

NYC Cares for Care Workers

An Overview of Rights and Resources

If you are a paid care worker in NYC, you now have a dedicated City resource for workplace questions and complaints: the Paid Care Division within the Department of Consumer Affairs (DCA) Office of Labor Policy & Standards.

Paid care workers include home care and domestic workers such as home health aides, personal care aides, home attendants, nannies, caregivers, and housecleaners.

DCA created this overview to help you know about important rights and resources.

For more information, call 311 and ask for “Paid Care” or visit nyc.gov/dca

Your Rights

You have rights regardless of your immigration status.



Minimum Wage

If you work exclusively for a private household or individual or if your employer has 10 or fewer employees, the minimum wage is \$10.50 per hour.

If your employer, including a home care agency, has 11 or more employees, the minimum wage is \$11.00 per hour.

Your employer can pay more than the required minimum wage.

For more information or to file a wage-related complaint, visit the New York State Department of Labor's website at labor.ny.gov or call 1-888-4-NYSDOL (1-888-469-7365).

Are you a worker providing home care services to a Medicaid recipient? If so, you may be covered by New York State's Wage Parity Law. For more information, call 311 and ask for “Paid Care.”



Pay for Hours Worked

You must be paid for every hour you work, including work before and/or after your scheduled shift and time spent traveling during the workday. For more information, call 311 and ask for “Paid Care” or visit nyc.gov/dca



Overtime

If you work more than 40 hours in a week, your employer must pay at least 1.5 times your regular rate of pay for the overtime hours.

If you are a domestic worker who lives in your employer's home, your employer must pay overtime after you work 44 hours in a week.



Paid Sick Leave

If you work in NYC for more than 80 hours a year, you can earn up to 40 hours of sick leave each year to care for yourself, your child, or other family members. If you are a domestic worker, after one year of employment, your household employer must provide two

days of paid sick leave in addition to the three days of paid rest you get under New York State Labor Law. It is illegal for an employer to retaliate against you for requesting or using sick leave. For more information or to file a complaint, visit nyc.gov/PaidSickLeave or contact 311.



Discrimination-free Workplace

The NYC Human Rights Law applies to employers with four or more employees. It covers several protected classes, including national origin, race, religion/creed, gender, and gender identity, and prohibits discrimination in any decisions that affect the terms and conditions of employment. If you experience or witness discrimination, call the NYC Commission on Human Rights Infoline at 1-718-722-3131.

The New York State Human Rights Law further protects domestic workers from sexual harassment and harassment on the basis of race, religion, or national origin, regardless of the size of the employer. Contact the Division of Human Rights at 1-888-392-3644.



Job Hunter Protection

DCA licenses employment agencies who must obey the law regarding fees and refunds, contracts and receipts, and more. Get the Job Hunter's Bill of Rights at nyc.gov/dca or contact 311 to file a complaint about an employment agency.



Safe and Healthy Workplace

Your workplace must be free of known health and safety hazards. You also have the right to receive information and training about job hazards. Visit OSHA.gov or call 1-800-321-OSHA (1-800-321-6742) to file a complaint.

You may also be eligible for compensation to cover some portion of your wages and medical treatment if you suffer an on-the-job injury, no matter who is to blame. Visit wcb.ny.gov or call 1-877-632-4996 for more information.

Resources

Immigration Assistance

ActionNYC provides safe, free immigration legal screenings in your community, in your own language. Visit nyc.gov/actionnyc or call 311 and say “ActionNYC.”

English Classes

The NYC Department of Youth and Community Development’s English Language Program is designed to help the newest New Yorkers learn English. Visit nyc.gov/dycd for more information.

Low-Cost Health Insurance

The NYC Human Resources Administration can help you find health insurance and care that meets your needs and budget. Call 311, text CoveredNYC (or SeguroNYC) to 877877, visit nyc.gov/health to find a Health Department Certified Application Counselor for free in-person help, or visit the NY State of Health website at nystateofhealth.ny.gov.

Public Benefits

ACCESS NYC is a free service that helps you find out if you may qualify for more than 30 City, state, and federal benefit programs. You can apply online for certain programs through ACCESS NYC. Visit nyc.gov/accessnyc or contact 311 for ACCESS NYC information.

Free Financial Counseling

NYC Financial Empowerment Centers offer free one-on-one professional financial counseling. The service is confidential, and our professional counselors speak multiple languages. Call 311 to schedule an appointment or visit nyc.gov/dca.

Free Tax Preparation

You may qualify for NYC Free Tax Prep services, which include online filing and in-person filing with an IRS certified VITA/TCE volunteer preparer. Call 311 or visit nyc.gov/taxprep for more information.

Education and Training Programs

The City offers free help for jobseekers. Visit nyc.gov/workforce1 or call 311 and ask to find a Workforce1 Career Center.

About the Paid Care Division

The Paid Care Division is dedicated to defending the rights of paid care workers, improving the quality of paid care jobs, and strengthening the paid care system. We support paid care workers in NYC through:

- **Public outreach and education** to inform workers about their rights and the availability of City resources.
- **Enforcement and complaint intake and referral** to address workplace violations at the local, state, and federal levels.
- **Research and policy development** on worker demographics, working conditions and industry standards, employer compliance with workplace laws, and the effectiveness of worker cooperatives.



The NYC Department of Consumer Affairs (DCA) protects and enhances the daily economic lives of New Yorkers to create thriving communities. Through the work of our Office of Labor Policy & Standards, DCA empowers working families by providing the tools and resources they need to achieve financial health and work-life balance.