



# J-1 VISA

EXCHANGE VISITOR PROGRAM

## Au Pair Program

Through the Au Pair program, participants and host families take part in a mutually rewarding, intercultural opportunity. Participants can continue their education while experiencing everyday life with an American family, and hosts receive reliable and responsible childcare from individuals who become part of the family.

## Participants

### Au Pairs must be:

Proficient in spoken English;

A secondary school graduate or equivalent; and

Between 18-and-26-years-old.

Capable of fully participating in the program as evidenced by the satisfactory completion of a physical.

Personally interviewed, in English, by an organizational representative who shall prepare a report of the interview which shall be provided to the host family; and

Successful in passing a background investigation that includes verification of school, three, non-family related personal and employment references, a criminal background check or its recognized equivalent and a personality profile. Such personality profile will be based upon a psychometric test designed to measure differences in characteristics among applicants against those characteristics considered most important to successfully participate in the au pair program.

## Benefits

**Host Family Stay:** Live with a family for 12 months, with the option to extend 6, 9, or 12 more months.

**Professional Training:** Receive a minimum of 32 hours of childcare training before you start.

**Childcare Experience:** Provide up to 10 hours a day/45 hours a week of childcare.

**School Credit:** Complete at least six hours of academic credit or equivalent in formal educational settings at an accredited U.S. post-secondary educational institution.

**Financial Value:** Receive up to \$500 toward the cost of required academic course work. Room and board plus compensation for childcare work.

## More information

### Note Regarding a Potential Au Pair Rule

In response to inquiries we have received regarding a potential Au pair Rule we feel it premature to comment further at this point. At an appropriate time the Department will decide on an appropriate course of action taking into account Department policy, White House guidance, and the Administrative Procedure Act.

### Limitations/Exceptions for Au Pair work

Au Pairs cannot be placed:

With a family that has an infant less than three months old unless a parent or other responsible adult is at home;

In homes with children under two years of age unless the Au Pair has at least 200 hours of documented infant childcare experience;

In families with a special needs child(ren), as identified by the family, unless the au pair has identified his/her prior experience, skills or training in the care of special needs children and the host family has reviewed and acknowledged the au pair's prior experience, skills, or training in writing; and

In the homes of relatives.

### EduCare - Childcare for before and after school

EduCare applies to families that require childcare before and after school. EduCare Au Pairs may not be placed with families that have preschool children except if other, full-time childcare plans have been made. The EduCare Au Pair may work no more than 10 hours per day, and a maximum of 30 hours per week. Au Pairs participating in the EduCare component receive 75 percent of the weekly rate paid to non-EduCare participants. EduCare Au Pairs must complete a minimum of 12 hours of academic credit or its equivalent during the program year. The host family is required to provide (up to) the first \$1,000 toward the cost of the Au Pair's required academic course work.

### Protections for Exchange Visitors

The State Department has activated a helpline to ensure the health and safety of its exchange participants, including au pairs. All participants have a right to be treated fairly and to report abuse without retaliation or threat of program cancellation. Among other prohibitions, no sponsor may threaten program termination, or otherwise retaliate against an au pair solely because he or she has instituted a complaint or taken action to gain assistance from an outside entity regarding a complaint. Au pairs can contact the State Department at any time via the hotline 1-866-283-9090 or at [ivisas@state.gov](mailto:ivisas@state.gov) (<mailto:ivisas@state.gov>).

## Program Sponsors

### Sponsors are required to:

Screen and select both host families and au pairs as program participants according to selection criteria stated in the regulations;

Provide au pairs with training in child development and child safety prior to their placement with a host family; and

Provide an orientation upon arrival in the United States that includes comprehensive information on life in the United States (see "more information" below)

Be transparent about fees, housing, representations and disclosures and provide an itemized list of all fees to be paid and a description of other costs that an au pair will likely incur while in the United States

Monitor au pair participation throughout the program, including the physical location, progress, and welfare of the au pair

File a program-specific management review to the State Department, so that the Department can regularly review internal controls and program compliance

### Sponsors must ensure the following:

**Eligibility:** Must be 18-to-26-years-old, proficient in spoken English and must complete at least six hours of academic credit or its equivalent at an accredited U.S. post-secondary educational institution.

**Work hours:** Childcare is limited to no more than 10 hours per day, and to a maximum of 45 hours per week.

**Childcare Experience:** Provide up to 10 hours a day/45 hours a week of childcare.

**Financial Compensation:** Au pairs are compensated for their work according to the Fair Labor Standards Act (<http://www.dol.gov/whd/flsa/index.htm>) as interpreted and implemented by the U.S. Department of Labor (<http://www.dol.gov/>).

## More information

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### Limitations/Exceptions for Au Pair work environment

Au Pairs cannot be placed:

With a family that has an infant less than three months old unless a parent or other responsible adult is at home;

In homes with children under two years of age unless the Au Pair has at least 200 hours of documented infant childcare experience;

In families with a special needs child as identified by the family. The Au Pair can work with a special needs child if s/he has identified prior experience, skill or training in caring for special needs children. In this case, the host family must review and acknowledged the prior experience, skills or training in writing; and

In the homes of relatives.

### EduCare – Childcare for school-aged children

EduCare applies to families that require childcare before and after school. EduCare Au Pairs may not be placed with families that have preschool children except if other, full-time childcare arrangements have been made.

The EduCare Au Pair may work no more than 10 hours per day, and a maximum of 30 hours per week. Au Pairs participating in the EduCare component receive 75 percent of the weekly rate paid to non-EduCare participants. EduCare Au Pairs must complete a minimum of 12 hours of academic credit or its equivalent during the program year. The host family is required to provide (up to) the first \$1,000 toward the cost of the Au Pair's required academic course work.

### Orientation

Upon arrival in the United States, sponsors must provide an orientation to au pairs that covers the below topics, as well as others the sponsor deems relevant:

Life and customs in the United States;

The exchange visitor program, i.e., length, summary of significant components, information about payment;

Local community resources, e.g., public transportation, medical centers, schools, libraries, recreational centers, and banks;

Healthcare coverage, including benefits and how to seek emergency assistance;

Rules that au pairs must follow while on the program;

Contact information for the sponsor, as well as appropriate Department of State office contact information, including the helpline; and

Reporting requirements.

Au pairs must also be given a copy of the Wilberforce Pamphlet on the Rights and Protections for Temporary Workers ([http://1.visa.state.gov/wp-content/uploads/2017/01/Wilberforce\\_Pamphlet\\_October2016.pdf](http://1.visa.state.gov/wp-content/uploads/2017/01/Wilberforce_Pamphlet_October2016.pdf)).

## Hosts/Employers

### Host families are required to:

Pay up to \$500 toward the cost of the au pair's required academic course work;

Provide an appropriate suitable private room and three meals a day for the au pair;

Be U.S. citizens or legal permanent residents fluent in spoken English;

Pay a weekly minimum stipend based on the program option selected;

Give the au pair one complete weekend off each month (Friday evening to Monday morning);

Facilitate the care provider's requirement to enroll in and attend an accredited post-secondary institution to fulfill her Educational Component (/educational-component/) requirement;

Provide a minimum of two weeks paid vacation for each 12 month exchange term (prorated for extension periods of six or nine months), in addition to regular weekly/monthly time off;

**Include** the au pair whenever possible in family meals, outings, holidays and other events; and

Host families and Au Pairs must sign an Agreement detailing the au pair's obligation to provide child care prior to the Au Pair's placement in the host family's home. In the event of questions regarding refunds or other adjustments, host families and au pairs should refer to their agreements. The Department of State does not have jurisdiction over contractual obligations.