

Domestic Employees

Understanding your insurance responsibilities

Whether you presently employ household help or have plans to hire them in the future, as your advocate, we want to take the time to make you aware of the current New York State regulations as they relate to domestic staff.

Employing domestic workers including housekeepers, nannies, aupairs, babysitters or maids as well as a few others may require insurance and we want to be sure you understand your responsibilities.

Your Domestic Employee Workers Compensation & Statutory Disability



Loosely speaking, Workers' Compensation provides coverage for on the job injuries while Statutory Disability provides coverage for injuries not related to the job. These are not health insurance policies.

New York Workers' Compensation & Statutory Disability Insurance policies are required to be obtained if you employ domestic help and they individually work 40 or more hours per week and/or for which any domestic employees reside on premises. However, many still choose to obtain a voluntary policy. Live-in domestic employees are considered to work more than 40 hours per week regardless of set hours they may have. The approximate annual insurance policy cost for one in servant for Workers' Compensation and Statutory Disability is \$563.73 and \$178, respectively. (The rate is regulated by the state & is subject to change).

Who Requires Coverage?

Examples of such domestic employees and a detailed description of the NYS Workers' Compensation regulation is included on the New York State Workers' Compensation Board (NYSWCB) website.

<http://www.wcb.ny.gov/content/main/Employers/getInsurance.jsp>

The section of the website labeled Who Is and Is Not Covered by the Law includes additional information specific to Domestic Workers. You may contact the Board at 1-866-298-7830 to speak to a representative for other questions pertaining to coverage requirements for domestic workers.

What If I Don't Obtain Coverage?

Failure to procure worker's compensation and disability benefits when required can lead to steep fines levied by the State. Section 26-a of the Worker's Compensation law allows for a penalty of up to \$2,000 per 10-day period of noncompliance, plus the actual compensation. Additionally, should one of your domestic employees become injured, you will have to pay for the medical costs accrued at the time of injury.

Additional Information You Need To Know

Should you pursue these coverages, please note the NYSWCB requests a federal employee identification number (FEIN) to be listed on the Workers' Compensation & NYS Disability applications.

Obtaining a number is free of charge. Use the link below to request the FEIN#:

<https://sa.www4.irs.gov/modiein/individual/index.jsp>.

Once this is completed, please call us so we can provide you with the proper applications for completion and further instructions. We shall not follow-up on this matter.

You can obtain coverage for a domestic employee utilizing a social security number listed on the application.

We want to point out that effective 1/1/2018 New York's Disability Benefits Law was amended to include Paid Family Leave for New York workers. If you would like further details, please visit the following website:

<https://paidfamilyleave.ny.gov/paid-family-leave-information-employers>.

Your Domestic Employee and Automobile



It is important to know that anyone driving your car on a regular basis should be disclosed to your insurer, otherwise, in the event of a claim, you may not be covered.

In order to add a domestic employee to your auto policy, they must obtain a NYS driver license within 30 days. Per New York State rules, a regular driver of your vehicle residing in the state must obtain a license from The NYS Department of Motor Vehicles.



If you have any questions at all regarding your domestic employees as they relate to auto insurance or required workers compensation and statutory disability, don't hesitate to get in touch with us. We are always happy to speak with you and take pride in always educating each client we serve.