

Personal or Domestic Staff Visas

Non-immigrant visa holders may be accompanied to the United States by their personal or domestic staff, if they meet certain requirements. Domestic staff for official visa holders must apply for an A-3 visa, while domestic staff for non-official visa holders should apply for a B-1 visa.

All personal or domestic staff working for their employer must have a signed valid contract that follows all applicable labor laws. These laws include, but are not limited to, paying the employee the appropriate minimum or prevailing wage, paying employees for all hours worked, paying employees overtime at 1.5 times the normal wage for all hours worked over 8 hours per day and 40 hours per week, paying all applicable taxes and providing at least one day off per week. Furthermore, U.S. law requires that the employer pay the employee's travel to/from the U.S., allow the employee to freely leave the employment premises when not working, not hold onto the employee's passport while in the U.S. and may not deduct any travel or other expenses from the employee's salary.

The State Department has drafted a contract template which is recommended for all A-3 and B-1 visa applicants. The visa template is available <https://www.state.gov/documents/organization/259370.docx>. The contract must be brought to the interview and must be in the applicant's native language, as well as in English. Failure to present a valid contract that meets all requirements will lead to a visa refusal.

A-3 Visa

As of January 9, 2018, all A3 applications must also include a diplomatic note. The diplomatic note should include the following information about the employee – name, date of birth, position, and brief description of duties. The diplomatic note must also include the name, date of birth, passport number, and position and title of the employer. Finally, the diplomatic note must include the place of assignment or visit and the travel date.

A-3 visa applicants will no longer use the same scheduling system as other visa applicants. As of May 1, 2018, all A3 visa appointments must be scheduled directly with the embassy via e-mail. After completing the visa application, A3 applicants must request an appointment via e-mail to RiyadhNIV@state.gov. The e-mail must include the applicant's name, passport number and a copy of the confirmation page for the DS-160. We will reply with the date and time of the visa appointment. There is no fee for the A-3 visa application.

B-1 Visa

To qualify for a personal or domestic employee B-1 visa, the visa applicant must show the following:

- (1) The employee has a residence abroad which he or she has no intention of abandoning;
- (2) The employee can demonstrate at least one year's experience as a personal employee or domestic worker;

- (3) The employee has been employed abroad by the employer as a personal employee or domestic worker for at least one year prior to the date of the employer's admission to the United States or if the employee-employer relationship existed immediately prior to the time of visa application, the employer can demonstrate that he or she has regularly employed (either year-round or seasonally) personal employees or domestic worker's over a period of several years preceding the domestic employee's visa application for a nonimmigrant B-1 visa;
- (4) The applicant must have an employment contract that has been signed and dated by the employer and employee, and such contract includes the following provisions:
 - (a) The employee will receive the greater of the minimum or prevailing wage under U.S. federal, state, or local law for an eight hour work day;
 - (b) The employee will receive free room and board;
 - (c) The employer will be the only provider of employment to the employee; and
 - (d) 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.

B-1 visa applicants must follow normal procedures for scheduling a visa appointment at <http://www.ustraveldocs.com/sa/>