

A3 & G5 VISA APPLICANTS (and B1 DOMESTIC WORKERS)

EMPLOYMENT CONTRACT REQUIREMENTS CHECKLIST

The employment contract must be in English and the applicant's native language and must contain the following:

a. Description of duties.

- The contract must describe the work to be performed.
- Must include a statement that, the domestic employee shall work only for the employer who signed the contract.

b. Hours of work.

- The contract must state the time of the normal working hours and the number of hours per week, which is 35-40 hours per week.
- It also must state that the domestic employee will be provided a minimum of one full day off each week.
- The contract must indicate the number of paid holidays, sick days and vacation days the domestic employee will be provided.

c. Minimum wage.

- The contract must indicate the hourly wage to be paid to the domestic employee. The rate must be the greater of the minimum wage under U.S. Federal and state law or the prevailing wage for all working hours.
- The contract must state that wages will be paid to the domestic employee either weekly or biweekly.
- It must also state what deductions are to be taken from the wages.

e. Overtime work hours.

- The contract must state that, any hours worked in excess of the normal number of hours worked per week are considered overtime hours and that hour in which the employee is "on call" count as work hours.
- It also must state that such work must be paid as required by U.S. local laws.

f. Payment.

- The contract must state that, after the first 90 days of employment, all wage payments must be made by cheque or by electronic transfer to the domestic worker's bank account.
- Neither mission members nor their family members should have access to domestic workers bank accounts.

f. Transportation to and from the United States.

- The contract must state that the domestic employee will be provided with transportation to and from the United States.

g. Other Required Terms of the Employment.

- The contract must state that the employer agrees to abide by all Federal, State and local laws in the United States.
- The contract must include a statement that, the domestic worker's passport and visa will be in the sole possession of the domestic worker.
- Must state that a copy of the contract and other personal property of the domestic employee will not be withheld by employer for any reason.

h. Other Recommended Terms of Employment.

- The contract must include a statement that the domestic worker's presence in the employer's residence will not be required except during working hours.
- The contract may include other agreed-upon Terms of Employment, if any, provided they are fully consistent with all U.S. Federal, State, and local laws.
- Any modification to the contract must be in writing.