



Frequently Asked Questions for California Domestic Employers with Live-in or 24-Hour Shift Employees

Please refer to Hand in Hand's California Domestic Employer Legal Responsibilities resource for definitions of domestic workers and other legal requirements.

1. If I hire a domestic worker to work a 24-hour shift, am I required to pay the worker for the full 24 hours?

Yes. If you require the worker to be ready and available to respond to your needs around the clock, prohibit them from leaving the jobsite, or do not allow them to leave the person they are caring for unattended or alone, then the worker is on duty, and you are required to pay the worker for the entire shift.



2. If I hire a domestic worker and they live with me or the person they are providing care for, what is considered "on duty" hours?

It is highly recommended that you and your employee have a clear understanding and agreement about when they are "on duty" and "off duty." Generally, the law says that if the worker is under your control, must be ready to respond to the needs of the person they are caring for, or are not free to leave the home, they are "on duty" and must be paid for that time.

3. Do I have to pay a worker during the night? May I deduct sleep time from their work hours?

The law does not allow for sleep deductions. If you require a worker to stay on the premises and be ready to respond to the needs of the person they are caring for, they are considered "on duty" and must be paid for all those hours, including sleep time.



4. Am I required to pay a domestic worker overtime?

Almost all domestic workers are entitled to some form of overtime pay, generally after they have worked a specific number of hours in a day or in a week. The number of hours after which you are required to pay a worker overtime depends on the type of worker, how they were hired, and whether the worker lives in the home where they work. For more information, see [Hand in Hand's California Domestic Worker Overtime Rules resource](#).

5. Can I charge my employee rent if they are living in my home or in the home where they are providing the domestic work service?

Yes, but there are limits on what you may charge for rent if they are

required to live on the premises or if you use the rent as credit toward their minimum wages. The domestic worker must agree to the arrangement in writing. Below are the limits on how much can be charged or deducted from a worker's pay for rent:

EFFECTIVE:	JANUARY 1, 2024	JANUARY 1, 2025
LODGING		
Room occupied alone	\$75.23 per week	\$77.58 per week
Room shared	\$62.10 per week	\$64.04 per week
Apartment — two thirds (2/3) of the ordinary rental value, and in no event more than:	\$903.60 per month	\$931.88 per month
Where a couple are both employed by the employer, two-thirds (2/3) of the ordinary rental value, and in no event more than:	\$1,336.65 per month	\$1,378.49 per month

If the job does not require the worker to live on the premises, then the worker can choose to live elsewhere. If you provide your employee with housing, it must be adequate and clean. You cannot require the worker to share a bed with another person. An employer may not charge rent if the worker decides not to use the employer-provided lodging.

6. Can I charge my employee for the meals that I provide them?

Yes, you may charge your employee for meals that you provide them. Meals provided must be adequate, well balanced, and nutritious. An employer may only take credit for meals towards the employee's minimum wages if:

- The meals are provided during the worker's shift
- The worker agrees in writing to have food provided and be charged for it

- The employer does not charge an employee for meals they do not eat
- The employer does not charge the worker more than the following:

EFFECTIVE:	JANUARY 1, 2024	JANUARY 1, 2025
MEALS		
Breakfast	\$5.78	\$5.96
Lunch	\$7.97	\$8.22
Dinner	\$10.68	\$11.01

7. Want to learn more about your responsibilities as an employer?

Please refer to Hand in Hand's [California Domestic Worker Employer Legal Responsibilities](#) resource.



HAND IN HAND
THE DOMESTIC
EMPLOYERS NETWORK