted by the circumstances.

Please note that the attached designation does not impair the authority of the Secretary of State to suspend, in appropriate circumstances, the issuance of G-5 visas to domestic workers seeking to work for officers or employees of an international organization under the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.

Please contact Rebecca Shivprasod, Program Specialist, Host Country Affairs at [shivprasodr@state.gov](mailto:shivprasodr@state.gov) or [UNDomesticWorkers@state.gov](mailto:UNDomesticWorkers@state.gov) for any questions.

## Enclosure

### Domestic Worker Program Requirements

Foreign mission members and international organization personnel who employ a foreign domestic worker (“employers”) must abide by all requirements of the Domestic Worker Program and must respect all applicable United States federal, state, and local laws and regulations.

In addition, the Office of Host Country Affairs requires that employers accept and comply with the following Domestic Worker Program requirements:<sup>1</sup>

- Facilitation of their domestic workers’ participation in the Domestic Worker In-Person Registration Program;
- Provision of assistance, as needed, to the domestic worker to establish a bank account in the United States in his/her name only;
- After the first 30 days of employment in the United States, payment of salary made exclusively by check or electronic funds transfer to the domestic worker’s bank account in the United States;
- Provision of a payslip at the time of wage payment to the domestic worker noting the hourly wage, overtime wage, and the number of hours worked in the pay period and any required deductions to fulfil tax and social security obligations. No other deductions are permitted;
- Maintenance of contemporaneous timekeeping and payment records and the retention of such records for three years after employment ends, as well as provision of copies of the records to the Department of State upon request;
- Establishment of employment contracts that include all Department required terms, in English and if the domestic worker does not understand English, in a language the domestic worker understands;
- Timely request, through the employer’s foreign mission or international organization, of extensions of G-5 status for the domestic worker prior to expiration of the domestic worker’s authorized period of stay in the United States, such that there is sufficient time to allow such requests to be processed before the expiration of the domestic worker’s authorized period of stay;
- Prohibition of all salary deductions, except as required by law;
- Exclusive employment of the domestic worker by the employer who signed the contract;
- Provision of at least 35 hours a week of compensated employment;
- Employers may not be related to the domestic worker they employ (exceptions may be made on a case-by-case basis, e.g., for the care of a disabled family member);
- Employers or the employer’s foreign mission or international organization must cover the medical expenses of domestic workers while they are in the United States;
- Employers under investigation for abuse or exploitation of a domestic worker or a pattern of repeated domestic worker terminations will not be eligible to participate in the Domestic Worker Program unless and until the matter is resolved;

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<sup>1</sup> Not all of these requirements are in the required contract terms.

- The Secretary-General, Assistant- and Under-Secretaries-General may generally sponsor only two domestic workers. Other qualified employers may generally sponsor only one domestic worker. Members of the support and service staff may generally not sponsor any; and,
- Missions and international organizations which wish to participate in the Domestic Workers Program must agree that if any of their personnel request that a domestic worker be accompanied by a dependent, the mission/international organization will submit a Dependent Protection and Oversight Plan signed by the Chief of Mission/senior international organization official to accompany the pre-notification request. The Plan must include regular monitoring of the dependent's welfare and living conditions, with increased oversight for minors, and written semi-annual certification by the employee, the employer, and the employer's mission/international organization that the dependent is not working in the United States.

While these are the current Domestic Worker Program requirements, we anticipate that this framework will evolve in the future based on changing circumstances. The United Nations Secretariat will be provided reasonable notice of changes.



## Annex III

### **Diplomatic note dated 17 April 2019 from the United States Mission to the United Nations**

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 honour to announce the official commencement of the In-Person Registration Program for domestic workers employed by United Nations Permanent Missions and Observer Offices personnel. The programme was referenced in circular diplomatic note HC-88-18, dated 28 November 2018. The initial phase of this registration program pertains to G-5 visa holders employed by members of Permanent Missions and Observer Offices to the United Nations. The programme will be expanded at a future date to include domestic workers employed by United Nations personnel.

The registration programme will commence in May 2019, beginning with domestic workers employed by Permanent Mission members who arrived in the New York metropolitan area on or after 1 January 2019. Representatives of the United States Mission Host Country Affairs Office will contact appropriate Permanent Missions to schedule appointments for domestic workers holding G-5 visas whose arrival falls within this time frame. The programme will subsequently expand to include G-5 visa holders previously registered and residing in the New York City metropolitan area prior to 1 January 2019. Permanent Missions will be individually notified of the requirement to schedule these later appointments.

The United Nations Office of Protocol must be notified using the SG.5 form within five days of the worker's arrival into the United States. Upon receipt of the official United Nations notification of registration, the United States Mission Host Country Affairs Office will contact the Permanent Mission to schedule a registration appointment. Appointments will generally take place within 30 days of a domestic worker's arrival into the United States, and subsequently on at least an annual basis for the duration of the domestic worker's employment by the mission member. Please note that domestic workers will be issued a registration card that will be renewed at the time of the worker's annual registration appointment.

All appointment schedules and queries concerning the In-Person Registration Program will be handled through a designated Permanent Mission point of contact with responsibility for domestic worker matters. This policy is intended to assist both the United States Mission and the Permanent Missions in ensuring compliance with Domestic Worker Program requirements. Permanent Missions that have at least one staff member that employs a domestic worker are requested to inform the United States Mission Host Country Affairs Office in a timely manner of the designated point of contact for domestic worker matters.

For its record keeping purposes, the United States Mission Host Country Affairs Office will track annual registration renewal dates. However, please note that it may be of benefit for Permanent Missions to develop an internal system to monitor renewal requirements. Similarly, it may prove beneficial for Permanent Missions to establish oversight and protection mechanisms, including by, inter alia, maintaining copies of employment contracts, and having the ability to access payment records should any disputes arise between a mission member and a domestic worker.

In-person registration appointments will be held at the United States Mission to the United Nations, 799 United Nations Plaza, where the domestic worker will be met in the building lobby by an accreditations officer. Employers and other mission or office representatives will not participate in the registration appointment. Interpretation services will be available for all registrants that require them.

At the registration appointment, the domestic worker should present his or her passport, a copy of the employment contract, and documentation confirming that a bank account in the United States has been established in his or her name only. As notified in circular diplomatic note HC-88-18, mission members must begin paying their domestic workers by check or electronic fund transfer within 30 days of the domestic worker's arrival into the United States. If a United States bank account has not yet been opened at the time of the registration appointment, the domestic worker will be required to return to the United States Mission at a later date to provide the requested information relating to the establishment of an account.

The United States Mission recognizes that as this new programme is initiated, missions may have questions related to programme and process details. For this reason, representatives of the United States Mission Host Country Affairs Office are available to respond to queries and provide support for a successful partnership with the United Nations community on matters relating to the employment of domestic workers. Questions may be directed to [UNDomesticWorkers@state.gov](mailto:UNDomesticWorkers@state.gov).

The United States Mission and the diplomatic community share common goals in this endeavour, which include furthering collaboration in the obligation to protect foreign domestic workers brought to the United States to work for foreign mission personnel. It is important to continue joint efforts to ensure that all domestic workers understand their rights and protections, and that those employing these workers understand their contractual obligations and responsibilities.

**Annex IV****Diplomatic note dated 13 January 2020 from the United States  
Mission to the United Nations addressed to the Secretariat**

The United States Mission to the United Nations presents its compliments to the United Nations Secretariat and has the honour to refer to its circular diplomatic note HC-94-(S)-18 dated 6 December 2018 (available at: <https://usun.state.gov/6659>) regarding the employment of domestic workers who are in the United States in non-immigrant G-5 status. The United Nations Secretariat will 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 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 United Nations Secretariat that according to article 19 of the New York State Labor Law, all employees in New York State, including domestic workers, must be paid at least the applicable hourly wage rate. The City of New York has updated its minimum wage requirement to \$15 per hour for the period beginning 31 December 2019 and ending 30 December 2020. The current minimum wage rate for Long Island and Westchester is \$13, and in the remainder of New York State it is \$11.80 for each hour worked. The current minimum wage rate in the State of New York may be found online at the New York State Department of Labor website (<https://www.labor.ny.gov/workerprotection/laborstandards/workprot/minwage.shtm>).

In accordance with New Jersey Statutes Annotated 34:11-56a4c, effective 1 January 2020 and ending 31 December 2020, the State of New Jersey has updated its minimum wage to \$10.30 for each hour worked for employers with less than six employees. The current minimum wage rate and further information on scheduled increases may be found online at the New Jersey's Department Labor website ([https://www.nj.gov/labor/wagehour/wagehour\\_index.html](https://www.nj.gov/labor/wagehour/wagehour_index.html)).

In accordance with Connecticut General Statute §31-58, as amended by Public Act 19-4, effective 1 October 2019, the Connecticut Department of Labor has increased its minimum wage to \$11 for each hour worked. Public Law 19-4 includes additional future increases in the minimum wage rate, including a scheduled increase to \$12 per hour, effective 1 September 2020. The current minimum wage rate and further information on scheduled increases may be found online at the Connecticut Department of Labor website (<http://ctdol.state.ct.us/wgwkstnd/wage-hour/pay002.htm>).

Therefore, domestic workers employed in residences in the States of Connecticut, New Jersey and New York, must be paid in accordance with the local minimum 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 initialled by both the domestic worker and the employer.