



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY GARRISON
BLDG 237, B AVE, P.O. BOX 105021
FORT IRWIN, CA 92310-5000

AMIM-NTG-ZA

22 June 2023

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: United States Army Garrison (USAG), Fort Irwin and National Training Center Policy #11, Nannies Employed on the Installation

1. PURPOSE: To foster an environment where the well-being and safety of children receiving childcare by any person designated as a nanny is paramount. Arrangements made to enable live-in boyfriends or girlfriends to reside in family housing is contrary to the stated purpose of Army family housing. Therefore parents must ensure that nannies have received the proper training and qualifications.

2. REFERENCE:

a. USAG Policy #4 for approved Exception of Policy (ETP) for a Non-Dependent to Reside in Family Housing.

b. Installation Management Command (IMCOM) Policy Memorandum 215-1-14, IMCOM Garrison Home-Based Business (HBB) Implementation guidance.

c. USAG Standard Operating Procedure (SOP) for processing ETPs.

d. American Counsel of Nanny Schools, www.americancouncilofnannyschools.com.

3. PROCEDURES:

a. Prospective nanny will register, receive training, complete background checks and home inspection, as well as receive certification by the installation Child and Youth Services (CYS) office as part of the Family Child Care (FCC) provider system.

b. Required training will be conducted by the CYS FCC program, at no cost. The American Red Cross CPR and First Aid official certification are additional required training and will cost approximately \$30.00 (fee subject to change).

c. CYS FCC will verify all additional requirements have been met, maintain a file with corroboration of compliance and issue a letter for the Garrison Commander's (GC) approval.

4. RESPONSIBILITIES:

a. PARENT:

(1) Apply for an approved ETP through the Post Housing Office/Government Contracted Housing Office for the nanny to reside in the home. Approval of an ETP to have a nanny live in post housing is contingent upon the individual making the request agreeing to consent to any and all inspections (with or without notice), inspection of the living quarters of the house ensuring that the nanny has his/her own quarters and consenting to inspect all documentation required to establish that the nanny meets the conditions outlined in this policy to be a nanny.

(2) Ensure nanny has completed background clearances.

(3) Verify eligibility to work in the United States (US). This can be accomplished by viewing his/her passport or some combination of documents such as: Social Security card, driver's license, birth certificate, green card or work permit. If the documents cannot be produced, he/she is not eligible to work in the US.

(4) Negotiate a contract for services approved by CYS FCC. The contract should include, but not limited too; income amount and services to be rendered. The parent is responsible for paying Social Security and Medicare taxes as the employer of the nanny. A sample contract may be viewed by Appendix A, as a guide, but should not be considered the standard or approved version form of a nanny contract. US Army Garrison - Fort Irwin and National Training Center Fort Irwin do not warrant that the sample contract covers all of the legal requirements for either State or Federal purposes and it is only provided as a suggestion, parties will have to consult their own private legal counsel as to the validity of the contract.

b. NANNY:

(1) Education and Training: Requirements vary including but not limited to: a high school diploma, a national Child Development Associate (CDA) credential, community college courses or a college degree in early childhood development/education.

(2) Show documentation the required FCC classes have been completed within six (6) weeks (or next available FCC Certification class) of being approved/authorized to provide nanny services. Required classes include:

(a) Child and Infant Cardiopulmonary Resuscitation (CPR) and First Aid training including training in sudden infant death syndrome (SIDS), and Shaken Baby.

(b) Early Childhood Education: Birth to Adolescence.

- (c) Early Childhood Education: Curriculum Planning.
 - (d) Medication/Communicable Diseases/Blood Borne Pathogens.
 - (e) Positive Behavior.
 - (f) Special needs (if applicable)
 - (g) Earthquake/Safety Training.
 - (h) Nutrition.
 - (i) Child Abuse Reporting and Identification.
- (3) Provide copies of completed background clearances.
- (4) Have medical insurance.
- (5) If the nanny will be driving on Post, he/she must possess a valid driver's license and auto insurance.
- (6) Sign a contract with the parent or military sponsor detailing wages, hours of employment, personal/sick days, tax information, and any and all information pertaining to the position.

C. POST FAMILY HOUSING OFFICE/GOVERNMENT APPROVED HOUSING CONTRACTOR:

- (1) Ensure the Military Sponsor has applied for an ETP approval according to the guidelines outlined in USAG Policy #4 for a non-dependent to reside in family housing.
- (2) Process the ETP according to the USAG Fort Irwin SOP.
- (3) Ensure the family's housing unit has the appropriate space for the nanny, if he/she is residing in the home of the Sponsor or process ETP according to USAG Fort Irwin Policy.

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5. The proponent for this policy letter is the CYS FCC program at (760) 380-3502/2267.

A handwritten signature in blue ink, appearing to read 'Lane A. Bomar'.

LANE A. BOMAR
COL, AR
Commanding

DISTRIBUTION:

APPENDIX A: Sample Nanny Contract

This contract, executed on DATE, between EMPLOYER and EMPLOYEE, have agreed upon the following terms of employment:

1. START DATE

Employee will start employment on DATE and continue until either party elects to terminate the terms of employment with 30 days' notice.

2. WORKSITE ADDRESS

Work will be performed at the following address: _____.

3. WORK SCHEDULE

The following represents a typical weekly schedule. Employer will limit fluctuations as much as possible and provide as much notice as possible.

SAT: Hours: _____ Begin Time: _____ End Time: _____

SUN: Hours: _____ Begin Time: _____ End Time: _____

MON: Hours: _____ Begin Time: _____ End Time: _____

TUE: Hours: _____ Begin Time: _____ End Time: _____

WED: Hours: _____ Begin Time: _____ End Time: _____

THURS: Hours: _____ Begin Time: _____ End Time: _____

FRI: Hours: _____ Begin Time: _____ End Time: _____

Total Weekly Hours: _____

4. JOB RESPONSIBILITIES

Dependent Care. The name and date of birth (DOB) of each dependent is listed below.

NAME

DOB: _____

NAME

DOB: _____

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A specific list of tasks, timelines, and instructions are attached in the Nanny Rule and Daily Schedule.

5. COMPENSATION

Regular rate of pay=\$_____per hour

+ Overtime rate of pay=\$_____per hour (for more than 40 hours in a week)

Total compensation=\$_____per week

Wage will be paid: Weekly (Every Friday)

 Bi-Weekly (Every Other Friday or 26 time per year)

Fair Labor Standards Act Notes: *With very few exceptions, domestic employees are classified a "non-except" (protected) workers, which entitles them to pay for every hour they work at a rate that may not be less than the federal, state, and, if applicable, local minimum wage rate. Additionally, overtime (time-and-a-half) must be paid for each hour over 40 in a 7-day workweek.*

6. MILEAGE AND GENERAL EXPENSES

Any miles driven while on the job using the employee's car will be reimbursed at the IRS Mileage Reimbursement Rate, which covers the cost of gasoline as well as general wear and tear on the car. Employee will maintain a mileage log and submit to employers for reimbursement at the end of the pay period. All other pre-approved, work-related expenses will be reimbursed at cost. Employee will keep all receipts and submit to employer for reimbursement at the end of the pay period.

7. TAX-ADVANTAGED BENEFITS

In addition to the wages stated above, employer will contribute to the following employee expenses. These amounts are considered "non-taxable" compensation (up to the limited noted below), meaning neither employer nor employee will pay any taxes on this portion of the compensation (check any that apply):

Health insurance at \$_____per month

Public transportation at \$_____per month (up to \$245*/month)

Parking at \$_____per month (up to \$245*/month)

College tuition at \$_____per month (up to \$5,250* per year)

Mobile phone service at \$_____per month

Tax-Advantaged Benefits Notes: Families are generally not required by law to provide these benefits. They are additional perks that can be discussed between the family and nanny.

8. PAID TIME OFF

Employee will receive the following paid time off:

- Family Sick Leave (_____ hours per year). _____ week (s) notice is requested for any appointments, etc. which may cause the employee to miss work.
- Vacation (_____ hours per year). Employee will provide vacation request at least _____ week(s) in advance. (See Nanny Rules for how this vacation will be determined)

Paid Time Off Notes: Families are generally not required by law to provide paid time off. However, there are exception in some area such as:

- California, require employers who offer paid vacation to allow unused accrued hours to carryover from one year to the next.

9. HOLIDAYS

Employer will provide the following **PAID** Holidays (check any that apply):

_____ New Year's Day	_____ Martin Luther King, Jr.'s Birthday
_____ President's Day	_____ Memorial Day
_____ Independence Day (4 th of July)	_____ Labor Day
_____ Thanksgiving Day	_____ Christmas Day

Employer will also provide the following **UNPAID** holidays (check any that apply):

_____ New Year's Day	_____ Martin Luther King, Jr.'s Birthday
_____ President's Day	_____ Memorial Day
_____ Independence Day (4 th of July)	_____ Labor Day
_____ Thanksgiving Day	_____ Christmas Day

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Holiday Pay Note: Families are not required by law to provide paid holidays.

10. TAX WITHHOLDING/REPORTING

Employee will complete Form 1-9 (available at www.uscis.gov/forms) and provide required documentation verifying employment eligibility within three (3) days of hiring. Employer will withhold the required Social Security and Medicare taxes from the employee's pay, along with income taxes per the employee's instructions on Form W-4 and all other applicable state taxes.

All tax withholdings will be remitted to the state and federal tax agencies on or before the household employment tax deadlines. In addition, employer will match the employee's Social Security and Medicare contributions and make contributions to the state and federal unemployment insurance funds on behalf of the employee.

Employer will provide employee with Form W-2 (available at www.irs.gov/Forms-&-Pubs) at the end of the year (by January 31).

Employer will report employee's earnings to the Social Security Administration so that employee receives appropriate retirement benefits.

11. CONFIDENTIALITY

Employee understand that any and all private information obtained about the employers or their dependents during the course of employment, including but not limited to medical, financial, legal, and career, are strictly confidential and may not be disclosed to any third party for any reason.

12. GROUND FOR TERMINATION

The following are ground for immediate termination:

- Allowing the safety of the dependent(s) to be compromised
- Inconsistent or non-performance of agreed-upon job responsibilities
- Concerning issues in background checks
- Dishonesty
- Stealing
- Misuse of family automobile
- Breach of confidentiality clause
- Persistent absenteeism or tardiness
- Smoking or consumption of alcohol while on duty
- Use of illegal drugs
- Overuse of cell phone while on duty or while driving

13. SOCIAL MEDIA POLICY

Employee understand that no information about his/her location, plans for the day, or pictures of the children should be shared on any social media network. Employee will also not tell strangers to the family (i.e. nanny's friends) where he/she is spending the day, unless the family has authorized.

14. RAISES and REVIEWS

Upon the first 90-daysm, the Employee will have an initial review with the family to check-in and gauge how the relations is going.

After ___year(s), the Employee is eligible for a raise of \$_____ or _____%. This will be based on:

Raises and Review Notes: Families are not required to give nannies annual raises, but it is a common practice. Start with the rate of inflation (check the Bureau of Labor Statistics website for the Consumer Price Index, www.bls.gov/cpl/) and then add between two and five percentage points based on performance.

15.

a. Employer hereby agrees to be fully bound by the terms of this contract.

Employer Signature: _____ Printed Name: _____

b. Employee hereby agrees to be fully bound by the terms of this contract.

Employee Signature: _____ Printed Name: _____

