

## June 2016 :Diplomatic Note on Minimum Wage

The Secretary of State presents his compliments to Their Excellencies and Messieurs and Mesdames the Chiefs of Mission and wishes to take this opportunity to inform of revised wage payment requirements for domestic workers employed by their mission members and to remind each mission of the requirement for updating employment contracts between domestic workers and employing mission members. This note supersedes previous correspondence related to this subject.

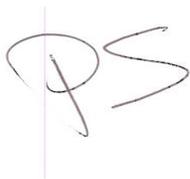
The Department wishes to inform that mission members employing domestic workers holding A-3 visas must pay an hourly wage of at least the greater of the minimum wage under U.S. federal, state, or local law in the specific location (city and state) of the residence where the domestic worker is employed. Employers may pay domestic workers at a rate above the minimum wage rate required for the specific location of employment.

Embassies maintain an obligation to monitor any changes in the applicable minimum wage rates and must ensure that contracts for domestic workers employed by mission members are amended to reflect such changes. All such contractual changes must be agreed to and initialed by both the domestic worker and the employer, and an updated copy of the contract must be provided by the Embassy to the Office of the Chief of Protocol via email to [DWcontracts@state.gov](mailto:DWcontracts@state.gov).

Embassies are reminded that the employment contract between an employer and domestic worker must state that the domestic worker will be compensated for all hours worked, which includes all time that the domestic worker is required to be on the employer's property and is required to do work of any kind. Further, the contract must state that all overtime hours beyond the regular work week must be paid at the rate required by U.S. federal, state, and local law. Embassies are requested to remind employers that they are not permitted to deduct from wages the cost of meals, lodging, medical care, medical insurance, or travel.

Additionally, as a reminder, all wages must be paid by electronic funds transfer or check to the domestic worker's bank account in the United States. After the domestic worker's first 30 days of employment in the United States, cash payments are not permitted. The Department reserves the right to request copies of payment records in situations when questions arise about proper wage payments.

Questions regarding the employment of domestic workers by foreign mission members may be directed to the email address noted above. The Department appreciates your continued cooperation and partnership on these matters.



Department of State  
Washington, DC  
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