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**FOR IMMEDIATE RELEASE**

## **International Nanny Association Requests NY Times Set the Record Straight**

**Wilmington, NC (November 27, 2012)** – A recent New York Times article titled “[A Study of Home Help Finds Low Pay](#)” discusses a research study of the National Domestic Workers Alliance and Center for Urban Economic Development, University of Illinois at Chicago Data Center focused on compensation paid to household employees.

Unfortunately, much of the information in the article about labor law was misrepresented. The INA sincerely hopes that the New York Times will correct these errors and set the record straight. INA believes it is a disservice to all domestic service workers, including its nanny members, for the NYT to allow these misstatements to stand, as this contributes to the very workplace abuses the study attempts to address.

Below is correct information regarding current household worker labor protections.

1. The article states “Domestic workers are covered neither by federal minimum wage laws nor by most states’ minimum wage laws.” This is factually incorrect. Domestic workers have been covered by Federal minimum wage laws, which form the national floor, since the Fair Labor Standards Act (FLSA) was amended in 1974. The facts are that domestic service workers are non-exempt hourly employees entitled to minimum wage protections at the Federal and state level. There is a narrow exemption for “companionship care” for the aged and infirm. This means that nannies, maids and housekeepers are both protected by the FLSA and have the right to file Wage and Hour grievances with their state’s Wage and Hour board, a division of each state’s Department of Labor, if their employer is not paying the agreed rate per hour (at or above the applicable minimum hourly wage) for all hours on duty.

The FLSA also extends overtime protections to covered domestic workers who do not live in the employers’ residence.

2. The article further states that domestics are “generally not covered” by the unemployment compensation system, which is also factually inaccurate. Domestic service workers are covered by unemployment insurance, and their employers have the legal obligation to report wages paid and pay unemployment taxes at the state and Federal level. Any worker, including domestic service workers, who is not legally eligible to work in the United States, is excluded by law from these benefits. This means that U.S. citizens, green card holders and aliens working with valid US work authorization (EAD) are protected by unemployment compensation.
3. The NY Times piece also claims that domestic workers are not covered under Workers’ Compensation. This is only true in some states, as Workers’ Compensation coverage standards are determined at the state level. Twenty-two states mandate Workers’ Compensation coverage for domestic service workers, including New York, California, Massachusetts, Maryland and the District of Columbia.

The INA publishes an annual survey of nanny compensation, <http://www.nanny.org/document.doc?id=80>, the results of which differ dramatically from those presented by the study quoted by the NY Times”

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The International Nanny Association (INA) is a non-profit educational association that serves as the umbrella association for the in-home child care industry by providing information, education and guidance to the public and to industry professionals. The INA has an almost three decade history of educating and informing nannies, the families that employ them, and the placement service agencies that act as staffing intermediaries on the rights and responsibilities of all parties regarding compensation, payroll tax and labor laws

