



How to be a Fair Care employer during the COVID-19 crisis in NYC

On March 7th, Governor Andrew Cuomo declared a state of emergency in New York to combat the coronavirus crisis. Many of us are anxious or scared about how the virus will impact us and our community. While it's hard to know what will happen, one thing we do know is that this virus is exposing many of the flaws and inequities in our system - from lack of universal health care coverage to lack of paid time off when so many working people need to stay home. Something we can do as employers is to take measures to **protect domestic workers and care workers, a workforce excluded from basic labor protections.**

Most domestic employers want to do the right thing when they employ someone at home. Being a Fair Care employer means educating yourself about best employment practices, your legal obligations, and preparing your household in moments of crisis. Whether you employ a nanny, house cleaner or home attendant, it's critical that you take steps to be a fair care employer during the COVID-19 health emergency.

Hand in Hand: The Domestic Employers Network has prepared **this toolkit** of best practices for employers during the COVID-19 Crisis. *Remember your home is someone's workplace!*

What do you need to do first?

Have a conversation

A great labor relationship is based on an open and trust communication. Set a time to talk to the person you employ about COVID-19. Share your feelings and concerns and create a **safe space for your employee to share as well. Create a plan** where you both agree to new adjustments to avoid any conflicts and impacts on their income and set new practices for everyone to be safe at home. Check out our open [and respectful communication](#).

Offer benefits and protections

Provide extended paid sick leave

In NYC, domestic workers are excluded from most labor protections. As this crisis is hitting all of us in different ways, domestic workers as all low-wage workers are at high risk to lose income. In the midst of this crisis, we recommend paying your employee the full amount **whether your employee stays home or works fewer hours.** We recognize how hard it was to go through the employment process and finding the right person to work in your home. Providing payment will also encourage your current agreement and labor relationships to stay in place and continue seamlessly once the crisis is over.

Tip 1: If you are able, provide the option for your worker to stay home while you continue paying her full wages. We are all stressed and scared and we need to be safe at home with our loved ones.

Tip 2: If you are also taking an impact in your income during the crisis, we open to your employee about the limitations you have to continue paying the full amount. Try to do it as long as you can, and pay her membership to the National Domestic Workers Alliance (NDWA) a community of domestic workers. Also, donate and ask your friends to donate to the Coronavirus Care Fund.

Additional resources:

For nanny share: <https://domesticemployers.org/resources-and-faqs/nanny-share-101/>
<https://domesticemployers.org/resources-and-faqs/>
[NDWA resources for domestic workers on COVID-19](#)

Transportation, Health & Safety



NYC Nanny Employers:

If your nanny is still coming to work at your house, please pay for her to commute by taxi. Or if you have a car offer to drive her.



Provide a **flexible schedule to avoid extra stress on your employee**

If you absolutely need the person you employ: nanny, house cleaner or home attendant to continue going to your home, **consider paying taxi or drive your employee from and back home.**

Provide gloves, soap and hand sanitizer and give the worker an assurance that your **family will sanitize your home.** Masks aren't required unless someone is sick at home

If your family is being tested, offer it to your employee and family members, and assist in any **covering health care costs** if you can do!

What if you are now working from home?

Since most of us are working from home, we recommend **not to suddenly cancel work for your employee without pay** (see above). **Be communicative and aware of the impact that you're having on your employee's livelihood** because of shifts to your household schedule.

Set yourself up for success - **avoid micromanaging or adding new supervision on the worker's day.** Your home is already their workplace, and you are now working there, too. Set yourself up to maintain their work structure as usual.

Provide **paid breaks to rest.** Everyone is emotionally exhausted and workers also need to rest and check on their families.



Thinking of asking your nanny for a live-in?

Don't panic and be mindful about your requests

As parents we tend to panic about what to do to make sure everyone is safe around us, but be mindful that your employee might find it uncomfortable. Before you give them the option to live-in consider, do I have an extra room? What about her privacy and breaks for meal times? You'll also need to increase her wages accordingly. Again, having an open and caring conversation will help you find out what is best for you and your nanny.

What can I do to support my housecleaner?

House cleaners, janitors, and workers across industries are called upon to do additional cleaning to sanitize and kill the COVID-19 virus, which also means higher exposure to dangerous and harmful chemicals.

Having the **conversation about sanitizing homes is very important**. Check [here for our guide](#) on best practices for employers of house cleaners.

Avoid dangerous mixtures; sometimes folks think combining different cleaning products will make for a more powerful cleaning agent. Please avoid this! As you can see on the slide, certain mixtures can create harmful (and sometimes deadly) gases. Check here for [recommended products](#) under COVID-19.

- **Bleach+Vinegar** → Together, they produce **chlorine gas**, which even at low levels, can cause coughing, breathing problems, and burning, watery eyes
- **Bleach+Ammonia** → Bleach and Ammonia produce a toxic gas called **chloramine**. It causes the same symptoms as bleach and vinegar – along with
- **Bleach+Rubbing Alcohol** → creates **chloroform**, and can be irritating and toxic.
- **Don't mix bleach with anything, but plain water!**

Do you employ a house cleaner very part time? (1x/month or more)

If you or they cancel house cleanings because of coronavirus, please still pay the worker(s) you employ for ALL cleanings you normally would have paid them for - basically provide sick leave!

More tips on being a fair employer In the time of corona:

<https://domesticemployers.org/fair-care-and-coronavirus/>



Provide **ventilation** - Open doors and windows, and avoid cleaning in small enclosed spaces.

Provide disposable gloves, face masks and goggles.

Provide breaks from cleaning to mitigate frequent exposure.

Have a discussion about fair pay for the added work of sanitizing a home on top of cleaning it.

Have a flexible cancellation policy and if you need to cancel, **pay for cancellations**.

Provide a flexible schedule for travel on low traffic commute times or pay for taxis.

If your home is quarantined, be sure to notify workers immediately so that they stay away. The worker has the right to deny house cleaning services without losing their job. Reassure them that they will still receive pay.

Sign up for [Alia](#), an innovative program that enables domestic employers to contribute to paid time off and life insurance for the domestic worker in their home.

Tips for employers of home attendants

Provide gloves, soap and hand sanitizer. Alternate scheduling to avoid crowded areas, rescheduling of non-essential appointments, assuring minimal need to be exposed in crowded places, extra time for care workers to prepare themselves and their own families. Consider **paying for taxis to transport the workers home or drive (see above for additional protections)**.

If you have an elderly loved one that needs care and you have an agency home care workers but have taken precautions by having them stay home, but now need them to come in, there is no need to feel guilty. It is the priority to keep everyone safe. **Home care workers are essential workers and they are trained to take precautions.**

If your home attendant is not showing up or you didn't want your home care worker exposed but now need help, you can contact the home care agency that provides home attendants and let them know you need someone. Whether you provide private pay or use an agency **the most important part is to have a conversation with the worker and provide a safe space by addressing the Covid-19 conversation and offering them essential items such as hand sanitizer, gloves and masks.**

Take Action and Support Policies to Protect Your Worker

Support our policy campaigns and join in solidarity with communities of color, low-income people, seniors and people with disabilities who are particularly vulnerable at this time.

- [Sign the petition](#) to pass Paid Personal Time in New York City that would provide 10 days of paid vacation.
- [Sign the petition](#) to pass the National Domestic Workers Bill of Rights to win federal legislation to ensure domestic work is protected and valued.
- [Take the pledge](#) for the Universal Family Care Pledge to build a care infrastructure that ensures the most vulnerable are cared for.
- [Become a member of Hand in Hand](#) and support our work!



After the hard impacts of the 2016 election, Hand in Hand heard from the employers of immigrant workers - employers were worried for their wellbeing and safety of their immigrant employees and wanted to do more to support. So Hand in Hand launched a platform called Sanctuary Homes to help employers take action and support their immigrant employees.

The Sanctuary Homes platform uses grassroots organizing to keep workers, employers, neighbors, and communities connected. During our current health crisis, Sanctuary Homes can help us stay connected and engaged with each other during this crisis - and engage in mutual aid.

This means thinking about how domestic workers are a part of our communities, and we need to work together to factor in all the impacts - on health, on economics, and more. We need to look widely at all those in our communities - even if it's not folks we're seeing in our homes. Does your domestic worker live with an elderly

parent or immunocompromised relative? This needs to be factored into decision-making about the risks that everyone in your family is taking, bc that's part of who you're impacting.

Even as we "socially distance," we have to pay attention to connection and community because we know that our impacts have wide impacts. We're all navigating this together.

We're organizing at three different levels to support each other in this current health crisis:

Your home

Share information about COVID-19 with your worker. Language barriers can prevent to get fully updated. Be a **Fair Care Employer**.

Your neighborhood

Check your neighbors whether they are at risk and need support. Be of service with ride shares (help provide cash to DWs, doing groceries, donating money like the [Coronavirus Care Fund](#) for domestic workers. **Do it for only one person or family to avoid higher risk.** Join **Mutual Aid NY** & organize your network to create a group of volunteers

Community

Build relationships with local organizers and groups. Join Hand in Hand hub. Help us plan **virtual Kitchen Table Conversations** to build a caring and feminist economy that works for all of us

Legal Obligations under New York State and New York City laws

NYS Paid Family Leave Law

Provides 10 weeks of paid leave at 60% of employee's salary. Paid care workers who are hired directly by a private homeowner and who work 40 or more hours a week for the private homeowner are required to be covered for Paid Family Leave and are eligible once they have been in employment for 26 consecutive weeks. This benefit can be used to care for a family member with a serious health condition. This leave may not be used for their own health condition. Paid Family Leave is funded through employee payroll contributions that are set each year to match the cost of coverage. [NYS Family Leave](#)

Agency Home Care Workers: Covered employees become eligible to take Paid Family Leave for a qualifying event once they have met the minimum time-worked requirements:

Full-time employees: Employees who work a regular schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment.

Part-time employees: Employees who work a regular schedule of less than 20 hours per week are eligible after working 175 days, which do not need to be consecutive. Employees with irregular schedules should look at their average schedule to determine if they work, on average, fewer than 20 hours per week.

Example: Family of the paid care worker gets ill and they need to take extended time off to take care of them.

NYC Paid Safe & Sick Leave Law

Domestic workers are entitled to 2 days of paid safe and sick leave under NYC Paid Safe and Sick Leave Law. Employers may have a sick leave policy that provides workers with more generous paid sick days, but even if you don't, domestic workers and agency home care workers still have protections under the law. This benefit is available for employees to take time off from work if they are sick or if a family member is sick. Employees may also be able to request unpaid leave as a reasonable accommodation.

- **Agency home care employer:** In New York City employers with five or more employees must provide paid safe and sick leave. Employees can earn 40 hours of paid leave that they can use if employees have a health condition or to care for a family member with a health condition. If you have less than five employees, employees earn 40 hours of unpaid leave. For more information, please visit the [NYC Department of Consumer Affairs](#).
- Example of how this would apply: A worker can request to take leave for themselves or anyone in their family who needs to get tested, has cold or flu like symptoms. They may take two days off without submitting documentation.

NYS Domestic Worker Bill of Rights

Provides all paid care workers 3 paid days of rest. Employers are encouraged to discuss employee rights and review the [Notice of Rights](#) with their employee(s).

Example: A worker needs to take time off for personal reasons, to care for a family member, to get health insurance, assure safety of a child or get training.

Workers' Compensation Insurance

Workers' compensation is insurance that provides cash benefits and/or medical care for workers who are injured or become ill as a direct result of their job. Employers must provide coverage for paid care workers who work 40 or more hours per week. Workers' compensation is not required for paid care workers who work less than 40 hours a week but many still choose to obtain a voluntary policy. This policy will protect both the employer and domestic worker should a work related illness or injury occur. Employers pay for this insurance and shall not require the employee to contribute to the cost of compensation. [Workers' Compensation Board](#)

Example: A worker gets seriously ill as a direct result of being in your household or being on the job.

New York State Disability Insurance

New York is one of a handful of states that require employers to provide disability benefits coverage to employees for an off-the-job injury or illness. Disability benefits are temporary cash benefits paid to an eligible wage earner, when he/she is disabled by an off the job injury or illness. Paid care workers who work 40 or more hours per week for the same employer must be covered by disability benefits insurance. Benefits are paid for a maximum of 26 weeks of disability during 52 consecutive weeks. An employer is allowed, but not required, to collect contributions from its employees to offset the cost of providing benefits. An employee's contribution is computed at the rate of one-half of one percent of his/her wages, but no more than sixty cents a week.

Workers' compensation is not required for domestic workers who work less than 40 hours a week but many still choose to obtain a voluntary policy. This policy will protect both the employer and domestic worker should an off the job illness or injury occur. You can obtain forms for Voluntary Coverage by contacting a carrier authorized to write New York State Disability Benefits Insurance. [Disability Benefits](#)

Example: The worker got seriously ill on their way home or from their own household.

Find relevant New York State and City laws [here](#) and for other state and city laws, [review this resource](#).