

Who Is a Domestic Employee?

A domestic employee is a person employed to do work in the employer's residence, for the care, comfort and convenience of members of that residence.

Note: Casual babysitting is **not** considered domestic employment and falls outside the provisions of the *Employment Standards Code*.

Application of Minimum Employment Standards

Recent Changes Affecting Domestic Employment

Effective July 1, 2000, domestic employees are entitled to:

- the minimum wage, and
- general (statutory) holidays with pay.

For domestic employees who live in their employer's home:

- The minimum wage is \$1335 per month, regardless of the number of hours worked;
- Pro-rating of the monthly minimum wage is permitted where the employee agrees to work for a portion of a month, such as mornings only; and
- Room and board charges of up to \$308.45 may be deducted from the minimum wage of \$1335 per month (93 meals x \$2.30 and 31 nights lodging x \$3.05). These charges can be adjusted for meals not consumed or for days where lodging is not provided.

For domestic employees who do not live in their employer's home:

- The minimum wage of \$7.00 per hour applies for all hours worked. For example, an employee who works 9 hours in a day is entitled to \$63.00 (\$7.00 x 9 hours); and
- Meal deductions from the minimum wage of \$7.00 cannot exceed \$2.30 per meal consumed.

The *Code's* general holiday and general holiday pay provisions apply equally, whether domestic employees live-in or do not live in their employer's home. See our fact sheet #1, "General Holidays and General Holiday Pay" for further information.

Other Standards That Apply To Domestic Employees

In addition to minimum wage and paid general holidays, domestic employees are entitled to:

- A statement of earnings and deductions for the employee's retention each pay period;
- A rest period of at least 30 minutes, paid or unpaid, during each shift in excess of 5 consecutive hours;
- At least one day of rest in each week;
- Vacations and vacation pay;
- Notice of termination of employment; and
- Maternity and parental leave.

Standards That Do Not Apply to Domestic Employees

- Domestic employees are exempt from overtime compensation.
- The *Employment Standards Code* does not address benefits such as sick leave, dental coverage and bereavement leave. Such benefits are a matter of negotiation between an employer and the employee.

This document is for general information. For the purposes of interpretation and application of the law, the Employment Standards Code and the Employment Standards Regulation should be consulted.

- Contact our Information Centre at: **427-3731**
(Toll-free in Alberta by dialing 310-0000, then 780-427-3731)
- Visit our Web site at: www.gov.ab.ca/hre/employmentstandards