



HAND IN HAND

THE DOMESTIC EMPLOYERS NETWORK

Hiring and Employing a House Cleaner or Housekeeper in New York



As someone that is privately hiring someone to work in your home you are officially an [employer](#) with responsibilities under the law. Hand in Hand is here to help you navigate your responsibilities and make it easier for you to be a fair employer. This document will walk you through your legal obligations in New York City and New York State as well as industry best practices and standards.

Many people who employ house cleaners or housekeepers have an informal working arrangement, however this informality has led to widespread exploitation across the industry.

In February of 2020 the [Safe and Just Cleaners Research Project](#) surveyed 409 cleaners in New York City and Westchester and found the following:¹

- **93% of house cleaner employers do not offer an agreement**
- **36% of house cleaners do not feel they can take a sick day**
- **45% reported being the primary wage earner**
- **61% reported working on their knees while cleaning the bathroom and/or the kitchen**

Furthermore, domestic work has historically been seen as “women’s work” and not considered real work. Domestic workers were omitted from our country’s labor laws in the 1930’s because white southern lawmakers didn’t want the predominantly Black workforce to have rights and protections. The legacy of slavery and sexism has led to the devaluation of work inside the home. Years of advocacy and fighting for domestic workers rights have led to protections, with New York being the first state to pass a domestic worker bill of rights in 2010.

¹ The Safe and Just Cleaners research project is a collaboration between Barry Commoner Center for Health and the Environment at Queens College, City University of New York; Selikoff Centers for Occupational Health and the Institute for Exposomic Research at the Icahn School of Medicine at Mount Sinai, and Make the Road New York.

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As an employer, you can ensure that your home is a fair workplace by following the guidelines and best practices below. These will help you form a mutually beneficial and long standing relationship with the person you hire. The following is applicable to whether you employ someone part-time or full-time for 1 hour or 40 hours, regardless of immigration status, and whether you are paying on or off the books.

Summary of Guidelines and Best Practices

1. **Value the domestic worker you employ at home**
2. **Make a plan for the hiring process**
3. **Be clear on your employment terms and benefits by having a written work agreement**
4. **Pay a living wage, provide benefits and a discrimination-free workplace**
5. **Create a safe workplace by having [non-toxic cleaning materials](#). Do not endanger the health of the person you employ and your own home**



1. Acknowledge the value of hiring a house cleaner or housekeeper

The first step in establishing fair practices when employing someone in your home is to recognize the work they do.

- If you've ever had your house cleaned, you'll realize why this is a profession that takes skill, attention to detail and endurance.
- House cleaners and housekeepers often work long hours, do difficult and sometimes dangerous work – such as using toxic cleaners or cleaning in high and difficult to reach places. They do the work that makes other work possible by helping us keep our homes clean and comfortable.
- For some, house cleaning is an important service that frees up our time so we can do other things; for others who may not have the ability to clean our own homes, they provide a critical life-supporting service.
- Providing positive feedback and complementing the work cleaners do is a great way to recognize and value their work, and it is highly appreciated by these workers; as it is in any other industry.



2. Make a plan for the hiring process

Interviewing someone can be daunting if you have never done it before. Preparing in advance will help you and the person you employ have a smooth process.

- **Hiring someone is a commitment for you as well as the person you hire.** House cleaners and housekeepers are not gig workers, but domestic workers who are employees

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that will be providing ongoing services, following a mutually-agreed on schedule and structure.

- **Prepare a list of interview questions, making sure they don't violate [NYC discrimination laws](#).** For example, you may ask about their skills, previous experience, references, cleaning style and preferences. The law prohibits asking about salary history, pregnancy status or credit history.
- **Be clear about your expectations.** Plan a walk through of your home and what the job entails. If there is anything you would like done in a particular manner, communicate these things from the beginning.
- **Create a written work agreement.** State your terms of employment and benefits being offered, and put it all in writing.
- **Establish fluid and respectful communication.** Once you choose a house cleaner you are comfortable with, talk about how they will enter your home, provide feedback on cleanings and put a plan in place to address any work issues.
- **Don't ask for a trial cleaning.** It is illegal to ask for a trial cleaning at no cost. Instead, see how the first three cleanings go and make time to provide feedback.
- **Avoid last minute cancellations.** Cleaners depend on their income from this work and booked their time to clean your house. If for any reason it gets canceled, it has an economic impact on them. **Compensate the domestic worker you employ in the case of a last minute cancellation.**



3. Make a written work agreement

When you establish a written work agreement at the start of a work relationship, you lay a foundation for clear, mutually-agreed upon expectations, as well as a respectful communication.

[See Hand in Hand's sample House Cleaner Agreement for New York Employers.](#)

- A work agreement also helps avoid ad-hoc, casual conversations that can lead to confusion or misunderstandings.
- A written work agreement can help you be sure that you are complying with NYS and NYC labor laws. It outlines employee/employer basic information, start date responsibilities, defines wages and human resources policies, includes cancellation policy, designates time off and creates guidelines for a safe workplace.
- Reviewing the agreement periodically will help you have an open conversation with the house cleaner you hire and invite them to share their thoughts and needs. It is key to building a positive employee/employer relationship.



4. Pay a Living Wage and Provide Benefits

Think and act with fairness. Comply with the law, offer benefits and abide by worker rights. Worker's rights and legal protections are applicable to whether you employ someone part or full-time regardless of immigration status, and whether you are paying on or off the books.

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- You can live on a living wage, not minimum wage. Hand in hand recommends paying \$25-\$30 an hour for a minimum of a 3-5 hour shift. Employer and employee will negotiate prices and shift according to the work needed to be done. If the domestic worker you employ calculates their work by the size of your home and the work needed, make sure you are paying an hourly living wage. Consider paying more if you request deep cleaning.
- Keep your home safe and healthy by using non-toxic household cleaners and adjust your expectations because it may take longer to clean.
- As an employer, you must also legally post [this wage and hour notice from the Department of Labor](#).
- Under NYS and NYC law, house cleaners are entitled to 40 hours of [paid safe and sick leave](#) each calendar year. Workers accrue 1 hour for every 30 hours worked. We recommend providing at least 1-2 days of sick leave for part-time workers and 5 days or more for full time workers. Employers are also required to provide a Paid Sick and Safe Leave [Notice of Rights](#).
- Workers are entitled to a 30 minute meal break for every six hours worked. Hand in Hand recommends providing a 10 minute break for a 2-5 hour shift. If they work a full day, provide two 10 minute breaks. The breaks must be paid if they are on call during those times.
- Workers are entitled to one day off (24 hours). Provide a day of rest (24 hours) for domestic workers who work six consecutive days. The seventh day should be given off. If you require them to work on their day off, by law you must pay them time and a half.
- Provide paid vacation days. If part-time, provide 1-5 days. If full time at least 2 weeks.
- If the domestic worker you employ works 20 hours a week they are entitled to [Paid Family Leave](#). Paid family leave can also be used if the worker you employ needs to quarantine for Covid-19.
- If they work 40 hours a week they are entitled to [workers compensation](#). However, we recommend obtaining an insurance policy even if your employee works part-time because workers will get wage protection and/or cover medical costs if they are injured on the job.
- Employers in NYC must provide a [discrimination free workplace](#) and cannot refuse to hire a domestic worker, pay them less, harass them or allow them to be harassed, or otherwise treat them less well based on race, religion, gender, nationality, disability, among other protected classes. Required posting for protection against sexual harassment and annual training [can be found here](#).
- The [Domestic Worker Bill of Rights](#) provides protection to workers for wage theft, unemployment, workers compensation and disability.
- Domestic workers are entitled to overtime after 40 hrs at 1.5x the regular rate of pay. For example if the regular rate of pay is \$25/hr, the overtime hourly rate is \$37.50 (\$25 x 1.5).

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5. Ensure that your home is a safe workplace

A safe and healthy workplace not only protects workers from injury and illness, it can also increase productivity and quality.

- Eliminate and reduce harmful chemicals and cleaning products in your home. Harsh chemicals lead to rashes, trouble breathing, and have been linked to long term illnesses including cancer². See alternatives [here](#).
- Provide proper protection by ensuring ventilation through open windows, rubber gloves and masks.
- Never ask the domestic worker you employ to clean on their hands and knees, move furniture or reach high places. Doing so can cause serious injury.
- Have [COVID-19 protocols](#) and make sure to disclose if either party tests positive for the virus. If you need to cancel work, pay the person for their regularly scheduled work hours. Under the [NYS Paid Leave for COVID-19](#) workers may not be fired for having COVID-19 and have work protection if they need to quarantine. Paid Family Leave may be used to cover wages.
- Get a [workers compensation](#) policy. Workers compensation provides wage replacement and/or medical benefits to employees injured on the job. Domestic workers are entitled to workers compensation if they work 40 hours a week, however we recommend getting an insurance policy regardless of the number of hours the employee works.
- In the case of an emergency, be sure to have the name and phone number of an emergency contact on file and that all the exits in your home are accessible.
- House cleaners and housekeepers are more vulnerable to developing health conditions due to the nature of their work. It was reported that 49% of workers in the Safe and Just Cleaners study lacked health insurance. Offer to help the domestic worker you employ to access healthcare through the [Affordable Care's Act](#), [NYC Health and Hospitals](#) or a Federally Qualified [Community Health Center](#).

More Best Practices

In addition to the basics of [fair pay](#) and [clear expectations](#), we recommend the following best practices for house cleaner and housekeeper employers:

- Give an annual bonus and annual pay raise
- Pay on-time and consistently (even for the weeks you go on vacation and don't need the cleaner to come) as the person you employ depends on your pay
- Provide safety equipment and non-toxic cleaning supplies (or offer to pay for these)
- If practicing non-toxic cleaning requires a longer shift, then [pay for that extra time](#)

² <https://www.womensvoices.org/safe-cleaning-products/safe-cleaning-fact-sheets/cleaning-products-health/>

Use the Checklist

Need a reminder for everything you need to keep track of in making your home a fair workplace? Hand in Hand has you covered. We've created an easy to use checklist that you can use, [it can be downloaded here](#).

Take the Fair Care Pledge!

Committed to being a fair employer? Take the [fair care pledge](#)! The fair care pledge shows your commitment to providing fair wages, clear expectations and paid time off. It also helps Hand in Hand track the impact of our work!



What are employers saying: “The work our house cleaner provides ensures our home is cared for despite our long work weeks. Hand in Hand’s guidelines and resources helped me better structure our work arrangement in a way that acknowledges our home is her workplace and we value her work.” Donna



What are workers saying: "I want employers to see how important, professional and necessary cleaning work is. I want domestic workers to always be treated at work with dignity and respect." Daniela

Additional Resources:

1. **COVID-19 Employer checklist:**
<https://domesticemployers.org/housecleaner-employer-checklist-during-covid-19/>
2. **Keeping a toxic free household:**
<https://domesticemployers.org/resource/a-guide-to-non-toxic-cleaning/>
3. **NDWA guidelines for working with cleaners:**
<https://domesticemployers.org/wp-content/uploads/2019/12/NDWA-Guidelines-for-Working-with-Cleaners.pdf>
4. **Safe and Just Cleaners Project:** <https://safeandjustcleaners.org/our-research/>
5. **Women’s Voice for the Earth:**
<https://www.womensvoices.org/avoid-toxic-chemicals/ten-ways-to-avoid-toxic-chemicals/>

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