

United States - Domestic Employee Visa Application Procedures and Fees

Personal or domestic servants who are accompanying or following an employer to the United States may be eligible for **B-1 visas**. This category of domestic employees includes, but is not limited to, cooks, butlers, chauffeurs, housemaids, valets, footmen, nannies, mothers' helpers, gardeners, and paid companions.

Those accompanying or following to join an employer who is a foreign diplomat or government official may be eligible for an **A-3 or G-5 visa**, depending upon their employer's visa status.

For A-3 and G-5 applicants, criteria and documentation requirements slightly differ. Please consult with our Visa and Immigration team if you would like to apply for these visas.

1. Application Fees and Service Fees

Our handling fee for the application of domestic employee visa is USD1,230. In particular, our fees cover the following services:

- (1) Providing general advice regarding the application for domestic employee visa in the United States;
- (2) Providing assistance with the preparation of supporting documents;
- (3) Filling out application forms and submitting the domestic employee visa application to the USCIS;
- (4) Liaising with the USCIS;
- (5) Application status reporting to the client;
- (6) Scheduling of visa interview;
- (7) Preparing client for the visa interview at U.S. Consulate or Embassy.

Note:

- (1) The fees quoted are inclusive of the government fees.
- (2) The fees stated are exclusive of delivery charge, document translation fees, notarization fees, etc., if any.
- (3) The fees quoted are exclusive of the Employment Authorization Document (EAD) after entering the U.S. The visa holder is not

SHENZHEN 深圳

Rooms 1203-06, 12/F.
Di Wang Commercial Centre
5002 Shennan Road East
Luohu District, Shenzhen, China
中國深圳市羅湖區深南東路5002號
地王商業中心12樓1203-06室
T: +86 755 8268 4480

SHANGHAI 上海

Room 603, 6/F., Tower B
Guangqi Culture Plaza
2899A Xietu Road, Xuhui District
Shanghai, China
中國上海市徐匯區斜土路2899甲號
光啓文化廣場B座6樓603室
T: +86 21 6439 4114

BEIJING 北京

Room 303, 3/F.
Interchina Commercial Building
33 Dengshikou Street
Dongcheng District, Beijing, China
中國北京市東城區燈市口大街33號
國中商業大廈3樓303室
T: +86 10 6210 1890

SINGAPORE 新加坡

138 Cecil Street, #13-02 Cecil Court
Singapore 069538
新加坡絲絲街138號
絲絲閣13樓1302室
T: +65 6438 0116

TAIPEI 台北

Room 303, 3/F., 142 Section 4
Chung Hsiao East Road
Daan District, Taipei
Taiwan 10688
台灣台北市大安區忠孝東路四段
142號3樓之3
郵政編碼: 10688
T: +886 2 2711 1324

NEW YORK 紐約

202 Canal Street, Suite 303, 3/F.
New York, NY 10013, USA
美國紐約州紐約市
堅尼路202號3樓303室
郵政編碼: 10013
T: +1 646 850 5888

LONDON 倫敦

Room 319, 3/F., One Elmfield Park
Bromley, Greater London
BR1 1LU, UK
英國倫敦布羅姆利
雅茅菲爾德公園一號3樓319室
郵政編碼: BR1 1LU
T: +44 20 8176 3860

allowed to work before receiving an approved EAD. If you would like Kaizen to provide services for the EAD application, an additional service fee will apply. Please contact Kaizen consultant for more information.

2. Payment Term and Method

Upon receipt of confirmation of engagement, we will issue an invoice and email it together with detailed wire instructions to you. Because of the nature of services, we require full payment in advance. In addition, once service is commenced, no service fees will be refunded. We currently only accept check, cash or TT and credit card payment through PayPal. If invoice is settled by PayPal, an extra 5% service fee will be charged.

If Taiwan uniform invoice is required, a Business Tax at 5% of the invoiced amount will be charged and collected.

3. Eligibility Criteria

There are certain criteria for the visa depend on the applicant's job position.

For domestic employee

- (1) The purpose of the trip is to enter the United States for work as a domestic employee;
- (2) The duration of staying in the U.S. is planning for a specific, limited period of time;
- (3) The employer has meet certain qualifications;
- (4) Be able to provide evidence of compelling social and economic ties outside of the United States;
- (5) Having a residence outside the United States as well as other binding ties that will ensure you return abroad at the end of the employment contract.

For domestic employee who accompany or join an employer who is not a United States citizen or legal permanent resident, and who seeks admission to, or who is already in, the United States under a B, E, F, H, I, J, L, M, O, P, Q, or R non-immigrant:

- (1) The employee has a residence abroad which he or she has no intention of abandoning;
- (2) Applicant has at least one year's experience as a personal or domestic employee as attested to by statements from previous employers, that is:
 - (a) You have been employed outside the United States by your employer for at least one year prior to the date of your employer's admission to the United States; **OR**
 - (b) If your employer-employee relationship existed immediately prior to the time of your visa application, your employer can demonstrate that he or she regularly employed (either year-round or seasonally) domestic helper over a period of years preceding the time of your visa application.

- (3) You are in possession of an original contract or a copy of the contract, to be presented at the port of entry. The employment contract must be signed and dated by the employer and the employee. The employment contract must include the following provisions:
 - (a) The employer will be the only provider of employment to the domestic employee;
 - (b) The employer must pay the domestic's initial travel expenses to the United States, and subsequently to the employer's onward assignment, or to the employee's country of normal residence at the termination of the assignment.
 - (c) The employee will receive free room and board;
 - (d) The employee will receive the greater of the minimum wage or prevailing wage under U.S. federal, state, or local law for an eight hour work-day;
 - (e) The employer will give at least two weeks' notice of his or her intent to terminate the employment, and the employee need not give more than two weeks' notice of his or her intent to leave the employment; and
 - (f) The employment contract must also reflect any other benefits normally required for U.S. domestic workers in the area of employment.

For domestic employee who wish to accompany or join your U.S. citizen employer in the United States:

Eligible American employer:

- (1) Ordinarily resides outside the United States and is traveling to the United States temporarily;
- (2) Be subject to frequent international transfers lasting two years or more and who, as a condition of employment, is going to reside in the United States for a stay not to exceed 6 years.

For Applicant

- (1) The employee has a residence abroad which he or she has no intention of abandoning;
- (2) The employee has been employed abroad by the employer as a personal or domestic servant for at least six months prior to the date of the employer's admission to the United States, the employer can show that while abroad the employer has regularly employed a domestic worker in the same capacity as that intended for the applicant;
- (3) The employee can demonstrate at least one year of experience as a personal or domestic servant by producing statements or contracts from employers attesting to such experience;
- (4) You are in possession of an original contract or a copy of the contract, to be presented at the port of entry. The employment contract must be signed and dated by the employer and the employee. The employment contract must include the following provisions:
 - (a) The employer will be the only provider of employment to the domestic employee;

- (b) The employer will provide the employee free room and board and a round trip airfare;
- (c) The employee will receive the greater of the minimum wage or prevailing wage under U.S. federal, state, or local law for an eight hour work-day;
- (d) The employer will give at least two weeks' notice of his or her intent to terminate the employment, and the employee need not give more than two weeks' notice of his or her intent to leave the employment; and
- (e) The employment contract must also reflect any other benefits normally required for U.S. domestic workers in the area of employment.

Note:

Applicant cannot qualify for a B-1 visa if the U. S. citizen will reside permanently in the United States, even if applicant has previously been employed by the U. S. citizen abroad.

For the attendant, servant, or personal employee of A-1 or A-2 or G-1 through G-4 visa holder:

Those accompanying or following to join an employer who is a foreign diplomat or government official may be eligible for an A-3 or G-5 visa, depending upon their employer's visa status. Please see below:

- (1) Be able to demonstrate entitlement to an A-3 or G-5 classification (e.g., letter of reference from a former employer, evidence of previous employment in that sector, etc.);
- (2) Consular officers must establish the official status of the employer and the intent of both parties to enter into (or remain in) an employer-employee relationship
- (3) Domestic helpers of diplomats (A3) and international organization employees (G5) must first be registered with the Department of State's Office of Foreign Mission Management Information System (TOMIS) before applying for a visa.
- (4) A-3 and G-5 visa applicants must be interviewed by a consular officer.
- (5) The visa will be authorized to issued based upon a diplomatic note from the Ministry of Foreign Affairs or the local consulate if the applicant is currently resident in Hong Kong or Macau only.
- (6) The consular officer must be satisfied that the wage to be received by the A-3 or G-5 applicant is a fair wage comparable to that offered in the area of employment and sufficient to overcome public charge concerns. Applications for such visas must include an employment contract signed by the employer and the employee.
- (7) A guarantee that you will be compensated at the state or federal minimum or prevailing wage, whichever is greater. Current minimum wages throughout the United States are found [here](#) and currently prevailing wages can be found [here](#);
- (8) A statement that after the first 90 days of employment, all wage payments must be made by check or by electronic transfer to your bank account. Neither the employer nor their family members should have access to your bank accounts;

- (9) When the employer is a foreign diplomat, live-in domestic helpers, under prevailing practice, receive free room and board in addition to their salary;
- (10) A promise by you not to accept any other employment while working for your employer;
- (11) A promise by your employer to not withhold your passport and a statement indicating that both parties understand that you cannot be required to remain on the premises after working hours without compensation. The contract is essential to the process in that it provides you with a framework within which you may personally seek certain employment or human rights protections;
- (12) The employer must pay your initial travel expenses to the United States and subsequently to your employer's onward assignment, or to your country of normal residence at the termination of the assignment.

For A-3 and G-5 applicants, criteria requirements slightly differ. Please consult with our Visa and Immigration team if you would like to apply for these visas.

4. Documents and Information Needed

To apply for a B-1, A-3 or G-5 visa, the following documents are required:

- (1) A passport valid for travel to the United States with a validity date at least six months beyond your intended period of stay in the United States (unless **country-specific agreements** provide exemptions)
- (2) One (1) 2"x2" (51 x 51mm) photograph taken within the last six months
- (3) Additional supporting documents:
 - (a) Evidence establishing that your stay in the United States will be temporary.
 - (b) Evidence of the employee's ties to a country outside of the United States.

For B-1 applicants only:

- (1) If a visa is issued, there may be an additional visa issuance reciprocity fee, depending on your nationality.
- (2) A U.S. employment contract, signed by both you and your employer, which meets all requirements.
- (3) Employer's proof of ability to pay the employee's wages while in the United States.
- (4) A copy of both the employer's passport information page and non-immigrant visa or ESTA approval, and HK Identity card copy. If the employer is an American Citizen, please provide documents demonstrating the American Citizen's residency status abroad.
- (5) Your current Hong Kong or Macau work contract.
- (6) If the applicant has traveled to the U.S. in the past as a domestic employee, proof that the required U.S. wages were paid during previous trips to the United States, to the satisfaction of the interviewing officer. Such proof may include, but is not limited to: signed invoices, money transfer receipts, check stubs, ledger entries, deposit slips, or payment receipt records.

For A-3 and G-5 applicants only:

- (1) A Note Verbale confirming the employment status of the principal, the date of departure, the purpose of the trip, and the length of stay in the United States. The Note Verbale should list the name of the employee and give the employer's title or official status. It should also specify the date of departure, and the purpose of the trip and length of stay in the United States. A-3 and G-5 applicants are not required to pay application fees.
- (2) Evidence of proof of medical insurance to cover the employee at all times present in the United States is required.
- (3) Employer's proof of ability to pay the employee's wages while in the United States. Note: If you are applying for an A-3 or G-5 visa, this only applies if the employer holds a diplomatic rank of counselor or below.
- (4) Your current Hong Kong or Macau work contract.
- (5) If the applicant has traveled to the U.S. in the past as a domestic employee, proof that the required U.S. wages were paid during previous trips to the United States, to the satisfaction of the interviewing officer. Such proof may include, but is not limited to: signed invoices, money transfer receipts, check stubs, ledger entries, deposit slips, or payment receipt records.
- (6) A U.S. employment contract, signed by both you and your employer, which meets all requirements listed above.

For A-3 and G-5 applicants, the documentation requirements slightly differ. Please consult with our Visa and Immigration team if you would like to apply for these visas.

5. Important Notes

- (1) U.S. Legal Permanent Residents (Green card holders) are not permitted to bring their domestic workers to the United States on a B-1 visa under any circumstances.
- (2) In addition to the listed submission items, you may also bring additional supporting documents that you believe support the information provided to the consular officer.
- (3) All documents must be original. Photocopies will not be accepted, unless specified. The applicant must submit these documents to the interviewing consular officer during the interview. The Nonimmigrant Visa Unit does not accept documents before the interview. Any document received will not be returned and will be destroyed.
- (4) The presentation of the documents will not guarantee visa issuance.

If you wish to obtain more information or assistance, please visit our official website at www.kaizenvis.com or contact us through the following means:

T: +852 2341 1444

M: +852 5616 4140, +86 152 1943 4614

WhatsApp/Line/WeChat: +852 5616 4140

Skype: kaizencpa

E: info@kaizervis.com

KAIZEN 啓源