



Home Care Worker Rights in the States  
After the federal companionship rules change  
2016

State	State Law Summary	Rights for Workers in this State
Alabama	Alabama has no state minimum wage or overtime law.	Home care workers covered only by federal minimum wage and overtime law.
Alaska \$9.75/hour <sup>1</sup>	Alaska minimum wage and overtime law exempts individuals “employed in domestic service... in or about a private home.” Alaska Stat. Ann. § 23.10.055. AK overtime law exempts employers with fewer than 4 employees Alaska Stat. Ann. § 23.10.060(d)(1).	Home care workers covered by federal minimum wage and federal overtime law, but most or all remain exempt from Alaska minimum wage law due to exemption for “domestic service” employees.
Arizona \$8.05/hour	Arizona minimum wage law has no exemption for home care workers. No state overtime law. Ariz. Rev. Stat. Ann. §§ 23-362, -363. <i>See also</i> Office of the Attorney General of the State of Arizona, Opinion No. I07-002 (Feb. 7, 2007)(2006 ballot initiative did not contain companionship exemption and therefore AZ Minimum Wage Act does not exempt them).	Home care workers covered by federal minimum wage and overtime law, and by Arizona minimum wage of \$8.05/hour.
Arkansas \$8.00/hour (Applicable to employers of 4 or	Coverage of home care workers under Arkansas minimum wage and overtime laws is unclear. AR law exempts anyone “employed on a casual basis in domestic service employment” to provide companionship services. Ark. Stat. Ann. § 11-4-203(3)(O). Regulations specify that the law	Home care workers covered by federal minimum wage and overtime laws. The AR DOL intends to issue regulations or urge passage of legislation clarifying that AR minimum wage and overtime law cover home care workers to the same extent as federal law, but state

<sup>1</sup> State minimum wage data is from the *US DOL Minimum Wage Laws in the States*, August 1, 2016. <https://www.dol.gov/whd/minwage/america.htm>

<p><i>more employees)</i></p>	<p>exempts companions as defined in FLSA. Rule 010.14-106(B)(15), (C)(1)(q). The act also exempts an “employee employed in domestic services to provide companionship services,” Rule 010.14-106(B)(15), and any employee who is employed in domestic service in a household and who resides in such household. Rule 010.14-106(C)(1)(q).</p> <p>AR DOL General Counsel says that state law intent is to follow the federal regulations but state law as currently written is unclear because the statute seemingly limits the exemption to workers employed on a casual basis. She anticipates AR DOL will issue clarifying state regulations or urge passage of legislation to make state companionship exemption consistent with federal law once federal companionship regulations are finalized. NELP phone call with Denise Oxley, AR DOL General Counsel, 7/31/2013. See also, letter from AR DOL to complainant, dated 4/16/2012 (on file with NELP).</p> <p>Additional exemption for workers employed solely by private household through provision in minimum wage and overtime law exempting employers with fewer than 4 employees. Ark. Code Ann. §11-4-203(B)(I). State overtime law also exempts any employee exempt from the overtime regulations of the FLSA. Ark. Stat. Ann. § 11-4-211 (effective Oct. 1, 2006).</p>	<p>coverage will be uncertain until then.</p> <p>Workers employed solely by private household exempt from AR minimum wage and overtime laws due to separate exemptions.</p>
<p>California \$10.00/hour</p>	<p>California minimum wage law covers home care workers but state overtime law exempts “personal attendants,” defined as “any person employed by a private householder or by any third party employer ... to supervise, feed, or dress a child or person who by reason of advanced age, physical disability, or mental deficiency needs supervision.” Industrial Welfare Commission Wage Order No. 15-2001 § 1(B), § 2(J). Workers</p>	<p>Home care workers covered under federal minimum wage and overtime and by CA state minimum wage of \$10.00/hour. Workers who spend over 20% of work hours on certain housekeeping tasks as described by CA DLSE and are live-out are entitled to CA overtime law providing time-and-a-half for hours after 8 per day and 40 per week. Live-in workers whose duties place them outside the CA</p>

	<p>are not subject to the personal attendant overtime exemption if they spend more than 20% of their work time on tasks unrelated to the care of their patient, such as cooking, cleaning, laundry shopping, etc. CA DIR DLSE Op. Ltr. (Oct. 3. 1994), available at <a href="http://www.dir.ca.gov/dlse/opinions/1994-10-03-2.pdf">http://www.dir.ca.gov/dlse/opinions/1994-10-03-2.pdf</a> . See also, CA DIR DLSE Op. Ltr (Nov. 23, 2005), available at <a href="http://www.dir.ca.gov/dlse/opinions/2005%2D11%2D23.pdf">http://www.dir.ca.gov/dlse/opinions/2005%2D11%2D23.pdf</a> (same).</p>	<p>personal attendant category receive time-and-a-half for hours worked after 12 per day or after 5 consecutive days in a week.</p> <p>The CA Domestic Worker Bill of Rights, which went into effect on January 1, 2014, extends overtime rights to home care workers who are not employed through CA’s In Home Supportive Services Program. Workers are entitled to time-and-a-half after 9 hours per day and 45 hours per week.</p>
<p>Colorado \$8.31/hour</p>	<p>Colorado minimum wage and overtime law exempts “companions” employed by private households or family members. Colorado Minimum Wage Order No. 29 § 5; 7 <i>Colo. Code Regs.</i> § 1103-1:5.</p> <p>Note that CO Dept. of Labor &amp; Employ. Labor Division <a href="#">Advisory Bulletin</a> (2012) is unclear whether exemption is limited to workers hired solely by private household. In one place it states: “Companions are exempt from all provisions of Wage Order 28 pursuant to Section 5.” In another, it reiterates the language from the regs, which includes the limiting phrase “employed by private households and family members”. Fact sheet on website also lists “companions” under exemptions.</p>	<p>Third party-employed aides are covered by federal minimum and overtime laws, by CO minimum wage of \$8.31/hour and by CO overtime law providing time-and-a-half the regular rate of pay for hours over 12 per day or 40 per week. Aides employed solely by private household are covered by federal minimum wage and overtime after 40 hours in a workweek , and also potentially by state laws as described above, if state law defines “companion” consistent with revised federal definition.</p>
<p>Connecticut \$9.60/hour</p>	<p>The Connecticut Minimum Wage Act excludes workers employed in “domestic service in or about a private home, except any individual in domestic service employment as defined in [the FLSA regulations]”. Conn. Gen. Stat. § 31-58(f). CT DOL takes the position that the CT MWA covers domestic workers to the same extent as the FLSA.</p>	<p>Home care workers covered under federal minimum wage and overtime law, and should be covered under CT minimum wage of \$9.60/hour and by CT overtime law because CT explicitly tracks FLSA.</p>
<p>Delaware</p>	<p>Delaware minimum wage law exempts individuals employed</p>	<p>Home care workers covered only under federal minimum</p>

\$8.25/hour	in domestic service in private homes. 19 Del. C. § 901(5). Additional exclusion for workers employed in “domestic help” occupations. 19 Del. C. § 101 (5)(b).	wage and overtime law.
District of Columbia \$11.50/hour	DC minimum wage law has no relevant exemptions. DC overtime law exempts “private household worker[s] who live on the premises of the employer” and “companions to the aged and infirm”. <i>D.C. Mun. Regs. tit. 7, § 902.5(b)</i> .	Home care workers covered by federal minimum wage and overtime and by DC Living Wage for contractors of \$13.85/hour. Potential to gain DC overtime rights if “companions” interpreted consistent with revised federal definition, but likely continued exemption from DC overtime for live-in workers employed solely by private household.
Florida \$8.05/hour	Florida minimum wage law incorporates the FLSA exemptions. Fla. Stat. § 448.110 (3).	Home care workers covered by federal minimum wage and overtime law. Home care workers should be covered by Florida minimum wage law providing \$8.05/hour, because the state law incorporates the FLSA definitions.
Georgia	Georgia minimum wage law exempts employers of domestic services. GA Code Ann. § 34-4-3(b)(3). Additional exemption for employers with five employees or less. Id at (b)(2).	Home care workers covered only by federal minimum wage and overtime law.
Hawaii \$8.50/hour	Hawaii minimum wage law exempts workers employed in the employer’s home to provide “companionship services”. Additional exemption for workers employed by family members. Haw. Rev. Stat. § 387-1 (3), (5), as amended by the Hawaii Domestic Worker Bill of Rights, HI LEGIS 248 (2013).	Home care workers covered by federal minimum wage and overtime law. Third party-employed workers covered also by HI minimum wage and overtime law. Home care workers employed solely by private household probably remain exempt from HI minimum wage and overtime law.
Idaho	Idaho minimum wage law exempts “employees engaged in domestic service”. Idaho Code § 44-1504(2). Idaho overtime law follows FLSA. Idaho Code § 44-1504.	Home care workers covered by federal minimum wage and overtime but remain subject to exemption in ID minimum wage law for domestic service employees.

<p>Illinois \$8.25/hour</p>	<p>Illinois law provides minimum wage and overtime coverage for home care workers, but exempts those employed solely by private households as a result of exemption for employers with fewer than four employees. 820 Ill. Comp. Stat. § 105/3(d). Although the statute contains an exemption for “domestic service employees,” regulations state that exemption does not include workers whose primary duty is to be a companion to or perform health care services for an aged or infirm person. 820 Il. Comp. Stat. §105/3(d); 56 Il Admin Code § 210.110.</p>	<p>Home care workers are covered by federal minimum wage and overtime law, and by IL minimum wage of \$8.25 and IL overtime law.</p> <p>Home care workers employed solely by private household (unless 4+ employees in household) are not covered under IL law.</p>
<p>Indiana</p>	<p>Indiana minimum wage law exempts employees who provide “companionship services” as defined in federal regulations at 29 CFR §552.6 and who are employed by agency or other third-party employer, also as defined in federal regulations at 29 CFR §552.109(a). Ind. Code Ann. § 22-2-2-4(i)(1). Also exempted are employers of less than 2 employees and employers who are subject to the FLSA. Ind. Code Ann. § 22-2-2-3. But, regulations also provide that “[n]o employer shall employ any employee in domestic service in one (1) or more households for a work week longer than forty (40) hours unless the employee receives compensation for that employment.” Ind. Code Ann. § 22-2-2-4(s).</p>	<p>Home care workers covered only by federal minimum wage and overtime. Continued exemption from IN minimum wage law due to exemptions for employers covered by FLSA and for employers with fewer than 2 employees.</p>
<p>Iowa</p>	<p>Iowa minimum wage law excludes employees “employed in domestic service employment to provide companionship services.” 875 IAC 215.4 (91D)(14).</p>	<p>Home care workers covered only by federal minimum wage and overtime.</p>
<p>Kansas</p>	<p>Kansas minimum wage and overtime law excludes employers subject to the provisions of the FLSA. Kan. Stat. Ann. § 44-1202(d). It also excludes any individual in domestic service employment. Kan. Stat. Ann. § 44-1202(e).</p>	<p>Home care workers covered by federal minimum wage and overtime laws. Home care workers who are now covered by the FLSA will be exempt from the KS minimum wage and overtime laws.</p>

	<p>Regulations define domestic service as the work of individuals employed by a homeowner to clean, maintain, or repair a home—but it does not include an individual employed by a person contracting to perform the service. Kan. Admin. Reg. § 49-30-1(h).</p>	
<p>Kentucky</p>	<p>Kentucky minimum wage and overtime law exempts “[a]ny individual employed as a companion by a sick, convalescing, or elderly person or by the person's immediate family, to care for that sick, convalescing, or elderly person and whose principal duties do not include housekeeping”. Ky. Rev. Stat. Ann. § 337.010 (2)(a)(4),(7), and (12).</p> <p>Other exemptions include: “any individual employed in domestic service in or about a private home”, but domestic workers are covered by the MW law if their employer regularly employs more than one domestic worker. Ky. Rev. Stat. Ann. § 337.010(2)(a)(4). State overtime law also exempts workers who are exempted from the FLSA’s overtime provisions. KRS § 337.285 (2)(c).</p>	<p>Home care workers covered by federal minimum wage and overtime laws but probably remain exempt from KY minimum wage and overtime laws.</p>
<p>Louisiana</p>	<p>Louisiana has no state minimum wage or overtime law</p>	<p>Home care workers covered only by federal minimum wage and overtime law.</p>
<p>Maine \$7.50/hour</p>	<p>Maine minimum wage law has no relevant exemptions. Me. Rev. Stat. Ann. tit. 26, §§ 663, 664.</p>	<p>Home care workers covered by federal and overtime protections, and by ME minimum wage rate of \$7.50/hour and ME overtime law.</p>
<p>Maryland \$8.75/hour</p>	<p>Maryland minimum wage law has no relevant exemptions. Md. Code Ann., Lab. &amp; Empl. § 3-415.</p>	<p>Home care workers covered by federal and MD minimum wage and overtime laws.</p>
<p>Massachusetts \$10.00/hour</p>	<p>Massachusetts minimum wage and overtime law has no relevant exemptions. Mass. Gen. Laws ch. 151, § 1.</p>	<p>Home care workers covered by federal minimum wage and overtime protections, and by MA minimum wage rate of \$10.00/hour and by MA overtime law.</p>

<p>Michigan</p> <p>\$8.50/hour <i>(Applicable to employers of 2 or more employees)</i></p>	<p>Michigan minimum wage and overtime law explicitly covers individuals “employed in domestic service employment to provide companionship services as defined in <a href="#">29 CFR 552.6...</a> but exempts “live-in domestic service employee[s] as described in <a href="#">29 CFR 552.102.</a>” <i>Mich. Comp. Laws</i> § 408.394(2)(a). Minimum wage only applies to employers with two or more employees. <i>Mich. Comp. Laws</i> § 408.382(c).</p>	<p>Home care workers covered by federal minimum wage and overtime protections. Most workers also covered by MI state minimum wage of \$8.50/hour and by MI overtime law, except for: (1) live-in workers and (2) workers who are the only employee of their employer.</p>
<p>Minnesota</p> <p>\$9.00/hour <i>(large employer)</i></p> <p>\$7.25/hour <i>(small employer)</i></p>	<p>Minnesota minimum wage and overtime law has no relevant exemptions. Minn. Stat. § 177.23. But, note provision stating that nighttime hours where employee is available to provide services but does not actually do so need not be compensated. Minn. Stat. § 177.23(11).</p>	<p>Home care workers covered by federal and MN minimum wage and overtime laws.</p> <p>A large employer (enterprise with annual receipts of \$500,000 or more) must pay a minimum rate of \$9.00 per hour, while a small employer (enterprise with annual receipts of less than \$500,000) pays a minimum rate of \$7.25 per hour. The state law says premium pay is required after 48 hours per week.</p>
<p>Mississippi</p>	<p>Mississippi has no state minimum wage or overtime law.</p>	<p>Home care workers covered only by federal minimum wage and overtime laws.</p>
<p>Missouri</p> <p>\$7.65/hour</p>	<p>Home care workers covered by Missouri minimum wage law but some casual workers are exempt from state protections due to an exemption for workers employed in a “private residence on an occasional basis for six hours or less on each occasion”. Mo. Rev. Stat. § 290.500(3)(f). Overtime law excludes employees who are exempt from federal FLSA minimum wage or overtime requirements. Mo. Rev. Stat. § 290.505(3). <a href="http://www.moga.mo.gov/statutes/C200-299/2900000505.HTM">http://www.moga.mo.gov/statutes/C200-299/2900000505.HTM</a> Regulations specify that the state DOL will follow the US DOL’s regulations interpreting the FLSA. 8 CSR § 30-4.010.</p>	<p>Home care workers covered by federal minimum wage and overtime law, and by and MO minimum wage rate of \$7.65/hour and MO overtime. Limited exemption from MO minimum wage law for workers employed on a casual basis for 6 hours or less per visit.</p>

Montana	Montana minimum wage and overtime law exempts employees who provide companionship services as defined in 29 § CFR 552.6 when the person providing the service is employed directly by a family member or an individual who is a legal guardian. Mont. Code Ann. § 39-3-406(1)(p).	Home care workers covered by federal minimum wage and overtime, and by MT minimum wage and overtime laws to the same extent as under federal law.  For a business with gross annual sales of more than \$110,000, the state minimum rate per hour is \$8.05.
Nebraska  \$9.00/hour (Applicable to employers of 4 or more employees)	No relevant exemptions for home care workers in Nebraska minimum wage law. Nebraska has no state overtime law. <i>Neb. Rev. Stat. §§ 48-1202, 48-1203.</i>	Home care workers covered by federal minimum wage and overtime law and by NE minimum wage law.
Nevada  \$8.25/hour if no employer-provided health insurance	Nevada minimum wage and overtime law exempts employees “who reside in the household where they work” but covers all other home care workers. <i>Nev. Rev. Stat. § 608.250(2)(b).</i>	Home care workers covered under federal and NV minimum wage and overtime law, but live-in workers exempt from NV minimum wage and overtime law.
New Hampshire	New Hampshire minimum wage law exempts domestic labor. N.H. Rev. Stat. Ann. Ch. 279 § 21(I). Overtime law exempts any employee of employers covered under the provisions of FLSA. N.H. Rev. Stat. Ann. Ch. 279 § 21(VII)(b).	Home care workers covered only by federal minimum wage and overtime law.
New Jersey  \$8.38/hour	New Jersey minimum wage and overtime law covers all home care workers. No relevant exemptions. N.J. Stat. Ann. § 34:11-56a <i>et seq.</i>	Home care workers covered by federal and NJ minimum wage and overtime laws.
New Mexico  \$7.50/hour	New Mexico minimum wage and overtime law exempts domestic service employees employed in a home. N.M. Stat. Ann. § 50-4-21(C)(1).	Home care workers covered only by federal minimum wage and overtime law.



<p>New York \$9.00/hour</p>	<p>New York minimum wage law covers all home care workers. N.Y. Labor Law § 651 (5). Overtime coverage for all home care workers but workers employed directly by private households receive overtime at the full rate of time-and-a-half of the regular rate of pay and workers who are subject to the FLSA companionship exemption and employed by agencies receive overtime at a reduced rate of time-and-a-half of the NY minimum wage. N.Y. Labor Law §§ 2(16), 170; N.Y. Comp. Codes R. &amp; Regs. tit. 12, § 142-2.2. Overtime coverage for live-in workers after 44 hours/week (rather than the usual 40 hours) at the same rates detailed above. Id.</p>	<p>Home care workers covered by federal minimum wage and overtime, by NY minimum wage, and by NY overtime law except that live-in workers receive overtime after 44 hours/week (rather than 40 hours) under NY law.</p> <p>Workers in New York City and surrounding counties are eligible for the wage parity minimum rate. Rates changing in New York City and throughout the state by the end of 2016.</p>
<p>North Carolina</p>	<p>North Carolina minimum wage and overtime law exempts “any person employed as a domestic, including... companions, as defined under the Fair Labor Standards Act.” N.C. Gen. Stat. § 95-25.14(a)(3).</p>	<p>Home care workers covered by federal minimum wage and overtime laws. Coverage under NC law is unclear: home care workers may remain excluded from NC minimum wage and overtime law due to exemption for “any person employed as a domestic”.</p>
<p>North Dakota</p>	<p>North Dakota minimum wage law covers home care workers but provides that nighttime hours where employee is available to provide services but does not actually do so need not be compensated. N.D. Cent. Code § 34-06-03.1. ND overtime law exempts all “employees in domestic service.” N.D. Admin. Code § 46-02-07-02(4)(d). A <a href="#">poster</a> issued by the ND DOL specifies that the overtime law exempts domestic service employees who “reside in the household in which employed” and employees providing companionship services who spend 20% or less of their weekly hours on household work (cleaning, laundry, meal preparation).</p>	<p>Home care workers covered under federal minimum wage and overtime law and by ND minimum wage law.</p>
<p>Ohio</p>	<p>Ohio minimum wage law excludes “individuals who are exempted from the minimum wage requirements in 29</p>	<p>Home care workers covered under federal and OH minimum wage and overtime laws, though continued</p>

\$8.10/hour (large employers)	U.S.C. 213” but the state constitution does <i>not</i> exclude companions. Overtime law similarly adopts FLSA exemptions. Oh. Rev. Code Ann. § 4111.03(A). Additional overtime exemption for live-in companions. Id., (D)(3)(d).	exemption from OH overtime law for live-in workers.  Employers with annual gross receipts of \$297,000 or more must pay a minimum rate of \$8.10 per hour.
Oklahoma	Oklahoma minimum wage law exempts employers subject to the FLSA. Okla. Stat. tit. 40 § 197.4(e)(7). It also exempts any individual employed in domestic service in or about a private home. Okla. Stat. tit. 40 §197.4(e)(2).	Home care workers covered only by federal minimum wage and overtime laws.
Oregon \$9.75/hour	Oregon minimum wage law exempts workers engaged in domestic service employment to provide companionship services to elderly, infirm or disabled persons in a family home. Or Rev. Stat. § 653.020(14). It also exempts individuals employed in domestic service on a casual basis in or about a family home. Or Rev. Stat. § 653.020(2). Statute does not reference the federal regulations but the regulation defining “companionship services” at OAR § 839-020-0004 is identical to the definition in § 29 CFR 552.6, and an <a href="#">OR DOL fact sheet</a> explicitly references the federal regulations.	Home care workers are covered by federal minimum wage and overtime law. Workers may gain coverage under OR minimum wage and overtime laws if OR interprets the companionship exemption consistent with federal law.
Pennsylvania	Pennsylvania minimum wage and overtime law exempts employment in “[d]omestic services in or about the private home of the employer” Pa. Stat. Ann. § 333.105(a)(2).	Home care workers covered by federal minimum wage and overtime laws. Third party-employed workers covered by PA minimum wage and overtime law but workers employed solely by private household exempt from PA law.
Puerto Rico	Puerto Rico minimum wage and overtime law exempts domestic service employees. 29 L.P.R.A. §§ 250(f), 285.	Home care workers covered only by federal minimum wage and overtime law.
Rhode Island \$9.60/hour	Rhode Island minimum wage and overtime law exempts any individual employed in domestic service in or about a private home. R.I. Gen. Laws § 28-12-2(5)(i).	Home care workers covered only by federal minimum wage and overtime law.

South Carolina	South Carolina has no state minimum wage or overtime law.	Home care workers covered only by federal minimum wage and overtime law.
South Dakota \$8.55/hour	South Dakota minimum wage law has no relevant exemption. SD has no overtime law. S.D. Codified Laws §§ 60-11-3, 60-11-5.	Home care workers covered by federal minimum wage and overtime law and by SD minimum wage law.
Tennessee	Tennessee has no state minimum wage or overtime law.	Home care workers covered only by federal minimum wage and overtime law.
Texas	Texas minimum wage law exempts persons covered by the FLSA. Tex. Lab. Code § 62.151. It also exempts persons performing domestic service in or about a private home, and persons living in a private home and furnishing personal care for a resident of that home. Tex. Lab. Code § 62.154(2). Texas has no overtime law.	Home care workers covered only by federal minimum wage and overtime law.
Utah	Utah minimum wage law exempts any employee entitled to minimum wage under the FLSA. Utah Code Ann. § 34-40-104(1)(a). It also exempts persons providing companionship service for persons who, because of age or infirmity, are unable to care for themselves. Utah Code Ann. § 34-40-104(1)(d). The state law is interpreted consistently with FLSA. Utah Code Ann. § 34-40-102(1).	Home care workers covered only by federal minimum wage and overtime law.
Vermont \$9.60/hour <i>(Applicable to employers of two or more employees)</i>	Vermont minimum wage law exempts anyone employed in domestic service in a private home. Vt. Stat. Ann. tit. 21 § 383(2)(B). Overtime law exempts domestic workers. Vt. Stat. Ann. tit. 21 § 384(b).	Home care workers covered only by federal minimum wage and overtime law.
Virginia	Virginia minimum wage law exempts persons whose employment is covered by the FLSA. Va. Code Ann. § 40.1-	Home care workers covered only by federal minimum wage and overtime law.

	28.9(B)(12). It also exempts persons employed in domestic service or in or about a private home. Va. Code Ann. § 40.1-28.9(B)(2).	
Washington \$9.47/hour	Washington minimum wage and overtime law exempts workers “employed in casual labor in or about a private home, unless performed in the course of the employer's trade, business, or profession” and workers who sleep or reside in their place of employment. Wash. Rev. Code § 49.46.010(3)(b), (j). Other home care workers are covered under WA minimum wage and overtime law.	Home care workers covered under federal and WA minimum wage and overtime protections, but live-in and some casual workers are exempt from state coverage.
West Virginia	West Virginia minimum wage law applies only to employers that employ, during any calendar week, six or more employees at any one permanent location. The law also exempts employers if 80% of their employees are subject to FLSA. W.Va. Code §21-5C-1(e).	Home care workers covered only by federal minimum wage and overtime law.
Wisconsin	Wisconsin minimum wage law exempts workers who provide companionship services on a live-in basis who spend less than 15 hours a week on general household work. Wis. Admin. Code § 272.06(2). WI overtime law exempts domestic service employees employed in a household by a household. Wis. Admin. Code § 274.015. The overtime law also exempts workers employed by non-profit organizations. Wis. Admin. Code §§ 274.015, 274.01.	Home care workers covered by federal minimum wage and overtime law. Workers covered under WI minimum wage, unless they are live-in and spend less than 15 hours per week on household work, and by WI overtime, unless they are directly employed by the household or are employed by a non-profit organization.
Wyoming	Minimum wage law exempts individuals employed in domestic service in or about the home. Wyo. Stat. Ann. § 27-4-201(a)(iv)(B).	Home care workers covered only by federal minimum wage and overtime law.

For more information about the federal companionship rules change and the state laws pertaining to home care workers, contact Caitlin Connolly, [cconnolly@nelp.org](mailto:cconnolly@nelp.org) or Catherine Ruckelshaus, [cruckelshaus@nelp.org](mailto:cruckelshaus@nelp.org) at NELP.