



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

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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 diplomatic circulars HC-106-09 dated September 25, 2009 and HC-125-09 dated October 23, 2009 (available for download at: http://usun.state.gov/about/host_aff/129277.htm) regarding the employment by Permanent Mission and Observer Office members of personal servants, attendants and domestic workers who are in the United States in nonimmigrant G-5 visa status. The Permanent Missions and Observer Offices should note that for all hours worked, such domestic workers must be paid the greater of the minimum wage under United States Federal and State laws or the prevailing wage in the location where they are employed.

The United States Mission to the United Nations wishes to inform the Permanent Missions and Observer Offices that the United States Department of Labor's prevailing wage statistics for domestic employees, included in its annual Occupational Employment Survey, have been updated for 2011. The prevailing hourly wage for "Maids and Housekeeping Cleaners" is now \$9.82 per hour in the New York City metropolitan area. As this amount exceeds the federal minimum wage of \$7.25 per hour, effective as of the date of this note, all domestic employees must be paid according to the prevailing wage. In addition, all new contracts between domestic workers and their employers must reflect the updated amount.

In addition, the Department of State and the United States Mission have considered the question of what would be “reasonable” as a deduction from wages for meals and/or lodging for G-5 domestic workers. It has been determined that housing provided to such workers is for the benefit of the employer and thus advises that it is not permissible to withhold from wages any amount for lodging. In addition, it has been determined that it would be reasonable for employers of G-5 visa holders to withhold from wages of domestic workers no more than twenty percent of wages for a minimum of three daily meals.

Further, the Department of State and United States Mission do not allow deductions from wages for any other expenses, such as the provision of medical care, medical insurance or travel. This guidance is effective immediately. The United States Mission therefore suggests that the Permanent Mission and/or Observer Mission personnel be advised that if they have entered into contracts and/or payment practices with regard to domestic workers that provide deductions from wages more extensive than set forth above, such contracts and/or practices should be amended accordingly.

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.