



LIVE-IN EXEMPTION FORM

Under the Fair Labor Standards Act (FLSA), household employers are required to pay overtime to employees who work more than 40 hours in a single workweek, unless the employee qualifies as a live-in domestic service worker.

DEFINITION OF A DOMESTIC SERVICE WORKER:

A worker resides on the employer's premises permanently when he or she lives, works, and sleeps on the employer's premises seven days per week and therefore has no home of his or her own other than the one provided by the employer under the employment agreement.

(OR)

A worker resides on the employer's premises for an extended period when he or she lives, works and sleeps on the employer's premises for five days a week (120 hours or more). If a domestic worker spends less than 120 hours per week working and sleeping on the employer's premises, but spends five consecutive days or nights residing on the premises, this also constitutes an extended period.

Does your employee qualify as a live-in worker? Yes No

Employer: _____

Authorized Representative: _____

This only applies if the Veteran is not the employer.

Individual Provider/Employee Name: _____

Please note that it is your responsibility to let AssuranceSD know when the employee no longer lives with the employer.

Employer Signature: _____ Date: ____/____/____

Or Authorized Representative Signature

Individual Provider/Employee Signature: _____ Date: ____/____/____

For any questions or concerns, please contact our office at (855) 355-5363. Please submit the completed form to AssuranceSD via one of the following options below:

Mail:
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Fax:
(855) 500-4521