



Written Contract Template for Home Care Workers

Domestic Worker Bill of Rights • City of Philadelphia

Under Philadelphia Code Chapter 4500-9, there must be a written contract that governs the employment between the hiring entity and the domestic worker. The contract must include the following:

- A specific list of job duties
- Hourly wage and overtime wage
- Weekly schedule including number of hours per week
- The manner and frequency of payment
- Breaks for rest and meals
- Paid or unpaid leave including sick time
- Paid holidays
- Any other benefits provided
- Modes of transportation required and whether provided
- Value of housing if provided
- Sleeping period and personal time for live-in workers
- The term of the contract
- Any additional terms and conditions of employment

The contract must be signed and dated by all parties after ample opportunity to review. The contract must be in English and other preferred languages by the worker. A referral agency must provide domestic workers and hiring entities with information concerning contract requirements as defined by the law. Employers are prohibited from retaliating against employees for exercising their rights. Employers must keep record of this contract in order to demonstrate compliance.

1 Basic Information


This written contract is an agreement between _____ and _____ on the date of _____ with the following terms of agreement:

1.1 The employee will start employment on the date of _____.

- 1.2 Term of Employment:
- Until the date of _____
 - Until either party ends this agreement

1.3 Workplace location:

- 1.4 Type of Position:
- Live in the Employer's home
 - Live outside the Employer's home



The employee is entitled to two weeks notice or two weeks severance pay – or four weeks notice or four weeks severance pay for live in employees.



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2 Job Duties

For the position of _____, the duties include:
Job Title

2.1 Personal and Health Care

- Assist with walking Assist with bathing Assist with dressing/undressing
- Assist with grooming Assist with toileting Provide bowel and bladder care
- Provide diapering Assist with exercising Assist with or administer medication
- Other tasks, including: _____

2.2 Household Support

- Prepare meals Assist with feeding Clean dishes and kitchen
- Shop for groceries Change bed sheets Coordinate transportation
- Run errands Wash, dry, fold, and put away laundry
- Provide transportation to/from: _____
- Light cleaning, including: _____
- Pet care, including: _____
- Other tasks, including: _____

2.3 Companionship and Support

- Companionship and conversation Appointment and activity scheduling
- Go for walks or spend time outdoors
- Social engagement, including: _____

2.4 Other Duties:

2.5 Individual(s) receiving care services:

Full Name	Age	Emergency Contact




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3 Work Schedule

		START TIME	END TIME
	Sunday		
	Monday		
	Tuesday		
	Wednesday		
	Thursday		
	Friday		
	Saturday		
		NUMBER OF HOURS PER WEEK:	


Employers must provide live-in employee with 1 day off after 6 consecutive days of work.

4 Compensation

4.1 Employer agrees that Employee shall be paid at the following rates:

Hourly rate of pay per hour for non-overtime hours: \$ _____

Overtime rate of pay per hour for every hour: \$ _____

4.2 Payment by:

- Cash Check Direct deposit
- Other form of payment: _____

4.3 Employee will be paid every _____ *day/week/etc.*

4.4 The following will be paid holidays at _____ *rate of pay*

4.5 Additional compensation includes:


Must be at least the highest applicable local, state, or federal minimum wage



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5 Benefits

5.1 Sick Leave



Employer must provide employees with paid and unpaid leave time as defined by the law. Employee will accrue at least 1 hour for every 40 hours worked and capped at 40 hours earned per calendar year.

Live-in employees will accrue time only for on-duty hours. Employer must inform employees of this right and track accrual and use. Employee may use their paid or unpaid leave for health reasons and preventative care, to care for oneself or a family member, or to replace lost work time.

5.2 Employer shall provide the following additional benefit(s) to Employee:

- Health insurance
- Dental insurance
- Transportation allowance
- Retirement plan contributions
- Reimbursement for health insurance premiums

5.3 Additional Benefits:

6 Modes of Transportation

What modes of transportation will be used by employee? Which ones are provided by the employer?





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7 Breaks for rests and meals

Employer will provide breaks in accordance with the law defined below.

The hiring entity shall allow the domestic worker an uninterrupted paid rest-period of not less than ten minutes for each four consecutive hours worked, unless the nature of the work prevents the domestic worker from being relieved of all duties for such period of time, such as some types of child care and caretaker work for a sick, elderly or disabled person. The hiring entity shall pay the domestic worker for the time spent on a rest break at the domestic worker's regular rate of pay.

The hiring entity shall allow an uninterrupted 30- minute meal break after more than five consecutive hours worked. Unless the domestic worker is relieved of all work duties during such 30-minute period, the meal period shall be considered an "on-duty" meal period and shall be paid at the domestic worker's 1164.2 regular rate of pay. An "on-duty" meal period shall be permitted only when the nature of the work prevents a domestic worker from being relieved of all duties and when, by written agreement between the parties, an "on-duty" meal period is agreed to. Such agreement may be revoked by the domestic worker, in writing, at any time. The hiring entity shall not impede or discourage a domestic worker from taking such meal or rest breaks.

Failure to allow a meal or rest period in accordance with this subsection 9-4503(2) shall entitle the domestic worker to one additional hour of pay at the domestic worker's regular rate of compensation for each workday that the meal or rest period was not provided. Payment of this extra pay shall not excuse non-compliance with this subsection.



8 Live-in terms (skip this section if live-out position)

8.1 **Sleeping period** from _____ until _____.

8.2 **Personal time** from _____ until _____.

8.3 **Value of housing:** _____ per month

8.4 **Additional live-in terms:**



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9 Evaluations and Raises

9.1 Employer will evaluate employee's performance every _____.

period of time

9.2 Employer may elect to provide a raise of _____ every _____.

period of time

10 Raising and addressing grievances

Employee and employer will use the process below to raise and address grievances. Communication about grievances will happen in written form.

11 Additional terms and conditions of employment



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12 Signatures

The undersigned parties were given ample opportunity to review and agree to the terms within this agreement.

Employee name

Employee Signature

Date

Employer name

Employer Signature

Date



The Office of Worker Protections (OWP) answers questions and takes complaints about Philly’s labor laws. Our staff will never ask about immigration status. Retaliation is illegal.

Learn more at and download a copy of this contract in multiple languages at: phila.gov/domestic-work





DOMESTIC WORKER BILL OF RIGHTS

The Domestic Worker Bill of Rights requires employers of domestic workers to provide their employees with a contract, and other protections. This includes...

- Two weeks notice or two weeks severance pay
- Employers must provide a written contract to employees
- A day off after six straight days of work for live-in workers
- Right to a paid rest break after four hours worked consecutively
- Protection from discrimination under the Philly Human Relations Commission
- Unpaid sick leave job protections

Who is covered?

Domestic workers include nannies, house cleaners, caregivers, and others who provide services in the home.

Learn More

EMPLOYERS

Request compliance assistance by contacting the Office of Worker Protections.

EMPLOYEES

File a complaint by contacting the Office of Worker Protections or file a lawsuit in Court.



RETALIATION BY EMPLOYERS IS ILLEGAL.

